

**CS FOR SENATE BILL NO. 61(HES)**

**IN THE LEGISLATURE OF THE STATE OF ALASKA**

**EIGHTEENTH LEGISLATURE - FIRST SESSION**

**BY THE SENATE HEALTH, EDUCATION AND SOCIAL SERVICES COMMITTEE**

**Offered: 4/1/93**  
**Referred: Finance**

**Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR**

**A BILL**

**FOR AN ACT ENTITLED**

1 "An Act relating to goals for public education and student performance, to grants  
2 for improving school performance, to school district advisory boards, and to  
3 establishment of charter schools; and providing for an effective date."

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 \* Section 1. PURPOSE. The purpose of this Act is to

6 (1) implement certain recommendations of Alaska 2000, a comprehensive  
7 statewide effort of Alaskans to improve the state's education system for the future;

8 (2) establish goals for public education in the state; it is not the purpose of this  
9 Act to recommend a specific curriculum or to diminish the right of each school district to  
10 establish a curriculum in that school district;

11 (3) build a state education system with the flexibility to be more responsive  
12 to the needs of students and society;

13 (4) set high expectations and tailor educational standards to meet the diverse  
14 needs of Alaska's children;

1 (5) change the state education system so that Alaska educators can do their  
2 very best and so that the best educators are teaching in our schools;

3 (6) provide increased opportunity for our children to achieve higher educational  
4 performance; and

5 (7) structure our education system to facilitate accomplishment of national,  
6 state, and local goals for the education of Alaska's children.

7 \* Sec. 2. AS 14.03.015 is repealed and reenacted to read:

8 Sec. 14.03.015. MISSION FOR PUBLIC EDUCATION. The mission of the  
9 public school system is to help ensure that all students succeed in their education and  
10 work, shape worthwhile and satisfying lives, exemplify the best values of society and  
11 their respective cultures, and be effective in improving the character and quality of the  
12 world about them. It is the joint responsibility of students, parents, schools, and the  
13 community to achieve the mission described in this section.

14 \* Sec. 3. AS 14.03 is amended by adding a new section to read:

15 Sec. 14.03.017. GOALS FOR STUDENT PERFORMANCE. The public  
16 school system shall be operated with the recognition that all students can learn. The  
17 goal of the system is to develop successful students. A successful student will  
18 graduate and the process of learning should include the following:

19 (1) a working knowledge of science, language arts, social studies,  
20 mathematics, physical education and health, and fine arts;

21 (2) the ability to think logically and critically including the ability to

22 (A) think clearly about new information and ideas;

23 (B) solve problems through different ways of questioning and  
24 analysis;

25 (C) be open to new ideas and be curious about the world and  
26 self;

27 (D) demonstrate the skills needed to make good decisions;

28 (E) understand and use mathematical and scientific ideas;

29 (F) demonstrate good study skills and habits;

30 (G) access, process, and integrate information;

31 (H) evaluate and improve ideas through discussions with other

- 1 people;
- 2 (I) read, understand, and apply written information faced in
- 3 daily life;
- 4 (3) an acceptance of personal responsibility for sustaining a person
- 5 economically including the critical skills, competencies, values, and attitudes to be
- 6 successful in work, whether of a cash or subsistence nature, including the ability to
- 7 (A) be confident, able, and prepared for opportunities in the
- 8 local, national, and international workplace;
- 9 (B) understand the value of and necessity for lifelong learning,
- 10 including the ability to teach oneself new skills to adjust to a changing
- 11 workplace;
- 12 (C) show initiative, dependability, punctuality, and to strive for
- 13 accuracy and efficiency on the job;
- 14 (D) willingly accept advice, supervision, and criticism and to
- 15 be a good team member in the workplace;
- 16 (E) be safety conscious;
- 17 (F) be a critical consumer with skills for making informed
- 18 choices;
- 19 (G) recognize how success in school relates to a person's future;
- 20 (4) the ability to communicate effectively including the ability to
- 21 (A) talk about feelings, ideas, and concepts with clarity;
- 22 (B) be a good listener;
- 23 (C) read, understand, and respond to written information faced
- 24 in daily life;
- 25 (D) appreciate the value of reading as a lifelong activity;
- 26 (E) write well for a variety of purposes and audiences;
- 27 (F) demonstrate understanding and openness in group settings;
- 28 (5) the ability to discover and nurture creative talents including the
- 29 ability to
- 30 (A) appreciate the world around us;
- 31 (B) take part in activities that cut across fields of study;

1 (C) understand our world and its past, present, and future and  
2 be able to express this understanding in a variety of ways and with different  
3 media;

4 (D) respect and encourage the creative talents of individuals and  
5 groups;

6 (E) demonstrate the knowledge and skills needed to express  
7 ideas in literature, visual arts, music, dance, and drama;

8 (6) knowledge of how to develop positive self-esteem including the  
9 ability to

10 (A) know how to set and achieve personal goals;

11 (B) be confident, assertive, and flexible;

12 (C) demonstrate an appreciation for one's own personal talents  
13 and strengths;

14 (D) form satisfying relationships with others based on respect,  
15 trust, cooperation, mutual understanding, compassion, and appreciation of  
16 cultural differences;

17 (7) the ability to master essential vocational technological skills  
18 including the ability to

19 (A) communicate and compete in the global market with  
20 computers, video, audio, and other technologies;

21 (B) use technology to gather, analyze, and evaluate information  
22 and opinions;

23 (C) critically evaluate information presented in the mass media;

24 (D) use computers to process and organize information;

25 (E) understand the overall purpose of equipment and the proper  
26 procedures for setup and operation;

27 (8) the ability to understand the values of health and fitness including  
28 the ability to

29 (A) understand the skills and apply the knowledge needed to  
30 promote physical and mental health;

31 (B) respond constructively to life's social, environmental, and

- 1                    **physical challenges;**
- 2                    (9) **knowledge of the values of responsible citizenship including the**
- 3                    **ability to**
- 4                    (A) **understand and participate in the democratic process;**
- 5                    (B) **achieve the values, knowledge, and ethical behaviors needed**
- 6                    **to participate in a democratic society;**
- 7                    (C) **learn to recognize and appreciate the contribution of peoples**
- 8                    **from other countries and cultures;**
- 9                    (D) **be aware of and appreciate languages other than English;**
- 10                   (E) **achieve skills in leadership, cooperation, communication,**
- 11                   **and social responsibility;**
- 12                   (F) **understand one's relationship to the environment and be**
- 13                   **committed to the wise use of resources;**
- 14                   (G) **know effective parenting skills to nurture healthy growth**
- 15                   **and development in others;**
- 16                   (H) **understand the past.**

17                   \* **Sec. 4.** AS 14.03.125(a) is amended to read:

18                   (a) The fund for the improvement of school performance is created as an

19                   account in the general fund. The fund shall be used by the commissioner to make

20                   grants to a district located in the state for the purpose of improving public school

21                   performance. The fund consists of money appropriated by the legislature, including

22                   appropriations from the earnings of the public school trust fund established under

23                   AS 37.14.110. The commissioner shall annually determine the amount requested for

24                   grants under this section and shall include the amount in the department's budget

25                   request.

26                   \* **Sec. 5.** AS 14.03.125(b) is amended to read:

27                   (b) A governing body, district advisory board, or nonprofit organization located

28                   in the state, or a teacher or principal employed by a public school in the state, may

29                   apply for a grant [OF UP TO \$50,000] to improve school performance by submitting

30                   an application to the commissioner.

31                   \* **Sec. 6.** AS 14.03.125(c) is amended to read:

1 (c) A grant may be awarded to the same grantee in consecutive fiscal years,  
2 but may not be awarded to the same grantee for more than three [TWO] fiscal years  
3 within a five-year period.

4 \* Sec. 7. AS 14.03.125 is amended by adding a new subsection to read:

5 (f) The board shall adopt regulations concerning grants and grant award  
6 procedures under this section.

7 \* Sec. 8. AS 14.12.035 is repealed and reenacted to read:

8 Sec. 14.12.035. ADVISORY BOARDS IN SCHOOL DISTRICTS. (a) A city  
9 or borough school district board shall establish an advisory board at each school in  
10 each community within the district if the community has more than 50 permanent  
11 residents. The school district board shall set standards for the manner of selection and  
12 organization of the advisory boards, and, in a manner consistent with (b) of this  
13 section, shall prescribe advisory board powers and duties. The following are exempt  
14 from the requirements of this section:

15 (1) a school district that has only one school and has a school board;  
16 or

17 (2) a school in which there is an existing parent advisory group.

18 (b) An advisory board shall advise the school district board on any matter  
19 concerning schools in the district in which the advisory board is established.

20 (c) The commissioner may allow an advisory board to serve more than one  
21 school upon request by a school district board.

22 \* Sec. 9. ESTABLISHMENT OF CHARTER SCHOOLS. (a) A charter school may be  
23 established as provided under secs. 9 - 16 of this Act upon the approval of the local school  
24 board and the state Board of Education of an application for a charter school. The state Board  
25 of Education may not approve more than 20 charter schools to operate in the state at any one  
26 time.

27 (b) Each local school board shall prescribe an application procedure for the  
28 establishment of a charter school in that school district. The application procedure must  
29 include provisions for an academic policy committee consisting of faculty and parents of the  
30 school and a proposed form for a contract between a charter school and the local school board,  
31 setting out the contract elements required under sec. 10(c) of this Act.

1 (c) A local school board shall forward to the state Board of Education applications for  
2 a charter school that have been approved or denied.

3 • **Sec. 10. ORGANIZATION AND OPERATION OF A CHARTER SCHOOL.** (a) A  
4 charter school operates as a school in the local school district except that the charter school  
5 (1) is exempt from the local school district's textbook, program, curriculum, and scheduling  
6 requirements, and (2) operates under the charter school's annual program budget as set out in  
7 the contract between the local school board and the charter school. The charter school is  
8 exempt from other local school district requirements if exemption is authorized by the local  
9 school board in the contract.

10 (b) The charter school shall

11 (1) keep financial records of the charter school;

12 (2) oversee the operation of the charter school to ensure that the terms of the  
13 contract required by (c) of this section are being met; and

14 (3) meet regularly with teachers of the charter school to review, evaluate, and  
15 improve operations of the charter school.

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

18 (1) description of the educational program;

19 (2) specific levels of achievement for the education program;

20 (3) admission policies and procedures;

21 (4) administrative policies;

22 (5) statement of the charter school's funding allocation from the local school  
23 board and costs assignable to the charter school program budget;

24 (6) method by which the charter school will account for receipts and  
25 expenditures;

26 (7) location and description of the facility;

27 (8) name of the teacher, or teachers, who, by agreement between the charter  
28 school and the teacher, will teach in the charter school;

29 (9) teacher-to-student ratio;

30 (10) number of students served;

31 (11) the term of the contract, not to exceed a term of three years;

1 (12) a termination clause providing that the contract may be terminated by the  
2 local school board for the failure of the charter school to meet educational achievement goals  
3 or fiscal management standards, or for other good cause;

4 (13) a statement that the charter school will comply with all state and federal  
5 requirements for receipt and use of public money;

6 (14) other requirements or exemptions agreed upon by the charter school and  
7 the local school board.

8 \* Sec. 11. FUNDING FOR CHARTER SCHOOL. (a) A local school board shall provide  
9 an approved charter school with an annual program budget. The budget shall be not less than  
10 the amount generated by the students enrolled in the charter school less administrative costs  
11 retained by the local school district, determined by applying the indirect cost rate approved  
12 by the Department of Education. The "amount generated by students enrolled in the charter  
13 school" is to be determined in the same manner as it would be for a student enrolled in any  
14 other public school in that school district.

15 (b) The program budget of a charter school is to be used for operating expenses of  
16 the educational program of the charter school, including purchasing textbooks, classroom  
17 materials, and instructional aids.

18 (c) The charter school shall provide all financial and accounting information requested  
19 by the local school board or the Department of Education, and shall cooperate with the local  
20 school district or the department in complying with the requirements of AS 14.17.190.

21 \* Sec. 12. ADMISSION. (a) The program of a charter school may be designed to serve

22 (1) students within an age group or grade level; or

23 (2) students who will benefit from a particular teaching method or curriculum.

24 (b) A charter school shall enroll all eligible students who submit a timely application,  
25 unless the number of those applications exceeds the capacity of the program, class, grade  
26 level, or building. In the event of an excess of those applications, the charter school and the  
27 local school board shall attempt to accommodate all of those applicants by considering  
28 providing additional classroom space and assigning additional teachers from the district to the  
29 charter school. If it is not possible to accommodate all eligible students who submit a timely  
30 application, students must be accepted by random drawing. A school board may not require  
31 a student to attend a charter school.

1 (c) In addition to other requirements of law, a charter school must be nonsectarian and  
2 may not discriminate in selection of students on the basis of intelligence, achievement,  
3 aptitude, or athletic ability.

4 \* Sec. 13. TEACHER TRANSFERS, EVALUATIONS, AND NEGOTIATED  
5 AGREEMENTS. (a) A teacher may not be assigned to teach in a charter school unless the  
6 teacher consents to the assignment.

7 (b) All provisions of an existing negotiated agreement or collective bargaining  
8 agreement applicable to a teacher or employee of a district shall apply to that teacher or  
9 employee if employed at a charter school in that district, unless the district and the bargaining  
10 unit representing the teacher or employee agree to an exemption.

11 (c) A teacher in a charter school must be evaluated in an equivalent manner as all  
12 other teachers in the district, except that if there is no administrator assigned to the charter  
13 school, the local school board, with the agreement of the charter school, shall designate a  
14 school district administrator in that district to evaluate a teacher in a charter school.

15 \* Sec. 14. CONTRACTS; DURATION. A contract for a charter school may be for a term  
16 of no more than three years and may not extend beyond July 1, 1999. No more than one  
17 contract for a particular charter school may be entered into under secs. 9 - 16 of this Act.

18 \* Sec. 15. REGULATIONS. The state Board of Education may adopt regulations  
19 necessary to implement secs. 9 - 16 of this Act.

20 \* Sec. 16. DEFINITIONS. In secs. 9 - 16 of this Act.

21 (1) "academic policy committee" means the group designated to supervise the  
22 academic operation of a charter school and to ensure the fulfillment of the mission of a charter  
23 school;

24 (2) "charter school" means a school established under secs. 9 - 16 of this Act;

25 (3) "local school board" means a borough or city school board or a regional  
26 school board;

27 (4) "parent" means a biological, adoptive, or foster parent, or an adult who acts  
28 as guardian of a child and makes decisions related to the child's safety, education, and  
29 welfare;

30 (5) "parent advisory group" means a group that is recognized by the school as  
31 representative of those parents having children attending that school, that has regular meetings,

1 and in which membership is open to all parents within that school's attendance area;

2 (6) "teacher" means a person who serves a school district in a teaching,  
3 counseling, or administrative capacity and is required to be certificated in order to hold the  
4 position.

5 \* Sec. 17. Sections 9 - 16 of this Act are repealed.

6 \* Sec. 18. TRANSITION. Notwithstanding secs. 20 and 21 of this Act, the state Board  
7 of Education may proceed to adopt regulations necessary to implement this Act. The  
8 regulations take effect under AS 44.62 (Administrative Procedure Act), but not before the  
9 respective effective date of the relevant section or sections of this Act.

10 \* Sec. 19. Section 18 of this Act takes effect immediately under AS 01.10.070(c).

11 \* Sec. 20. Sections 1 - 16 of this Act take effect July 1, 1993.

12 \* Sec. 21. Section 17 of this Act takes effect July 1, 1996.