

SB

182

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 4/21/97

FURTHER: Finance

Date of 5-Day Notice: 5/2/97
 (in accordance with Uniform Rule 23)
 (24-hr rule in effect)
 HESS Committee considered

DATE TURNED
 IN TO OFFICE: 5/7/97

SENATE BILL NO. 182

"An Act relating to the establishment and operation of charter schools."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to the _____ Committee

- Senate Bill:**
 same title
 new title
House Bill:
 same title
 technical title
 new: SCR# _____

SIGNING DO PASS	DP	OTHER RECOMMENDATIONS	NR	DNP	AM
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
<i>[Signature]</i>	✓				
CHAIR:		CHAIR: <i>[Signature]</i>	✓		

NEW FISCAL NOTE(S):

Department Date Zero Fiscal

Department	Date	Zero	Fiscal
DOE	5/2/97		\$ 84.5

PREVIOUS FISCAL NOTE(S):*

Department Date Zero Fiscal

Department	Date	Zero	Fiscal

APPROPRIATION -- no fiscal note

*include fiscal notes accompanying Governor's bill

FISCAL NOTE

STATE OF ALASKA
1997 LEGISLATIVE SESSION

BILL NO. SB 182

Revision Date: _____ Dept. Affected: EDUCATION
 Title: An act relating to the establishment and BRU: Teaching and Learning Support
operation of charter schools. Component: Quality Schools
 Sponsor: WARD
 Requester: Senate Health, Education & Social Services COMPONENT SERIAL NO. 2147

Expenditures/Revenues: (Thousands of Dollars)

OPERATING EXPENDITURES	FY98	FY99	FY00	FY01	FY02	FY03
PERSONAL SERVICES	71.6	71.6	71.6	71.6	71.6	71.6
TRAVEL	4.0	4.0	4.0	4.0	4.0	4.0
CONTRACTUAL	6.9	6.9	6.9	6.9	6.9	6.9
SUPPLIES	2.0	2.0	2.0	2.0	2.0	2.0
EQUIPMENT						
LAND & STRUCTURES						
GRANTS, CLAIMS						
MISCELLANEOUS						
TOTAL OPERATING	84.5	84.5	84.5	84.5	84.5	84.5

CAPITAL EXPENDITURES	0	0	0	0	0	0
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CHANGES IN REVENUES						
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FUNDING: (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	84.5	84.5	84.5	84.5	84.5	84.5
1005 GF/Program Receipts						
Other:						
TOTAL	84.5	84.5	84.5	84.5	84.5	84.5

Estimate of current year (FY97) cost: \$

POSITIONS:

FULL-TIME	1.0					
PART-TIME						
TEMPORARY						

ANALYSIS: (Attach a separate page if necessary)

The legislation establishes a 7 member state Board of Charter Schools to consider applications for preliminary approval of charter schools, and requires interaction with the state Board of Education. This legislation will require staff to work with the new Board of Charter Schools, the public and school districts and coordinate with the state Board of Education in preparing and reviewing applications, responding to questions, and assisting in appeal procedures when necessary. Costs include establishing an Education Specialist II, Range 21A; travel for one face to face meeting per year; contractual for audio conferences, phone, fax, printing and mailing; and supplies.

Prepared by: Nancy Buell *Nancy Buell* Phone: 465-8689
 Division: Teaching and Learning Support Date: 5/2/97
 Approved by Commissioner: Shirley J. Holloway, Ph.D. *Shirley J. Holloway* Date: 5/2/97
 Agency: Department of Education

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Sponsor Statement

SB 182

"An Act relating to the establishment and operation of charter schools"

Education must be the number one priority in Alaska. Educators and parents alike have come to recognize that charter schools are one of the more valuable tools available to reform Alaska's educational system. Education reform is a top priority in many states and Alaska needs to join the rest of the country.

Alaska passed a charter school law in 1995. Unfortunately the law is deficient in many areas. As a result of these deficiencies, few charter schools have been started. After extensive meetings with charter school groups, parents and educators interested in opening charter schools, Senate Bill 182 has been introduced to strengthen our charter school program and our educational system as a whole.

The three major factors around which educational reform is based are parental involvement, educational choice and measuring student performance. Senate Bill 182 addresses each of these factors.

SB 182 strengthens existing law by clarifying that charter schools are in fact public schools though they may still be in competition with non-charter schools. This bill establishes multiple ways of establishing charter schools, provides for a local school board for charter schools as well as a state school board for charter schools.

SB 182 extends the sunset date for the charter school law, removes the limit on the number of charter schools that can be established, provides for flexibility on site decisions, and most importantly, provides for educational choice.

This legislation maintains local control over education. Only when a local school board rejects an application from a charter school group can that group appeal to the statewide charter school board. Even when a charter school is granted at the state level, the control over that school remains under local control.

STATE LEGISLATURES

FEBRUARY 1996

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DANGEROUS DEBRIS

INNER-CITY ACADEMIES

100 ON PAGES

A CHARTER

In East Los Angeles, about a mile and a half from the site of the Rodney King riots, sits Vaughn Street School. Most of the children at this elementary school speak English as their second language and live in neighborhoods most of us would be frightened to walk through. There was a time when the children had to step around a dead body as they approached the school's entryway. It was no one's idea of a healthy learning environment.

In 1992, Vaughn Street's pupils ranked in the ninth percentile in reading—91 percent of public school students in America could read better than they—and the 14th percentile in math. Now, reading and math scores rank in the 47th and 59th percentile respectively. Today, students learn about computers hands-on in the new, \$1.6 mil-

Connie Koprowicz tracks education issues for NCSL. Dianna Gordon is an assistant editor of State Legislatures.

lion Next Century Learning Center. Today, parents from more wealthy neighborhoods want to send their kids to Vaughn.

What spurred the overwhelming changes in this 1,200-pupil, inner-city public school? According to Vaughn Street Principal Yvonne Chan, it was freedom from bureaucracy. "Take off the handcuffs; free my hands so I can do my job," Chan said in Seattle's Rainier Club where she was the keynote speaker this past fall at the National Conference on School Choice, sponsored by Washington's Educational Excellence Coalition.

Vaughn Street Elementary School became California's first charter school in 1992. And it is the charter school law that Chan credits for providing the freedom she needed to turn the school around. In addition to test scores, attendance improved—so much so that the school receives an additional

\$300,000 per year in per-pupil allotments from the state. Volunteers from the community built a low wall around the school to signify its separation from its troubled surroundings. And family programs such as health services and child care are available in school facilities so parents with few transportation options can get one-stop help.

Family involvement is a key ingredient in Vaughn's success, says Chan. "My school is an inner-city school. Many parents are immigrants, and families live in garages. They have little money. But they put their kids first."

Although California's charter law allows the hiring of noncertified teachers, the decision makers at Vaughn Street School (Chan and the teachers—as a team) choose to employ teachers who are certified. They have a good relationship with the teacher's union. After all, they have the same goal: teaching kids well. Still, Vaughn has saved some

By Connie Koprowicz and Dianna Gordon

FOR CHANGE

money by hiring more new teachers than the typical California public school—something the charter law allows them to do.

And money is an issue. In the first year of operation as a charter school, freedom to make budgeting decisions led to the \$1.6 million savings, which paid for the new 14-classroom technology building—the Next Century Learning Center. In addition to savings on salaries, Chan negotiated contracts for meals, payroll preparation and transportation that provided equal or better service quality at less than school district costs.

A ROUTE TO REFORM?

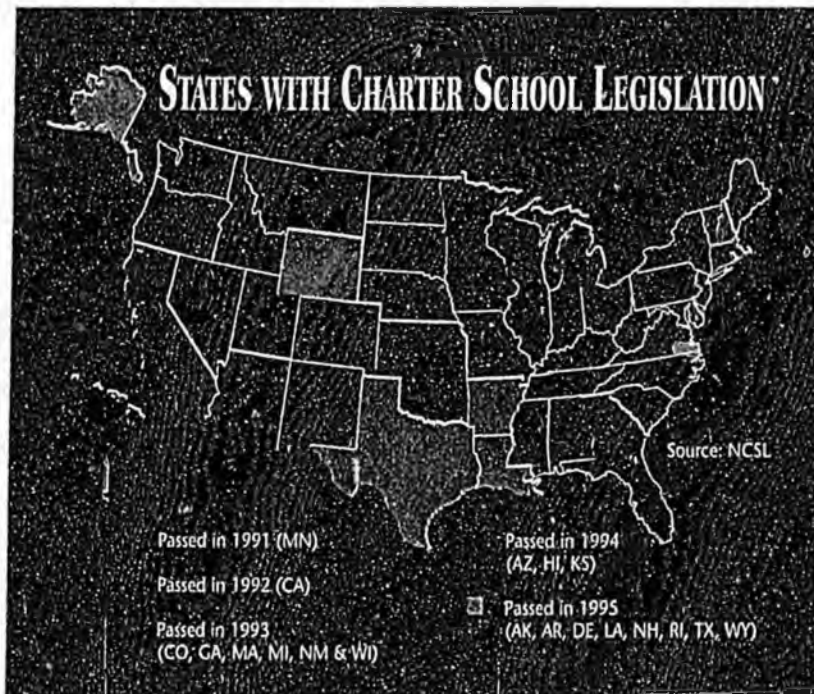
California was the second state to pass a charter school law. Minnesota was first in 1991, and 17 other states have followed their lead. Yet it remains to be seen if charter schools are a good route to education reform.

By definition, a charter school is an autonomous public school; a free-standing, nonprofit entity run by a group of parents, teachers, businesspeople or, in some cases, universities. Their strength is lodged in their autonomy. Under strong state charter laws, the schools are directed only by their self-selected governing boards. Their goals for education are written in the charters. Local school boards play a minimal role once the charter is granted. They do not hire or fire personnel for charter schools. They cannot dictate budget or curriculum.

Accountability for charter schools is twofold: First, if they don't meet the goals set forth in the charter, the charter can be revoked. Second, parents can vote with their feet. And with each child who leaves the school goes the state funding for that child's education.

The missing link is a tangible success rate displayed through graphs, charts and numbers. Charter and education experts agree it's too soon to know how or even if charter schools are truly reforming education. Will other schools achieve successes like Vaughn Street or is the Los Angeles school a grand exception—the product of Yvonne Chan's unfailing leadership?

Even in Minnesota, the state that pio-



neered charters in 1991, it's too early to tell how these new schools are doing, too soon to fully judge their impact on state education, according to Representative Becky Kelso, the author of the House charter bill.

Kelso does say she's pleased with what has happened over the last four years. And she believes that the 17 charter schools in her state are reshaping public education "to a degree."

THE GREAT EQUALIZER?

What Kelso finds amazing is the number of states that leapt into the charter pool without waiting to see how Minnesota's program worked out. "It's been surprising how one state [Minnesota] passing charter school legislation has had the hole-in-the-dam effect that it has had. I'm surprised at the number of states that passed similar legislation so quickly."

Apparently, the charter school concept fit the expectations of lawmakers eager to change an educational system that has not responded to less drastic reforms such as lengthening the school year or creating school-based decision making teams that are granted limited autonomy from state regulations.

Actually, charter schools are the outgrowth of three factors—"the recognition that all children can learn, but not in the same way and at the same rate; the desire to have schools become more flexible and malleable to meet the needs of students instead of students meeting the needs of the school; and the polarizing effects of school voucher

proposals," says Mark Weston of the Education Commission of the States.

It is true that charter school laws have received bipartisan support uncommon in debates over vouchers where state funding goes directly to families to use as they see fit in the education of their children—in or outside of the public school system.

"With vouchers, opponents like the teachers' unions were coming off the walls," says Ohio Senator Cooper Snyder. Ohio passed the nation's second school voucher bill this year after much

struggle. In the meantime, Snyder sponsored charter school legislation to complement, or back up, the private school choice option. "We cannot succeed by constantly trying to change an entrenched system," he says. "We can succeed by empowering parents, teachers and community leaders through community [charter] schools."

Charter schools do appear to have that capacity. Many parents—particularly those from low-income neighborhoods—are intimidated by the layers of bureaucracy inherent in the current system. Charter schools eliminate the distance between the parent and the school's decision makers and often require parental input before certain decisions (the hiring of a principal, for instance) can be made. Parents may feel more empowered, more eager and generally more able to participate in their child's education at these schools.

THE STATE POLICY PROBLEM

More than a decade after *A Nation at Risk* broadsided American public education, legislatures are still seeking ways to improve schooling in this country. Change has been slow, particularly for inner-city schools where children arguably need the most assistance. In urban Cleveland schools, 30 percent of the high school seniors can't pass a ninth grade proficiency test; 65 percent of all students who started school as freshmen three years ago have dropped out, according to Ted Kolderie of the Minnesota Center for Policy Studies, known as the guru of the

ELEMENTS OF STRONG CHARTER LAWS



	AZ	MI	DE	NH	MA	TX	CA	MN	CO	LA	WI	HI	WY	NM	RI	GA	KS	AR	AK
Sponsor other than local school board available (Or) appeals process exists	X	X	X	X	X	X	X	X	X					X	X				
Anyone can organize a charter	X	X	X	X	X	^	X		X	X	X		X				X		
Automatic exemption from state rules and local policies	X	X	X	X	X	X	X	X		X	•	X							
School has complete control of funds	X	X	X	X	X	X	**	X	#	X		X							
Teachers are employees of the school, not the district; (Or) charter determines legal autonomy	X	X	X	X	X	X		X	#	X									
No limits or very high limits on the number of charter schools	X	X	X	X					X		X	X	X			X		X	
Allows noncertified teachers	X	+	•	X	X	X	X			X									
Total "stronger" components	7	7	7	7	6	6	6	5	5	5	3	3	2	1	1	1	1	1	0

Stronger charter school laws tend to challenge the status quo of the traditional education system and theoretically may lead to more options for students. The first component of these laws—availability of a sponsor other than the local school board or an appeal process—is considered vital to getting charter schools started.

- + In Michigan, certification is not required in university-run charter schools.
- In Delaware, 35 percent of a charter staff can be noncertified.
- ^ Based on an open enrollment portion of Texas charter law. Eligible organizers must be public or private higher education institutions, a nonprofit or a government entity.
- ** Autonomy must be outlined in a school's charter.
- # Legally, Colorado charter schools remain part of the local district. In practice, they are operating autonomously.
- In Wisconsin, charter schools are automatically exempt from most state laws, but not from local board policies.

Source: Louann A. Bierlein, Education Consultant

charter school movement.

Kolderie contends that the education system in most states is designed to fail. "The states have created a deal where the school district is assured of everything it wants. It's the only learning company in town. Money comes in from the state; mandatory attendance ensures that it will have the kids; and districting rules make sure it has a monopoly."

Therefore, Kolderie says, when the legislature starts talking about "doing hard things, about reform, about making changes" schools have no compelling reason to comply. "The customers, jobs and security are all there anyway."

But "the superintendents, the school

boards, the administrators didn't create the problem," he emphasizes. "The legislature built it, and the legislature can change it."

Representative Kelso, a former school board member, observes that there have been local school boards that have "changed the way they functioned because of a charter school in the district or a proposal for a charter school." One example involves a school board that consistently denied requests for the addition of a public Montessori school within the district. When members of the community decided to seek a charter for the school, the board reversed its decision and accepted the school as part of the regular system.

CHANGING THE GAME

A school system can't take its customers for granted when alternatives are offered. "Charter schools are breaking up the monopoly," Kelso says. "They are a source of competition." This is particularly true in school districts where many families can't afford private schools.

The hope is that by inserting free market conditions into the system, even in a limited fashion, the behavior and attitudes of public school administrators and staff will change. "It makes the district more amenable to proposals of change from teachers and parents," Kolderie says.

But change brings risk, many good teachers and administrators contend. "Charter schools are a big change in the traditional arrangements," Kolderie points out. "Everybody's starting point is 'no way,' and most people are very uncomfortable with changes in the system."

Patterns in the granting of charters prove this contention true. In states where local boards are the only entity that OKs charters and where there is no avenue for appeal, very few charters have been granted. Evidence in California has shown that district administrators and school boards are least supportive of charter schools that seek the most independence. States that allow a number of avenues for charter approval, on

THE OPPONENTS

People oppose charters for different reasons, depending on their position in the system. Some superintendents oppose charters, viewing them as an insult—an assertion that they are not doing a good job as educators. School boards seem to resent the loss of control. Teachers' concerns center on the fact that charters can be established to sidestep collective bargaining, tenure or certification requirements. In three states, teacher certification is not required, but employee qualifications must be specified in the charter.

Union attitudes, Kolderie says, are shaped by the image of teachers as employees. "But it's now beginning to dawn on people that

firestorm resulted. But, so far, many of the scenarios laid out by critics appear invalid. "There are groups that would like to see the Minnesota charter school movement fail," Kelso admits. "But many of the original fears have proved unfounded."

Much of the intense opposition she saw when the proposal was broached four years ago has "all but disappeared."

The schools have not drained top faculty and students from public schools. (In California, Colorado, Kansas and Wisconsin, charter schools that target students at risk of school failure receive preference for approval.) And four years later, people have stopped worrying that charter schools were



Senator Elliot Schewel
Virginia



Representative Becky Kelso
Minnesota



Senator Cooper Snyder
Ohio



Representative Joe Tedder
Florida

the other hand, have yielded more charter schools. In Michigan, if a charter request is denied by the local district, organizers can go to the state or a university for sponsorship. Another option is to put the proposal on a school district election ballot.

"The idea is to free up charters from state laws and regulations. But in most instances, the biggest obstacles are at the local level," explains former California Senator Gary K. Hart, who wrote the state's charter legislation in 1992. "The district is unwilling to give charter schools autonomy. There are sometimes endless, sometimes frustrating numbers of hassles, between the charter and the district office."

Florida Representative Joe Tedder, whose original charter legislation was doomed by a Senate and House scrap over the state's Omnibus Education Bill to which it was attached, says that the bill he will reintroduce this session "provides leverage [through an appeals process] so that a school board must consider a good educational program." Wisconsin amended its charter school law last session, adding an appeal process to counter what was perceived as a lack of cooperation by local boards.

teachers can own learning programs and can contract with a district to supply such things as math or history. They also have the option to work with colleagues as a group, as partners in the education a school offers."

"Charter schools are run by the employees," Kelso explains. "The employer-employee setup that collective bargaining and negotiations are based on is not there. It's a departure from the old 'school board as employer.'"

Not all state legislators are sold on the idea, either. In Virginia, charter legislation proposed by the new governor never got out of committee. Instead, a joint House and Senate study commission is meeting now. Senator Elliot Schewel, who proposed the study resolution, thinks that changes in the fundamental structure of school operations may lead to constitutional problems. If Virginia moves ahead with charter schools, he favors "a trial period for two or three pilot projects to see how they work."


COUNTERING THE CRITICS

When charter school legislation was originally posed in Minnesota, Kelso says a

the first step to a voucher system. They are not, Kelso says, private schools receiving tax money. "The public schools in Minnesota are healthy and strong enough to withstand competition from charters. Charter schools are not threatening the quality of public education, they are enhancing it."

FUTURE OR FAD?

Charter schools do offer a new model for autonomous public schools that provides opportunities for diverse and innovative approaches to education. Yet if the political conflicts inherent in today's education policy debates lead to watered-down laws that provide limited autonomy, charter schools may fail.

Much depends on the will of lawmakers to insist on real change in the education system. Cooperation from state and local board members is another major factor. With a strong base of support, states like Minnesota have weathered opposition. As Representative Kelso notes, "If acceptance is a measure of success, charter schools have been successful. The opposition that was really intense four years ago has melted away." 

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April 7, 1997

Representative Al Vesey
Room 13
State Capitol Building
Juneau, AK 99801

APR 08 1997

Dear Representative Vesey:

I am writing to ask you to support House Bill 229 which has recently been referred to the Health, Education and Social Services, Committee. This bill amends the Charter School Law passed in 1995. The central points of the amendment are to remove the limit on the number of charter schools in the State and to provide for an alternative to School Districts for approval of charter schools while still maintaining local control. These changes are vital if we are to realize the benefits of the charter concept through introduction of competitive forces to the current monopoly in public education.

The amendment also includes some much needed guidance to agencies tasked with charter school approval by requiring that charter schools have specific grade level goals for student performance as well as specific means of assessment of that performance. If we are going to have charter schools, we need to do everything we can to define the parameters of accountability for them.

I continue to hear from school officials and others that we should wait to see how the current law performs before we rush to amend it. I have observed the process here in Anchorage closely and I can tell you it is not working and is not likely to work in the future without the changes envisioned in HB 229. Over the past six months, I attended twelve of the fourteen publicly scheduled work sessions and School Board meetings as well as many unscheduled meetings as the District considered a total of four charter proposals (a fifth dropped out early on).

The first Charter School approved was the Family Partnership Charter School. While a wonderful idea, it is essentially a means for parents of home schooled students to access public money for materials and professional teachers. It fills a long standing need to include home schoolers in the public system but it is not an option for parents who for whatever reason are unwilling or unable to home school.

Next, there are indications the second Charter approved by the District may run into trouble at the State level. The proposers are planning to build their own building and operate a private day care and preschool alongside the public Charter School. While the space for the public school will be provided at no cost, reservations have been expressed about separation of the public and private functions. Whether these concerns ultimately stymie this Charter remains to be seen when the State Board meets April 28.

The third Charter approved, targeting at risk secondary students and students from the deaf community, is also having facilities trouble. The proposers originally planned to purchase a building near East High. Plans were made to bring the building to school standards and an offer to purchase was made. As the seemingly endless approval process began to drag, the building owners were increasingly anxious to sell and finally accepted another offer. All the planning and work went down the drain and the proposers are scrambling to find other acceptable space. Whether they will be able to before September is now seriously in doubt.

Representative Al Vezey

April 7, 1997

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That leaves the Village Charter School, the only proposal to be turned down. It was voted down by the so-called conservative wing of the school board, for whom school choice and parental control should be bread and butter causes. Unfortunately, a personal vendetta against the prime proposer of the School by one Board member and several top administrators was allowed to color the issues involved. As a result, Anchorage has been denied an exciting educational concept with wide public support. The treatment sustained by the proposers and supporters of the Village Charter school was so blatantly unfair that one Board member felt compelled to apologize publicly on behalf of the Board.

With that, it is likely that Anchorage will begin the 1997-98 school year without a Charter school available to the majority of families. The District has not established objective criteria for Charter School proposals. Students at Charter Schools are treated as second class citizens, with roughly two thirds the funding that other public school students receive. Administrators have made it next to impossible for Charters to be housed in public buildings, forcing them to spend precious classroom dollars on outside space. Clearly, the incentive to come forward with viable Charter proposals does not exist.

Please help bring true competition to public education by supporting HB229. Only by providing a viable alternative to School Districts within the public system can we regain the support of those who are not being served and are leaving public education for other alternatives. Thank you for your time.

Very truly yours,



Mike Boots, President
Alaskans for Educational Choice

PS: I am enclosing a copy of a Compass article about charter schools that I wrote for the Anchorage Daily News last fall.

FORUM / LETTERS

Charter schools can work — if done right

By MIKE BOOTS

The hot topic in school reform in Alaska these days is charter schools. Recent interest by the media, the State Board of Education, and legislative candidates show that the idea is catching on and change is coming. In the midst of all this, we should answer some basic questions.

Why do we need charter schools? What purpose do they serve and how do they fit into school reform? What effect will charter schools have on public education as it now exists?

Our public school system is a large bureaucracy, generally controlled by those whose incentives are to maintain the status quo. The inertia of the system resists change from without and strangles innovation from within. Gov. Tony Knowles' recently announced Quality Schools Initiative addresses part of the problem. It proposes standards for schools and school districts and effective assessment to measure results and give content to the standards. At the state level these standards and compliance with them are voluntary and that's as it should be. Accountability though, is practically nonexistent. If schools do not meet acceptable standards, there is no consequence.

We need a way to provide accountability from without that cannot be controlled by those inside the system. Charter schools can serve that need. When charter schools are



properly implemented they introduce competitive pressure. They allow parents, families and teachers whose needs are not being met an alternative, while still remaining within the public system.

The mere existence of an alternative will serve to spur improvement in the "regular" public schools and encourage flexibility within local school districts. If districts know that a viable, independent alternative exists for those whose needs are not being met, the district will try much harder to meet those needs.

The key to providing accountability through charter schools is independence. If charter schools are not truly independent from the school district, the entire exercise will be a waste of time. No incentive towards accountability will exist. The Charter School Law in Alaska suffers from exactly this problem. It provides that charter schools be approved and funding determined only by the school district with whom they are to compete. This is like requiring Ford to seek General Motors' approval for design and production plans. General Motors has no incentive to approve a design that will be profitable for Ford. Likewise, the school district has no incentive to

approve and fund a Charter School that will succeed.

We must change the Alaska Charter School Law. First, there must be an independent and objective alternative means of approval, or at minimum, appeal for charter school proposals. Such an alternative must be independent of the school district and its influence and be required to judge proposals by locally determined objective criteria, not politics.

Second, economic equity must be guaranteed. The full funding for each child's education, including special funding for students with disabilities, must follow that child to the school chosen by the family. Adequate space for charter schools must be made available, in public school buildings, or in private competitive space if required. Charter schools are public schools and their students are public school students and must not be treated as second class citizens. Economic equity also requires that we consider issues which affect a child's ability to attend a particular school, so that no child is denied an opportunity because of their family's income. This means transportation must be available to schools of choice for all students, not just those whose can afford to drive or provide other alternatives.

Third, the number of charter schools cannot be limited. The number will reach a natural limit as

When charter schools are properly implemented they introduce competitive pressure. They allow parents, families and teachers whose needs are not being met an alternative, while still remaining within the public system.

school districts respond to competitive pressure to meet the needs of families. An artificial limit eliminates such pressure.

Finally, school districts must not be responsible for charter schools. In particular, they must not be held responsible for charter school employees. The charters can operate as independent entities who hire their own employees, but still be required to sign collective bargaining agreements negotiated by the District in which the charter school operates. They are also required to comply with state licensing and tenure laws or to seek waivers when appropriate. However, no teacher can ever be required to work for a charter school and to accept any accompanying risks.

While accountability for all public schools is the driving force for a strong system of independent charter schools, there are many other benefits. The first and foremost is the value added to the system when

parents and teachers are actively involved and enthusiastic about their program. A direct influence and interest in the school produces phenomenal energy and excitement and it doesn't cost a dime. Another benefit is the tendency toward smaller education settings. In schools, smaller is generally better and charter schools provide the opportunity for that to happen. Finally, the impetus and opportunity for innovation in charter schools will result in new ideas and methods of education that are just not possible within the current system. If we can make the changes to Alaska's law that are needed to allow charter schools to blossom, Alaska can lead the nation in real public school reform. If not, we're back to the blackboard.

Mike Boots is an Anchorage certified public accountant with a long-time interest in education and the Anchorage School District.

National School Board Resolutions
Adopted on Monday by the Delegate Assembly in Anaheim,
California and the annual convention.

Charter Schools

NSBA recognizes "charter schools" are one of several mechanisms available to a local school board provided that the school board:

- (a) retains the sole authority to grant the charter;
- (b) retains the option to decertify any school that fails to meet criteria set forth in the Charter or as otherwise specified by the local school board;
- (c) maintains accountability, such as determining the criteria, standards or outcomes that will be used in establishing the charter; and
- (d) does not approve a plan that fosters racial, social, religious, or economic segregation or segregation of children with disabilities.

NEA-AK

No clear floor of minimum curricular expectations established for any contract to establish a charter school.

School boards become advisory to municipalities in establishing a charter school. Charter schools operate under a contract between either the school board, the state charter school board or the municipality. This creates a condition where teachers in a school district could be employed by up to three sets of employers.

How are charter schools funded under this arrangement? Does the municipality fund its contacted schools? The state charter school board its schools?

The bill states a charter school operates as a school in the local school district in which it is located. Does this mean that a charter school can be chartered in one community and operated in another? - *Can a charter school be considered a private school?*

Can charter schools establish contract provisions in local contracts that are in total conflict or are inconsistent with specific provisions of this bill? (line 27 page 4).

What will a state board of charter schools do that can't or isn't being done with the current State board of Education?

There is no assurance that teachers must clearly meet current, let alone tougher, certification standards.

Under the bill is a charter school still considered a public school within a school? *District*

Even though the bill provides for an unlimited number of charter schools. How will, for example, 100 new charter schools be funded?

Since children will be selected on a first come first served basis how are children and his/her family not selected assured the same experience in a regular classroom?

What are the minimum professional qualifications of the chief administrator of a charter school?

Line 11-12 page 6 - It appears that teachers must possess valid teaching certificates but the chief school officer is not limited to hiring teachers who hold valid teaching certificates.

How does Sch. B. contract apply



Juneau Community Charter School

Juneau, Alaska 99801 ••• Telephone: (907) 463-3029

May 6, 1997

Senator Wilken
Senate HESS
MS 3100
Juneau, AK 99801

Dear Senator Wilken:

Alaska's charter law has set in motion a major wave of volunteerism focused on improving choice within the public education system. I commend the Alaska Legislature for encouraging widespread improvement in public education, and encourage your support of SB 182. Community members, parents and teachers have been empowered by their ability to make meaningful contributions in the formation of progressive educational opportunities for young Alaskans. Volunteerism should not be restricted. Please support removal of the 30 school limit that the current law requires.

Many educators try to make improvements in their schools, but are often faced with strong opposition from fellow educators and unions. Eliminating the "exclusive franchise" that local districts have will encourage further expansion of charter schools in Alaska. Accountable public organizations (i.e. public universities, state agencies, city councils) should have the authority to approve new schools, or the law should be revised to allow organizers to have the option of applying directly to the State Board of Education. This takes local politics out of the equation.

Although some people may continue to see charter schools as a threat, I believe that their introduction into Alaska will benefit the entire public education system. More choices are becoming available. Levels of community and parental involvement have greatly increased. Districts have another means to meet state academic standards. This is a chance of a lifetime. Please strengthen Alaska's charter school legislation.

Sincerely,



Cathy Munoz

for Juneau Community Charter School

May 7, 1997

Senator Wilken, Chair
Senate HESS
Capital Building
Juneau, Alaska
sent via fax

Dear Senator Wilken and HESS members;

Today you will hear SB182-the revamping of the Charter Schools law currently on the books. Please consider voting for the changes it presents. These changes will help other parents like myself to feel empowered in educational choices for their children.

Charter schools are new to Alaska. They have been working in the lower 48 for a number of years now but there is not much information that tells us how they will or are working for our children in Alaska. Outside of Anchorage there are not many choices in educational format. And it is well known that people, children, have a variety of learning styles. Please pass SB182 so that we can continue to charter schools, gather information and make an informed decision on their effectiveness or ineffectiveness in the future.

I am sorry not to be there in person to deliver this message but I thank you for considering it anyway.

Sincerely,

Frankie Pillifant, Parent
Juneau Community Charter School

May 10, 1997

RECEIVED
MAY 11 1997

The Honorable Gary Wilken
Senate
State Capitol
Juneau, AK 99801-1182

Dear Senator Wilken:

My reason for writing to you today is my concern with the legislation that rewrites the Charter School program (SB 182 and HB 229). HB 229 is still sitting in House HESS. SB 182 is now in Senate Finance and may be poised for positioning on a fast track.

It is my understanding that there was little, if no, public hearing in Senate HESS on SB 182, prior to being sent to Senate Finance. This legislation, which is designed to ultimately dismantle the Public Education system in this State, needs many more public hearings.

This single-purpose, narrow minded, hateful legislation is the product of what I call "playground politics", i.e. I'll take my ball home, if you won't play by my rules. Linda Sharp (along with Mike Boots and Robert Gottstein) has been working on the bill since last summer. Linda was probably being prophetic, as her Charter School proposal was denied by the Anchorage School Board this spring.

Her proposal was denied for several reasons. One of the reasons was because she plagiarized the curriculum from another Charter School proposal. No one could tell what she was really going to teach children at her school.

Another reason was her defiance toward the requirement of working with the North Star Elementary School community, which was where she wanted her Charter School located. Her attitude was that she would only deal with those "yahoos", after she had been awarded their school.

I hope that this gives you an understanding of why this legislation is before you. Now I would like to discuss my reasons for strongly opposing this bill.

Aside from the dismantling of Public Education, this bad piece of legislation has a number of malevolent features.

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- establishment of a new level of bureaucracy entitled the State Board of Charter Schools and the Municipal Board of Charter Schools. (Section 1 - AS 14.03.250 and Section 2. - AS 14.03.253)

This is just what we need, more bureaucracy! This State Board would also take care of Linda's problem of having her proposal denied by the Anchorage School Board. With this provision she would be able to amend her proposal and go to another Board to try to get it approved. Who then would be accountable for this educational program? Even though the initial list of possible Board appointees does not need to be associated with Charter Schools, subsequent appointees can only come from Charter Schools. At this juncture can anyone ever imagine a Charter School proposal being denied by this Board?

- the provisions of AS 14.03.250 - 14.03.290 or the Charter School contract take precedence over State law. (Section 3 - AS 14.03.255 (a) (5))

This is an unusual prospect to me. I would love to have the chance to write a contract that is more powerful and legal than State law. Why would any Legislator want to give up this power and authority?

- the discriminatory tactics employed in the enrollment procedures. (Section 6 - AS 14.03.265(b))

If the enrollment can be satisfied by admitting children only in the order of receipt of their applications, there could be a number of singularly ethnic Charter Schools established. I can envision the children being preselected to attend a certain Charter School, and then putting a proposal together for this certain Charter School. This has happened in Arizona.

Having just participated in an Office of Civil Rights investigation on the recent High School Boundary changes in Anchorage, I do know that the Office of Civil Rights is but a letter away, and they do investigate! I can only assume that the Legislature and/or State is prepared to indemnify the Districts and Municipalities from liability resulting from litigation caused by this legislation.

- the contract extension. (Sections 8 and 9 - AS 14.03.275)

Page 3

My concern is that the contract extension could be between the Charter School and the Charter School Board. The automatic renewal of the contract is bothersome to me. There is no public accountability nor opportunity for public input from parents, teachers and taxpayers, when the contract is between the State Board and the Charter School.

- no limitation to the number of Charter Schools. (Section 10 - AS 14.03.280)

This is the section that endorses the dismantling of Public Education.

- no local control over location of Charter Schools

One other concern that I find throughout the legislation is the complete undermining of local control over where these Charter Schools will be located. If the contract is between the Charter School and the Charter School Board, that Charter School can displace students at or overcrowd your neighborhood schools.

Can you imagine your next constituent meeting (usually held at a neighborhood school), where you have to explain to parents, children and taxpayers why the neighborhood children have been displaced or why the school is so crowded? Who will you say is responsible? This is a question that you really need to find an answer to, as this has happened in Arizona. You may also need to discuss why you have allowed a religious cult to operate in the Public School system and indoctrinate minor children in this religion without the parents knowledge or permission. This has happened in both Arizona and California.

There is also the general question of a lack of accountability or oversight for K-12 education. I find this ironic so soon after the adoption of HB 465, requiring new performance standards for certificated employees throughout the State.

I am sure that I have more objections to this legislation, but I believe the high points have been discussed. These bills should not be moved from their present committees now or ever, without extensive rewriting and public hearings.

This issue has had virtually no public discussion. It is being forwarded by a select minority who anticipate receiving compensation as employees of

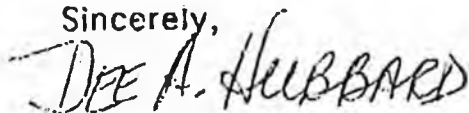
Page 4

their proposed Charter Schools. Where does the conflict of interest lie? I believe that when the public becomes aware of the ramifications of this legislation, some very specific questions will arise. I would hope that you would go back and talk with your constituents, before you vote on this.

If you have any questions of me or comments about my letter, can be reached at 337 - 6370 (Fone and FAX) or 223 - 7379.

Thank you in advance for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Dee A. Hubbard". The signature is written in dark ink and is positioned above the typed name.

Dee A. Hubbard
4251 Pinnacle Circle
Anchorage, AK 99504



Anchorage School District

4600 DeBarr Road
P.O. Box 196614
Anchorage, Alaska 99519-6614
(907) 333-9581

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Bob Christal

May 8, 1997

Dear Senator Sharp:

I have been advised that you are under heavy pressure to move a Charter School bill, S.B. 182, that bypasses the local school board for approval of charter schools. In Anchorage, we have undertaken the responsibility to maintain a high level of accountability by holding all of our programs, including charter schools, to high standards. In an age when the Department of Education, the Governor and State legislators all are calling for high standards and close scrutiny and accountability for public schools, I find it ironic that individuals would look to design ways to provide for the means to avoid the most accountable elected officials--the local School Board--to provide oversight and accountability for new schools such as charter schools.

In Anchorage, we have a long standing process to insure program quality and accountability when new programs are requested to be established. We have endeavored to follow that model in our locally approved charter schools. Three of the four applications for Anchorage charter schools were approved administratively, by the Anchorage School Board, and by the Alaska Department of Education. In fact, the Department of Education was very complimentary of the work of our District to insure quality in the charter school applicants.

I would encourage you and other legislative leaders to allow the law and the system you designed a year ago to be in place and operating before you modify the law. Because one or two applicants are not successful is no reason to take local control away from a group of elected officials. People who cannot pass the muster or meet criteria for building homes or opening new businesses are not able to go to some other governing body for approval when they fail to meet fair and reasonable criteria. Our children deserve no less when developing accountability measures for new schools. Thank you and I hope you do consider our position on this issue.

Sincerely,

Bob Christal
Superintendent

gl
cc:

Senate Finance Committee



Anchorage Pioneer Schoolhouse, built 1915
Anchorage Women's Club

TOTAL P.01

FYI Larry Wiget dropped this letter
off

Testimony of Chris Cassler
P.O. Box 875735
Wasilla, AK 99687

She supports the charter school amendment. It has to happen in order for real educational reform to happen. Anything short of this legislation will not be effective. The Valley's maximum amount of charter schools is 3, and they have 2. Anchorage's amount is 10, and they also have 2.

The established educational bureaucracy cannot be counted on to be honorable in impartially deciding what is genuinely good for public education outside of their own system. They keep throwing up road blocks to educational reform.

This bill gives charter school advocates hope of having the proposals be judged based on their merits. If serious parents could get the educational system to address their concerns, there would be no need for this bill. It is not appropriate for the school board to be the last word on whether or not charter schools are appropriate or not. They have too much bias. Without the teeth in this bill, it will be much too easy for the powers that be to continue to manipulate the system.

May 7, 1997 12:40pm

Sheila

Mr. Leo Albert just called to ask about testifying on SB 182. He supports SB 182.

He believes that parents need choices besides the School District monopoly. He believes Charter Schools need to be sponsored by someone other than the Districts in which they are located.

He believes that the State Board of Education should perhaps be involved.

Phone: 907-243-0809

Address: 3624 Carleton Avenue, Anchorage, AK 99517



STEPHANIE PATEL
1545 So. Hoyt #103
Anchorage, AK 99507
338-3579

April 28, 1997

Dear Legislators,

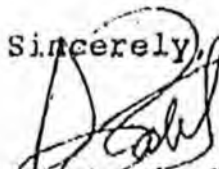
I am the headmaster of Walden Pond Charter School and was the chair of the proposal team for that school. I have a background both as a lawyer and as a teacher/director of a small private school in Alaska. I have been aware of the course of Alaska charter school legislation since its inception. I had been following the course of charter schools outside Alaska prior to that time. I am a founding member of Alaskans for Educational Choice, Inc., which has worked hard to raise public awareness about the role charter schools can play in educational change.

I would like to voice my support for HB 229 and SB 182. The goal to which we are all striving, I believe, is improvement in educational opportunities for Alaskan youth. It has amazed me to see elderly Alaskans who were educated in impoverished little pre-Statehood schools that have better literacy skills than their grandchildren, who had the benefit of the wealthy schools of the late seventies and eighties. My children have been in schools in Kenai, Anchorage and Fairbanks, and in each case I felt frustrated with a take-it-or-leave-it educational system. As a result, more and more Alaskans have left it -- for private education or homeschooling. I believe that the problems stem from the institutionalization of education in this state, a condition that disempowers the principal parties in the education triangle: parents, students, teachers. Charter Schools are a breath of fresh air in what has become a rhetoric filled but stagnant educational system.

I support HB 229 and SB 182 because, while a step in the right direction, the present charter school law does not adequately provide for the even and fair-handed development of responsible, well thought out educational programs. There must be flexibility in the system and room for innovation, but there must also be a fair review process. I support a local independent board for charter schools that would be an alternate route (to the local school district) for charter school applications. I believe that there are other changes that would assist in the implementation of strong charter schools, but I think this is a good start.

I would be happy to answer any questions.

Sincerely,



Stephanie Patel

RECEIVED

MAY 08 1997

FAIRBANKS NORTH STAR BOROUGH SCHOOL DISTRICT

520 Fifth Avenue Fairbanks, Alaska 99701-4756 (907) 452-2000



Board of Education

May 8, 1997

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Representative
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Zarin Gillingly
Student Representative
478-2051

The Honorable Gary Wilken
Alaska Senate
State Capitol, MS 3100
Juneau, Alaska 99801-1182

Dear Senator Wilken:

The Fairbanks North Star Borough School Board has some serious concerns about SB 182 relating to the establishment and operation of charter schools. We feel that our current state statute regarding charter schools is working well and is too new to revise at this time.

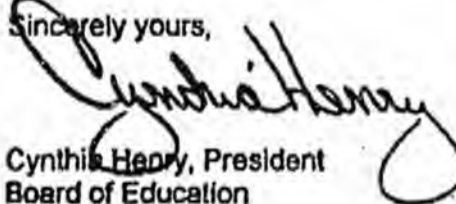
The Fairbanks North Star Borough School Board supports charter schools in theory and in practice. As you know, ours was the first urban district to have a charter school. Chinook Charter School opened in the fall of 1996; all indications are that it has had a very successful first year of operation. New Beginnings Charter School has been approved by the local and state school boards, and will begin operating in the 1997-98 school year.

Operation of a charter school is a major effort on the part of the school district and the proposers of the charter school. From my front row seat in this process since its inception, I have observed that cooperation with the local school board is essential in order to precipitate a charter school. Local school boards are in the best position to assist a charter school with some of the challenges inherent in the process. Although funding for the students follows them to the charter school, charter schools struggle with funding their needs because of the high cost of personnel and the higher overhead of a small school. Our district has solved some of these funding problems for our charter school and subsidized its operation with our district budget.

Please allow our school board members an opportunity to testify before acting on new legislation for establishing and operating charter schools. We could accomplish this via teleconference.

Thank you for your consideration of our opinions on this important issue.

Sincerely yours,


Cynthia Henry, President
Board of Education
CH/plh

cc: Board of Education