

AMENDMENT # 1

OFFERED IN THE SENATE
TO: SCS CSHB 57(FIN)

BY SENATOR TOBIN
Yundt
Wielechowski
Hughes
Kaufman
Cronk
Kawasaki

1 Page 2, following line 10:

2 Insert new bill sections to read:

3 ** Sec. 3. AS 14.03.253(b) is amended to read:

4 (b) In an appeal to the state Board of Education and Early Development of a
5 denial of a charter school application under (a)(3) of this section, the state board shall
6 determine, based on the record, whether the commissioner's findings are supported by
7 substantial evidence and whether the decision is contrary to law. The state board shall
8 issue a written decision within 45 [90] days after the state board receives an appeal.

9 * Sec. 4. AS 14.03.255(c) is amended to read:

10 (c) A charter school shall operate under a contract between the charter school
11 and the local school board. A contract must contain the following provisions:

- 12 (1) a description of the educational program;
13 (2) specific levels of achievement for the education program;
14 (3) admission policies and procedures;
15 (4) administrative policies;
16 (5) a statement of the charter school's funding allocation from the local
17 school board and costs assignable to the charter school program budget;
18 (6) the method by which the charter school will account for receipts
19 and expenditures;
20 (7) the location and description of the facility;
21 (8) the name of the teacher, or teachers, who, by agreement between
22 the charter school and the teacher, will teach in the charter school;
23 (9) the teacher-to-student ratio;

- 1 (10) the number of students served;
- 2 (11) the term of the contract, not to exceed a term of 10 years;
- 3 (12) a termination clause providing that the contract may be terminated
- 4 by the local school board for the failure of the charter school to meet educational
- 5 achievement goals or fiscal management standards, or for other good cause;
- 6 (13) a clause providing that the local school board may only
- 7 terminate a contract under the standards and procedures established in
- 8 AS 14.03.256;
- 9 (14) a statement that the charter school will comply with all state and
- 10 federal requirements for receipt and use of public money;
- 11 (15) [(14)] other requirements or exemptions agreed on [UPON] by the
- 12 charter school and the local school board."

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14 Renumber the following bill sections accordingly.

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16 Page 2, following line 14:

17 Insert a new bill section to read:

18 "** Sec. 6. AS 14.03 is amended by adding a new section to read:

19 **Sec. 14.03.256. Charter school termination.** (a) A local school board may

20 terminate a contract between the local school board and a charter school only if the

21 charter school has

22 (1) failed to comply with a condition or material term of the contract or

23 AS 14.03.250 - 14.03.290; or

24 (2) intentionally or fraudulently misrepresented, in whole or in part,

25 material facts or circumstances upon which the contract was made.

26 (b) Before termination of a contract under this section, the local school board

27 shall give the charter school written notice of the local school board's intent to

28 terminate the contract. The local school board may also provide the charter school

29 with a reasonable opportunity, as determined by the local school board, to cure any

30 deficiency that is the basis for the termination if the local school board determines that

31 curing the deficiency is appropriate under the circumstances.

1 (c) A charter school whose contract is terminated under this section may file
2 an appeal with the superior court under the Alaska Rules of Appellate Procedure."

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4 Renumber the following bill sections accordingly.

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6 Page 6, following line 2:

7 Insert a new paragraph to read:

8 "(2) analyze and recommend statewide policy on interdistrict open enrollment,
9 including evaluating the effects on military families, subsidization of student transportation
10 costs, and appeal processes;"

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12 Renumber the following paragraphs accordingly.

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14 Page 7, line 8:

15 Delete "Section 3 of this Act applies"

16 Insert "Sections 4 - 6 of this Act apply"