

HB

101

SFIN

FILE

SENATE FINANCE COMMITTEE REPORT

DATE: 4/28/01

REPORTED OUT
MAY 03 2001
SENATE FINANCE
COMMITTEE

FURTHER:

DATE TURNED
IN TO OFFICE:

4 May 01

Finance Committee considered

CS FOR HOUSE BILL NO. 101(FIN)

"An Act relating to charter schools; and providing for an effective date."

and recommends:

- be replaced with _____ CS _____ (_____)
- adopt previous 5 CS CS HB 101 (ties)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

Senate Bill:

- same title
- new title

House Bill:

- same title
- technical title
- new: SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
Edu/Qualifcn	2/23/01	1,425.0		#1
Edu/Foundation	2/23/01	609.8		#2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	Do PASS	Do NOT PASS	NO REC	AMEND
<i>Lyle Green</i>	✓			
<i>[Signature]</i>			A	
<i>[Signature]</i>	(X)			
<i>Gary Wilcox</i>			✓	
<i>Loren D. Leman</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			
COCHAIR: <i>[Signature]</i>	✓			

MAY 03 2001

SENATE FINANCE
COMMITTEE

FISCAL NOTE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 1
Bill Version: CSHB 101(HES)
(F.) Publish Date: 2/26/01

Revision Date/Time (Note if correction):

Title: "An Act relating to charter schools; and providing for an effective date."

Sponsor: Representative Dyson

Requester: House HESS

Dept. Affected: Education and Early Development

BRU: Teaching & Learning Support

Component: Quality Schools

Component Number: 2147

Expenditures/Revenues

(Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services	101.0	101.0	101.0	101.0	101.0	101.0
Travel	5.0	5.0	5.0	5.0	5.0	5.0
Contractual	60.0	60.0	60.0	60.0	60.0	60.0
Supplies	4.0	4.0	4.0	4.0	4.0	4.0
Equipment	2.0	0.0	0.0	0.0	0.0	0.0
Land & Structures						
Grants & Claims	1,253.0	0.0	0.0	0.0	0.0	0.0
Miscellaneous						
TOTAL OPERATING	1,425.0	170.0	170.0	170.0	170.0	170.0

CAPITAL EXPENDITURES						
----------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
------------------------	--	--	--	--	--	--

FUND SOURCE

(Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	1,425.0	170.0	170.0	170.0	170.0	170.0
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	1,425.0	170.0	170.0	170.0	170.0	170.0

Estimate of any current year (FY2001) cost: 0.0

POSITIONS

Full-time	1					
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

Please refer to the attached sheets for a detailed description.

Sec. 4. AS 14.03.263 provides start-up grant to 16 charter schools at \$500 per pupil. This fiscal note does not project the estimated cost for the additional 44 charter schools authorized by this legislation.

Prepared by: Barbara Thompson, Deputy Director

Division: Teaching & Learning Support

Approved by: Bruce Johnson, Deputy Commissioner of Education

Agency: Department of Education & Early Development

Phone: (907) 465-8727

Date/Time: 2/16/01 12:00 AM

Date: 2/23/01

For distribution information, call the Governor's Legislative Office

Fiscal Note Description for HB 101

Section 1 of HB 101 removes the former requirements that the State Board of Education & Early Development may not approve more than 30 charter schools to operate in the state at one time and shall approve charter schools in a geographically balanced manner. Amended language raises the cap on the number of charter schools to be allowed from 30 to 60. Language related to approval of charter schools geographically is eliminated.

Section 2 requires that charter schools be subject to secondary school competency testing as provided in AS 14.03.075.

Section 3 adds minor revisions to existing provisions and extends allowable charter school contract time from 5 years to 10 years.

Section 4 creates a new Charter School Grant Program. A charter school may receive a one-time grant from the department equal to \$500 per pupil. This funding shall be used to provide educational services (curriculum development, program development, and special education services.).

Section 5 addresses extending the allowable charter school contract time from 5 years to 10 years.

Personal Services- \$101,000

One, new FTE Education Specialist II, Range 21, position is needed to administer the charter schools application process for up to 60 schools; administer the new Charter Schools Grant Program; provide technical assistance to school district and charter school staff who are planning for or initiating a charter school; assure compliance with state charter school statutes and regulations; assure quality programs are developed and supported; develop and maintain a charter schools regulations process; and evaluate the effectiveness of Alaska's charter schools. (\$77,000)

Funds for .10 FTE of an existing Grants Administrator II position are needed to address fiscal issues, issuing grant awards and completing fiscal documents related to charter schools grant applications and billings. (\$7,000)

Funds for a .5 FTE Administrative Clerk II position are needed to provide clerical support to the Education Specialist II and for the application process. (\$17,000)

Although the Grants Administrator II and Administrative Clerk II positions are existing positions, current federal fund sources are not sufficient to fund the charter schools duties that would be assigned to them.

Travel- (\$5,000)

Travel funding is needed to provide for a limited number of technical assistance and/or compliance reviews of charter schools. (\$5,000)

Contractual- (\$60,000)

Contractual funding is needed primarily for evaluation of the effectiveness and success of charter schools in Alaska. Additionally, some funding is needed to support administrative services functions, postage, phone charges, copier charges, printing and dissemination of information about effective and successful charter schools and Charter Schools Grant Program. applications. (\$60,000)

Supplies- \$4,000

Funding is needed for the purchase of general office supplies and materials for meetings related to charter schools. (\$4,000)

Equipment- \$2,000

Funding is needed for the purchase of a computer for the Education Specialist II position. (\$2,000)

Grants- \$1,253

Funding is needed in the grant line for the newly created Charter Schools Grant Program. This program allows for a charter school to receive a one-time grant from the department equal to \$500 per pupil. This funding shall be used to provide educational services (curriculum development, program development, and special education services).

District	FY'02	AS
	Projected Charter ADM's	14.03.263(a) One Time Grant of \$500 Per Pupil
Anchorage Aquarian	240	120,000
Anchorage Family Partnership*	799	399,500
Anchorage Village Charter	120	60,000
Craig PACE CS*	200	100,000
Delta/Greely Cyber School*	202	101,000
Fairbanks Chinook Charter	96	48,000
Fairbanks New Beginnings	34	17,000
Iditarod Takotna Charter	35	17,500
Juneau Community Charter	60	30,000
Kenai Aurora Borealis	129	64,500
Kenai Homer Charter School	26	13,000
Ketchikan Charter School	128	64,000
Lower Kuskokwim Ayaprun Elitnaurvik Yup'ik Immersion	190	95,000
Mat-Su Academy Charter	135	67,500
Mat-Su Midnight Sun	92	46,000
Nome Anvil City Science Acad.	20	10,000
TOTAL	2,506	1,253,000

* These are correspondence schools.

FISCAL NOTE

MAY 03 2001

SENATE FINANCE
COMMITTEE

STATE OF ALASKA
2001 LEGISLATIVE SESSION

Fiscal Note Number: 2
 Bill Version: CSHB 101(HES)
 (h) Publish Date: 2/26/01

Revision Date/Time (Note if correction): _____ Dept. Affected: DEED
 Title: "An Act relating to charter schools; and providing BRU: K-12 Support
for an effective date." Component: Foundation Program
 Sponsor: Representative Fred Dyson
 Requester: House HESS Component Number: 141

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2002	FY 2003	FY 2004	FY 2005	FY 2006	FY 2007
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims	609.8	609.8	609.8	609.8	609.8	609.8
Miscellaneous						
TOTAL OPERATING	609.8	609.8	609.8	609.8	609.8	609.8

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF	609.8	609.8	609.8	609.8	609.8	609.8
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type)						
TOTAL	609.8	609.8	609.8	609.8	609.8	609.8

Estimate of any current year (FY2001) cost: 0.0

Check this box (X) if funding for this bill is included in the Governor's FY 2002 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

HB 101 Sec. 6. AS 14.17.905 is being amended to reflect Charter Schools with an Average Daily Membership (ADM) of at least 150, would be entitled to be counted as a separate school. (please see attached spreadsheet)

Prepared by: Eddy Jeans, School Finance Manager Phone 465-8679
 Division: Education Support Services Date/Time _____
 Approved by: Bruce Johnson, Deputy Commissioner of Education Date 2/23/01
 Agency: Education and Early Development

For distribution information, call the Governor's Legislative Office

COMMITTEE COPY

District	FY'02 Projected Charter ADM's	Money generated based on AS 14.17.905
Anchorage Aquarian	240	
Anchorage Family Partnership*	799	
Anchorage Village Charter	120	
Craig PACE CS*	200	
Delta/Greely Cyber School*	202	
Fairbanks Chinook Charter	96	
Fairbanks New Beginnings	34	
Iditarod Takotna Charter	35	
Juneau Community Charter	60	
Kenai Aurora Borealis	129	
Kenai Homer Charter School	26	
Ketchikan Charter School	128	
Lower Kuskokwim Ayaprun Elitnaurvik Yup'ik Immersion	190	609,755
Mat-Su Academy Charter	135	
Mat-Su Midnight Sun	92	
Nome Anvil City Science Acad.	20	
TOTAL	2,506	609,755

* These are correspondence schools.



Alaska State Legislature

- Interim (May-Dec.) -
10928 Eagle River Rd., Suite 140
Eagle River, Alaska 99577
☎ (907) 694-6683
FAX (907) 694-1015

- Session (Jan -May) -
Alaska State Capitol
Juneau, Alaska 99801-1182
☎ (907) 465-2199
FAX (907) 465-4587

Toll free (800) 342-2199

REPRESENTATIVE FRED DYSON

HB 101

Sponsor Statement

"An Act relating to charter schools

Updated: February 1, 2001

Contact: Representative Fred Dyson's office at (907) 465-2199

House Bill 101 is intended to extend and strengthen the existing Alaska Charter School Law. The current law on the books is scheduled to sunset on July 1, 2005 (less than 4 ½ years from now). This means that any new charter school cannot be approved for the allowable five year charter. Existing charter schools are having a difficult time securing facility purchase and lease agreements because their remaining contracts are something less than 4 ½ years and cannot be extended beyond 2005.

Some of our charter schools are exciting, dynamic examples of parents being involved in their children's education. Intensive parental involvement has stretched the system in a positive way. Most charter schools are struggling because we have not given them the tools they need to succeed. I believe the demonstrated passionate involvement of parents and the good results indicate we should go beyond eliminating the sunset and allowing for longer contracts.

HB 101 is similar to the charter school law I sponsored last session except that it abandons the effort to mandate a succinct accounting statement to be part of the charter. It also abandons the attempt to mandate distribution of a pro-rated share of local contributions to go to charter schools

HB 101 makes the following changes to the existing charter school law:

- Eliminates the July, 2005 sunset clause.
- Extends the allowable contract length from 5 to 10 years.
- Eliminates the geographic distribution requirements.
- Doubles the cap from 30 to 60 charter schools.
- Clarifies that charter schools are not exempt from competency testing.
- Allows Charter Schools to be counted as separate a school if the ADM is over 150 (reference AS 14.17.905)
- Provides a one-time "start-up" grant.
- Allows for charter school use of safe public buildings with District Superintendent approval.

We have two options: 1) strengthen the charter school law to encourage continued new thinking and foster more fresh education reform, or 2) do nothing and watch the investment of countless hours of hundreds of parents die on the vine. Merely extending the sunset and lifting the cap will not be enough. HB 101 is probably not enough, but it is a step toward quality in public education.

- E-mail -
Representative_Fred_Dyson
@Legis.state.ak.us

- Internet -
<http://www.akrepublicans.org>

HB 101 Sectional Analysis

Revised: March 6, 2001 LS0254\5

Section 1: Doubles the allowable number of charter schools in Alaska from 30 to 60. This section also eliminates the geographic distribution requirement.

Section 2: Specifies that charter schools are subject to Benchmark and High School Qualifying Exam requirements.

Section 3: Specifies what must be included in a charter school contract. The changes HB 101 makes to existing law are grammatical except for one that conforms with the contract duration change that is made in Section 5.

Section 4: Allows charter schools to use safe public buildings with approval of District Superintendent.

Section 5: Adds a new section of law that allows for a one-time charter school grant in the amount of \$500 per student.

Section 6: Changes the allowable charter school contract length from a maximum of 5 years to a maximum of 10 years.

Section 7: Specifies that a charter school needs at least 150 students to be counted as a separate school for purposes of foundation formula calculations. (Existing law states that alternative schools need at least 200 students.)

Section 8: Repeals the July, 2005 charter school law sunset date.

Section 9: Sets an effective date.

WES FILE
HB 101 file

Pat Shelton
124 East 10th Avenue
Anchorage, Alaska 99501

February 20, 2001

Representative Fred Dyson and the Health, Education, and Social Services Committee members
Alaska State Capital, Room #104
Suite 140
Juneau, Alaska 99801-1182

Dear Representative Dyson,

Thank you for sponsoring HB 101. Charter schools diversify public school education through the pro-active involvement of parents, teachers, and community members. Because charter schools were created politically they must be maintained politically. This bill takes some much needed steps to strengthen Alaska's charter school legislation.

When compared with other states Alaska is rated as having one of the weakest charter school laws in the nation. The strength of a state's charter school legislation is measured by its ability to provide a secure foundation for greater autonomy in exchange for higher academic and fiscal accountability. Measures of the stability of this foundation are:

- a. the number of years a charter may be contracted,
- b. the number of charter granting agencies,
- c. the amount of autonomy a charter school realizes in its operation (the ability to hire outside of a local district's pool of potential employees, freedom to choose curriculum and set educational priorities, direct access to the funding generated by student enrollment, the ability to set its own schedule in respect to daily operations and testing, and the ability to exercise self governance),
- d. access to equitable funding when compared with other public schools in its area,
- e. the ability to budget and manage funds independent of charter granting agency,
- f. timely and appropriate audits to ensure fiscal accountability,
- g. independent legal status granted by legislation,
- h. an appeal process for charter school applicants which have been denied by a charter granting agency,
- i. access to start up funds,
- j. safeguards to eliminate discrimination, and
- k. the charter functions as a performance-based contract.

Charter schools developed from a simple yet profound concept, "...sound school choices can be

SUPPORT

provided to families under the umbrella of public education without micromanagement by government bureaucracies" (Vanourek et al., 1997, p. 1). This idea holds parents and teachers directly responsible for the student's education and is intended to empower these individuals by providing a vehicle with which their vested goals can be realized. Alaska's charter schools can only develop their full potential if they are provided maximum autonomy through legislation. HB 101 provides a venue for charter school longevity and takes steps to provide equitable funding. Is it possible that this legislation can provide any other missing elements necessary for a sound charter school foundation?


If further development of the charter school legislation is unreasonable at this time please consider the following changes to AS 14 17.905 (section 6 of HB 101) in lieu of any additional amendments:

1. the revision of part one to read "(1) the school is **not dependent upon the facility of another separate school**"; and
2. the addition of one word to part three "(3) the charter school is not operated **exclusively** as a correspondence school".

These changes will effectively address some of the issues charter schools confront. Facility is often, if not always, a major hurdle for charter schools as they do not receive funding for facilities unless such funds can be generated through outside sources. The definition of a correspondence school is ambiguous by today's educational practices. The distinctions between a correspondence school and a non correspondence school become blurred as more schools utilize the internet and other technological tools.

Your consideration of these suggestions and your dedication to all public school students in Alaska are greatly appreciated. Thank you for making the development of charter schools a priority during this legislative session.

Sincerely,



Pat Shelton

**MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT
BOARD MEMO NO. 07-087**

**A RESOLUTION OF MATANUSKA-SUSITNA BOROUGH SCHOOL DISTRICT IN SUPPORT
OF HOUSE BILL 101, THE LEGISLATION RELATING TO CHARTER SCHOOLS.**

WHEREAS, the Matanuska-Susitna Borough School District appreciates our legislators' support of the concept of choice for charter schools; and

WHEREAS, the current law authorizes a charter school to operate in an existing school district facility within the school district, but provides no funding; and

WHEREAS, the Matanuska-Susitna Borough School District strives to provide an allowance for charter school facilities, the financial impact on the operating fund is great; and

WHEREAS, the charter school does not generate funding as a separate site under the foundation funding; and

WHEREAS, it is our belief that the concept of choice is an important aspect to our community; and

WHEREAS, the new section of CSFE 10 (HES) reinforces this belief by proposing a one-time grant from the department to be used for educational services of \$500 for each pupil enrolled in the charter school; and

WHEREAS, the proposed House Bill 101 amends the current law to allow 60 charter schools to operate in the state at any one time; and

WHEREAS, the proposed House Bill 101 removes the sunset clause and authorizes a ten-year term for a charter school concept.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna School Board encourages the Alaska State Legislature to establish laws that will encourage the concept of choice by providing funding for charter school facilities and removing the sunset clause.

ADOPTED by Matanuska-Susitna Borough School District this 4th day of April, 2001.

Robert W. Johnson
Robert Johnson, School Board President

Patricia R. Chesbro
Patricia R. Chesbro, Superintendent

ATTEST:

Julena Felix
Julena Felix, Administrative Assistant

WES 1-7-01
(2) HB 101 File

LAW OFFICES

BIRCH, HORTON, BITTNER AND CHEROT

A PROFESSIONAL CORPORATION

1127 WEST SEVENTH AVENUE • ANCHORAGE, ALASKA 99501-3399 • TELEPHONE (907) 276-1550 • (800) 478-1550 • FACSIMILE (907) 276-3680

HAL R. HORTON (1944-1998)

THOMAS L. ALBERT*
JENNIFER C. ALEXANDER
RONALD G. BIRCH**
WILLIAM H. BITTNER
KATHRYN A. BLACK
DOUGLAS S. BURDIN*
SUZANNE CHEROT
ALLISON M. ELLIS*
KATHLEEN TOBIN ERB

MAX D. GARNER
DAVID KARL GROSS
TINA M. GILMER
JULIA L. GUSTAFSON
WILLIAM P. HORN*
STEPHEN H. HUTCHINGS
ROY S. JONES, JR.*
THOMAS F. KLINKNER
HARVEY A. LEVIN*†

STANLEY T. LEWIS
THOMAS McDERMOTT
BARBARA A. MILLER*
GREGORY A. MILLER
PETER C. NOSEK
MICHAEL J. PARISE
REBECCA C. PAULI
TIMOTHY J. PETUMENOS
ELISABETH M. ROSS**

KATHLEEN SCHAECHTERLE, OF COUNSEL
* D.C. BAR
** D.C. AND ALASKA BAR
† MARYLAND BAR
‡ VIRGINIA BAR
ALL OTHERS ALASKA BAR

1155 CONNECTICUT AVE., N.W.
SUITE 1200
WASHINGTON, D.C. 20036
(202) 659-5800
FACSIMILE (202) 659-1027

WRITER'S DIRECT DIAL (907) 263-7266 • WRITER'S DIRECT FAX (907) 276-3680 • gmiller@bhb.com

February 16, 2001

Representative Fred Dyson
Alaska State Capitol, Room 104
Juneau, Alaska 99801-1182

Re: HB 101 (Charter Schools)

Dear Representative Dyson:

I write this letter in strong support of your HB 101, in which you propose changes to the current statutes governing charter schools. I have been associated with Aquarian Charter School (Anchorage) since its beginning four years ago, as both a parent and chair of the school's Academic Policy Committee. When the charter school laws were passed in 1995, they were a "first stab" at a new situation. We now have four years under our belts. Your proposed legislation corrects many of the shortcomings of the original law.

For the sake of brevity I will not write about each of your proposed changes, except to say that I agree with them and with the reasons provided in your accompanying Sponsor Statement. I do, however, want to comment on your proposed Section 6, which amends A.S. 14.17.905.

First, your change to A.S. 14.17.905(b)(2), in which you propose to modify the funding base to be triggered by 100 students ADM, rather than 200 students, is absolutely crucial. Whether 100, 200 or some other number, I presume we can all agree that these figures are somewhat arbitrary. By definition charter schools are most likely going to be small. What is unique and innovative at the 100 student level, however, becomes surprisingly less innovative at 200+ students. I speak from experience: at Aquarian we went from 120 students to 220 students, and I firmly believe that we lost a lot of our ability to be innovative and flexible by doubling.

Rep. Fred Dyson
February 16, 2001
Page 2

Also, attracting 200 students to a new and/or already underfunded school can be amazingly difficult. Walden Pond Charter School was forced to close its doors this year for exactly that reason, even though the students, parents, teachers, and the Anchorage School District were all in agreement that Walden Pond filled a much-needed niche. I do not think it's an overstatement to say that Walden Pond folded because 200 students, rather than 100, was the statutorily-imposed "magic number" required to receive full state funding (Walden Pond had approximately 130 students).

In short, something as simple as lowering the statutory number to 100 students ADM would give both existing and future charter schools a greater chance of succeeding than anyone who has not witnessed this problem firsthand might imagine. Your proposed bill is thus just right in this respect.

My second and last comment is also directed at another portion of your proposed Section 6 (subparagraph 3), but here I recommend that the Legislature not just add your proposed language regarding "correspondence school" funding, but that the Legislature also define what it means by these two words. Your proposed change to A.S. 14.17.905(b)(3) ties funding at the 100% level to a charter school "not [being] operated as a correspondence school." This in turn ties into the funding formula found at A.S. 14.17.430.

Please know, however, that these two clauses are ambiguous, and that this ambiguity has already been the subject of litigation between the DOE and Family Partnership Charter School ("FPCS"), a home school charter school in Anchorage. I know this because I was the lawyer who represented FPCS. During the litigation the DOE stated that A.S. 14.03.905(b)(3) and 14.17.430 were ambiguous, in that neither of these statutes define what constitutes a "correspondence school." The hearing officer held that although via subsequent regulations the DOE tried to define "correspondence school," the DOE was unable to do so. In a nutshell, everyone involved seemed to agree that this was a job for the Legislature.

The DOE also acknowledged that 1) a correspondence school is typically a "distance delivery" model (such as the State-run Alyeska correspondence school, where students rarely or never meet their teachers, and lessons are mailed out and then mailed back for grading), 2) FPCS was quite different, i.e., a "home school" that had direct, personal and ongoing contact with teachers, in close "partnership" with each student's parents, and (3) the Anchorage School District--which worked most closely with FPCS--did not consider FPCS to be a "correspondence school," and ASD expressly disagreed with DOE's attempt to classify FPCS as a correspondence school. But because the Legislature did not define what it meant by "correspondence school," the DOE attempted to fund FPCS at only

Rep. Fred Dyson
February 16, 2001
Page 3

80%. Although the DOE eventually conceded that FPCS should be funded at 100% for this year, I anticipate that to save money the DOE will at some point in the future again try to classify FPCS as a "correspondence school."

I thus urge the Legislature to eliminate this ambiguity by now defining "correspondence school." This could be done very easily, by simply adding the following underlined words to your proposed A.S. 14.03.905(b):

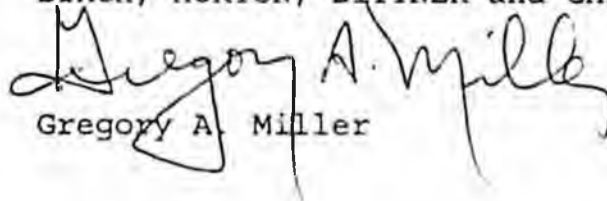
... and (3) the charter school is not operated as a distance delivery correspondence school.

While FPCS is in no way any type of a correspondence school-- "distance delivery" or otherwise--adding these two words would be the simplest way to clarify this ambiguity.

Thank you, Representative Dyson, for sponsoring this bill, and to all Representatives and Senators who ultimately support it. Please call if you have questions.

Sincerely,

BIRCH, HORTON, BITTNER and CHEROT


Gregory A. Miller

By: Assemblymember Colver
Action:

**MATANUSKA-SUSITNA BOROUGH
RESOLUTION SERIAL NO. 01-020**

A RESOLUTION OF THE MATANUSKA-SUSITNA BOROUGH ASSEMBLY SUPPORTING
HB 101, RELATING TO CHARTER SCHOOLS.

WHEREAS, under current law the authorization for all charter schools sets a duration of no more than five years and may not extend beyond July 1, 2005; and

WHEREAS, CSHB 101(HES) authorizes a ten-year term for a charter school contract and removes the sunset clause; and

WHEREAS, the current law allows for no more than 30 charter schools to operate in the state at any one time; and

WHEREAS, HB 101 amends the law to allow 60 charter schools to operate in the state; and

WHEREAS, the current law authorizes a charter school to be operated in an existing school district facility within the school district, but provides no funding; and

WHEREAS, CSHB101(HES) proposes a new section, A.S. 14.03.263, which provides for a one-time grant from the department equal to the amount of \$500 for each pupil enrolled in the charter school on October 1 of the year in which the school applies for the grant to be used for educational services; and

WHEREAS, currently there is no provision for capital funds for operating facilities.

NOW, THEREFORE, BE IT RESOLVED, that the Matanuska-Susitna Borough Assembly encourages the Alaska State Legislature to support legislation, such as HB 101, which eliminates the sunset clause for charter schools and provides grant funding for charter schools based on pupil enrollment; and

BE IT FURTHER RESOLVED, that the Matanuska-Susitna Borough Assembly encourages the Alaska State Legislature to also provide capital funds for charter school facilities.

ADOPTED by the Matanuska-Susitna Borough Assembly this - day of -, 2001.

TIMOTHY L. ANDERSON, Borough Mayor

ATTEST:

SANDRA A. DILLON, Borough Clerk

(SEAL)



P.O. Box 232821 • Anchorage, AK 99523-2821 • (907) 345-8032 • (907) 345-8034 I. X

20 Feb 2001

Alaska State Legislature
Vic Kohring, Chair of HESS
Alaska State Capital, Room #104
Juneau, AK 99801-1182

SUBJECT:

Dear Alaska State Legislature,

It is my intent that this letter supports the passage and immediate implementation of HB101 and HB89. As a parent of a student at The Academy Charter School, I am convinced that charter schools are critical to the development of education in our community. Charter schools provide diversity, relief from the intense overcrowding problems currently experienced in the Mat-Su, and even more, they provide an environment for children to develop an appreciation for learning and growing as human beings. Remarkably, The Academy Charter School requires no food service, no bus service, and has received very little support from the district in even providing sewer and water. Yet as cost effective as this has been for the district, our disappointment as we are continuously shorted in both funding and services by the school district, had been remarkable.

Legislative support in the form of a House Bill that provides more support for the charter schools would provide stability and allow for better planning. It would encourage the educators and staff of these schools to continue their efforts and pursue opportunities for our charter schools to improve educational opportunities for our children. I believe this is the goal we would all like to achieve.

I would like to voice my unequivocal support, and even gratitude, for your efforts to improve opportunities for charter schools in Alaska. I assure you that based upon my experience with That Academy Charter School, your efforts are not wasted. In fact, as I mentioned above, you could not do better than invest in this type of educational resource. The return in learning per dollar spent is simply remarkable. Thank you for taking the time to read my letter.

Sincerely,

Marc H. Peterson
Sr. Project Manager
USARAK Hazardous Waste Management Contract
(Parent of a charter school student)

Kenai Peninsula Borough School District
Homer Charter School
Academic Policy Committee
P.O. Box 474 Homer, AK 99603 (907) 235-9773

February 20, 2001

Re: HB 101 Charter School Bill

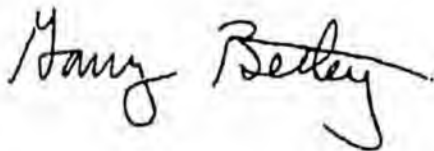
The Academic Policy Committee, APC supports HB 101, except for the following considerations.

The Homer Charter School is in its fourth year of operation.

The APC feels the cap on Charter Schools should be kept to 30 until financial concerns of existing schools are addressed properly. The Federal grants for 'planning and implementation' have been adequate for getting the programs off and running. What is lacking is the operating revenue to keep up with rising salary costs. The State of Alaska should recognize each Charter School as a separate school, no matter what size. Funding needs to be allocated to School District's according to the State's formula for each Charter School no matter what size.

Do not increase the number of Charter Schools until each is funded as a separate school.

Garry Belley Academic Policy Member





FPCS Parent Teacher Student Organization

3339 Fairbanks Street
Anchorage, Alaska 99503-4145
(907) 274-3105

February 18, 2001

Representative Fred Dyson and HESS Committee members
Alaska State Capital, Room #104
Suite 140
Juneau, Alaska 99801-1182

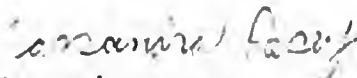
Dear Representative Dyson,

The members of our organization appreciate your sponsorship of HB 101. We believe that charter schools provide parents, teachers, and community members with positive options in public school education. We strongly support legislation that strengthens the autonomous nature of charter schools, provides a foundation for charter school longevity, and ensures equal state funding for all public school students. HB 101 provides a venue for charter school longevity and takes steps to provide equitable funding.

The Family Partnership Charter School (FPCS) is a unique school which innovatively pursues the reality of public education. When directed toward charter schools in a generalized fashion, the ensconced language of public education can fall short of addressing the issues relevant to FPCS. It is our hope that the language of charter school legislation can develop a dialect which is inclusive of unique educational programs. We respectfully ask that you consider these suggested changes to amendment AS 14.17.905 (section 6 of HB 101): the revision of part one to read "(1) the school is not dependent upon the facility of another separate school"; and the addition of one word to part three "(3) the charter school is not operated exclusively as a correspondence school".

We deeply appreciate your dedication to all public school students in Alaska. Thank you for making charter schools one of your priorities. Please contact us if we can help in any way.

Sincerely,


Cassandra Posey
PTSO President

March 19, 2001

Representative Fred Dyson
Alaska State Capital, Room #104-Suite 140
Juneau, AK 99801-1182

Dear Representative Dyson,

This letter is to encourage you to support legislation in favor of charter schools. I am sure that you are aware of some of the recent negative publicity with respect to charter schools. I believe that these recent criticisms are based on a lack of understanding of this innovative approach to training a young mind to excel. Indeed, educational efforts should be comprised of a broad spectrum of opportunities. These opportunities are brought forward by parents and supported by certified teachers to formulate an education that is not mainstream. The results have been positive for our family.

We have three children in Family Partnership Charter School (5th, 9th & 11th grades). We as parents have taken the responsibility to "parent direct" this custom education. We are an integral part of our children's education. This, at times, can be challenging. We feel that it is worth it. The charter school allows our children to excel in their strengths and interests. The individual attention helps to identify weaknesses that could go undetected in a traditional setting. Proactive curriculum to address these weaknesses can stave off future educational frustrations.

Our three years with the charter school has been a positive experience for all three of our children. It is so rewarding to be a part of the excitement and enthusiasm our children have when they learn to take responsibility for their educational choices with anticipation of career choices which in turn become an asset to the community in which they live.

Charter schools are a new concept in contrast to our traditional school systems. These schools are challenging some established ideals of primary schooling but the results speak for themselves. We as parents think these schools are worth the effort and would appreciate you representing our public educational system in a positive manner by supporting charter schools.

If you have any detail questions for our family, please feel free to contact us.

Sincerely,

Charles & Korin Homestead

Charles & Korin Homestead
11240 Latta Cir.
Anchorage, AK 99516
349-9339
khomestead@alaskalife.net

April 13, 2001

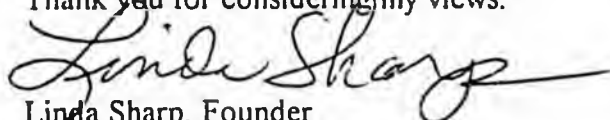
RE: Charter School Law amendment HB-101

Dear Legislators,

Please pass HB-101 now so that it may be considered in the Senate yet this year. Current legislation, which is now 6 years old, is overdue for this amendment. Charter Schools are public schools. They accept all who fit the category of age and definition that they serve. Our public charter school, for example, resembles the Anchorage population as a whole, and the local school district, demographically and other ways. Needed changes in charter school law include:

- * **Autonomy** - a charter school, in order to compete, must have a choice of sponsoring agencies. Those who prefer a school district may so elect; those who prefer an independent board should have that choice. The Independent Board for Charter Schools in AZ would be ideal. There, representatives from around the state meet 6 times a year to review applications for new charters and to determine if existing charters meet educational quality, sound fiduciary management, and safety/health. Alaska needs such a choice of Independent Boards for those who would so choose.
- * **Funding**. Presently, the charter school I founded, nets about \$3,800 after the local school district takes their cut for paying our bills. We choose to be a small school, present enrollment is under 100. Under the same roof of the building we occupy, is another charter school. With slightly over 200 students, they receive more than \$5,000 per student, for doing the exact same thing: educating students.
- * **Facility**. We cannot take on more space, because the present shared facility is maxed. Neither our landlord nor the city will allow an expansion. We also rent space next door, and the rent is so high that it precludes many things we consider essential. For example, we have no "executive", no principal, no real office, no library, among other things most schools take for granted. This is our third official year of operation. In order to stay in the black (we have never been a dime in the red) we must do without essentials such as those listed herein.

I would be most happy to assist you in getting this bill passed. Please let me know how I can help you. Thank you for considering my views.



Linda Sharp, Founder
Village Charter School
Box 190051
Anchorage, AK 99519
Tel. 245-5501
Email: lsharp@alaska.net

AURORA BOREALIS CHARTER SCHOOL

11247 Frontage Road Ste. A
Kenai, Alaska 99611
(907) 283-0292

February 22, 2001

To: Rep. Fred Dyson, Chair and members of the House HESS Committee

Subject: Support of HB 101 regarding Charter Schools.

The Academic Policy Committee of the Aurora Borealis Charter School is in support of HB 101. We particularly urge the passage of the provisions in the bill to eliminate the sunset clause and to extend the term of contracts to 10 years.

Aurora Borealis Charter School is providing a valuable alternative to regular public schools. Our enrollment has increased annually, our students have achieved benchmark test results that are among the highest in the District and parents are happy with our school. We have a waiting list of 200 students, which is twice our current enrollment.

Removing the sunset date and extending the contract term will be advantageous to all charter schools especially in attracting and retaining qualified teachers. Longer contract terms will help charter schools that are having difficulty securing facilities.

Additional funding for charter schools would be advantageous especially since the current law does not give specific direction to school districts on how to fund charter schools. We are also very much in favor of the provision which establishes alternative schools as separate schools for funding purposes. The Kenai Peninsula Borough School District apparently is penalized with lower funding because our enrollment is added to the largest school in the District. This inequity in the funding formula needs to be corrected.

Thank you for your work on this bill. Passage of HB 101 will be beneficial to charter schools, which we believe will lead to higher quality outcomes throughout the public education system.

Sincerely,



Larry Semmens, APC Chair
Aurora Borealis Charter School

Subject: H.B. 101 - HESS/Charter Schools

Date: Sun, 18 Feb 2001 17:49:55 -0900

From: "thomasalaska" <thomasalaska@gci.net>

To: "Representative Fred Dyson" <Representative_Fred_Dyson@Legis.state.AK.US>

CC: "Linda Sharp" <lsharp@alaska.net>

Representative Dyson:

On behalf of our 300 Southcentral Alaska members, Lodge No. 46 of the Sons of Norway would like to express its support for House Bill 101. We have worked closely with the Village Charter School (VCS) in Anchorage to help them to get started and to grow.

On the sunset issue, the schools need several years lead time to provide for programmatic continuity: arrange for facility leases, staffing and so forth. On the funding issue, we understand that the proposed bill will narrow the present gap between the smaller schools like VCS and other schools and will benefit the students accordingly.

Can you please forward this message to HESS and all legislators? And, if you have any questions, feel free to contact me tomorrow at 561-3478 (or at 333-9101 in the evening).

Sincerely,

Howard Thomas
President
Bernt Balchen Lodge No. 46
Sons of Norway

Dallas Engineering, Inc.
 475 Forest Hills Drive
 Fairbanks, Alaska 99775

February 15, 2001

Representative Dyson
 Members of HESS (Senate / House)
 Members of the Alaska Legislature

RE: Charter Schools HB 101

Senators and Representatives:

Please consider my views when Representative Dyson's and Senator Betsy Davis' bills come forward for your vote. I am a retired petroleum engineer, having moved to Alaska in 1974 to help the University of Alaska begin its petroleum technology program, after 25 years of working as a petroleum engineer in private industry in North Dakota and the Williston Basin. I maintain a small office in Fairbanks even now, although I am 78 years old and generally travelling, writing a book and coaching math part-time in public schools in Fairbanks and Anchorage.

I hope you will pass a bill this session that changes the fate of charter schools in Alaska. The present law is crippling them. It precludes many who are interested from considering proposing a charter, and it causes extreme stress for many charter schools presently operating in Alaska. It has also caused the demise of at least one and probably more of the charters that have closed their doors.

Current law is flawed in the following major ways:

#1. Authorization. There should be a choice of authorizing agencies. Requiring charter schools to subject themselves only to the local school districts is suicide. It could be likened to requiring the newly freed slaves in 1865 to get their freedom passports from the Plantation Owners, and to report to them for all actions they took. There must be an Independent Board, representing the population of Alaska, who for a decade have advocated for freedom and accountability in education. This is the most important change you should make.

#2. Sunset. The sunset clause of 2005 should be lifted and there should be no sunset, or at the earliest, 2015. Contract should be for ten years, not five.

#3. Funding. Charter schools should be funded no lower than the average school in the area that they serve. They should be given housing without cost, in addition to the per student funding. Without equal funding they cannot compete. This would level the playing field. I am willing to contact you by phone or by mail if you are interested in helping me. I would be happy to help you get such a bill passed in 2001.

Best wishes,



Dois D. Dallas, P.E.
 475 Forest Hills Drive
 Fairbanks, AK 99775
 Email: Doisddd@aol.com

or dotticfd@aol.com

February 16, 2001

Dear Legislators,

HB 101 is a well-written bill. Please give it your full support to pass it this year. It is overdue and will be a welcome step of relief in the right direction.

There are three major concerns with the current legislation: funding for many "city" charters is half and in some cases, less, than other "city" schools that you fund. This is because in part the description written into school funding formulas, which you can correct. It is also because "city" schools get local taxes, and in Anchorage, none of that is passed on to the charters. Most importantly, "city" and "rural" schools get facilities, in many cases worth millions of dollars.

I am with the Village Charter School, having participated since its design and currently serving as a K-3 teacher and APC (governing committee) member. We receive approximately \$3,850 per child, and from that, pay space / facility. We have a terrible time working with a landlord with that budget and limp from year to year. Our fear now is that the economy is getting better, which means our landlord can find much more attractive tenants than us.

The sunset should be lifted and the length of a contract 10 years with 5 year renewable so that landlord negotiations are improved.

Lastly, we struggle almost daily with school district oversight challenges. I have spoken with School Board Members and ASD executives. but it is as much that we can't fit their "round holes" because we are a tiny, square peg. An Independent Board, such as Arizona has, would be idea. Please take the time to visit their Independent Board's office and a dozen of their charters if you get the chance. I visited 30 of their schools and believe that model is the best in the US.

Best wishes, and I'll help you however I can.

Linda Sharp
2710 West 34 Avenue
Anchorage, AK 99517
Tel. 245-5501
Email: lsharp@alaska.net

Subject: Re: Charter School Funding

Date: Mon, 26 Feb 2001 19:15:11 -0900

From: "asmith" <asmith@ideafamilies.org>

To: <Representative_Fred_Dyson@legis.state.ak.us>

Representative Dyson,

I was encouraged to see that you are working on issues of importance to the charter schools in Alaska. The issues of equity in funding are significant and have not been addressed in a satisfactory manner, as yet. I look forward to seeing progress with your bill, but was extremely disappointed to see that school size was being increased from 100 student schools to 150 students for the higher funding. I wish you well in working for charter schools. The obstacles created by the current law are nearly insurmountable when issues of lease commitments and approvals by local school districts are considered.

My children attend Village Charter School. The success of the school and their ability to educate children would be greatly enhanced if it were freed from Anchorage School District control and were given equitable per student funding.

Allison Smith
310 Highview Drive
Anchorage, AK 99515

Subject: H.B. 101 - HESS/Charter Schools

Date: Sun, 18 Feb 2001 17:49:55 -0900

From: "thomasalaska" <thomasalaska@gci.net>

To: "Representative Fred Dyson" <Representative_Fred_Dyson@Legis.state.AK.US>

CC: "Linda Sharp" <lsharp@alaska.net>

Representative Dyson:

On behalf of our 300 Southcentral Alaska members, Lodge No. 46 of the Sons of Norway would like to express its support for House Bill 101. We have worked closely with the Village Charter School (VCS) in Anchorage to help them to get started and to grow.

On the sunset issue, the schools need several years lead time to provide for programmatic continuity: arrange for facility leases, staffing and so forth. On the funding issue, we understand that the proposed bill will narrow the present gap between the smaller schools like VCS and other schools and will benefit the students accordingly.

Can you please forward this message to HESS and all legislators? And, if you have any questions, feel free to contact me tomorrow at 561-3478 (or at 333-9101 in the evening).

Sincerely,

Howard Thomas
President
Bernt Balchen Lodge No. 46
Sons of Norway

Subject: HB101

Date: Wed, 07 Feb 2001 15:57:38 -0900

From: "Lynn Aleshire" <lynn.aleshire@acsalaska.net>

To: Representative_Fred_Dyson@legis.state.ak.us

Rep. Dyson,

I just read through your HB 101 and am very pleased with the changes you propose to charter school law. Of course, since we always want a little bit more I'd like to ask if you would consider amending it to address the new definition of a correspondence school.

As you know the State Board of Ed. recently accepted the administration's new definition of a correspondence school which targets Family Partnership Charter School and reduces its financing by 20%. This new definition presents our school with another tremendous financial hurdle. We are considering legal action since we believe that the new definition flies in the face of the legislature's original intention for correspondence schools. It would save FPCS many, many thousands of dollars in legal expenses and also would save our families more hardship if the legislature would address this issue. The money we have had to spend and will spend in our battles with DoEED would be much better spent for educating kids.

Thanks for considering this issue and for your steadfast support for better education for Alaska's kids.

Lynn Aleshire
FPCS APC Member

Subject: charter bill And Midnight Sun family learning Center

Date: Sat, 17 Feb 2001 22:48:51 EST

From: BrwnBare@aol.com

To: Representative_Fred_Dyson@legis.state.ak.us

To whom it may concern :

I write this Email as a MOM . I am not a business owner or a professional .

But I would like to say a few things on this subject .

To Start with I have two small children enrolled in Midnight sun. I have not had to experience a " real School " Nor do I ever want to !

Without our school though , My children Would be home Schooled Which I had planned on doing to start with .

We have a school that has the most loving and caring environment , We are a true family . And No Where else (besides My Home) Would my kids be safe

We have a Saying around our school " We have school full of Mom's" And That in its self should be good enough to get HB 101 Passed .

Please take a look at our State of the Charter and the results of past few yrs to see how important Charter schools are !!!!! We have accomplished So much . I would also like to invite you to see our little school and how much fun learning can be .

I am very grateful that you want this bill to pass and you see how important charter Schools are .

Like I said I am just a MOM and a Parent volunteer

Thanks for all you Do for our Charter Schools

Sincerely,
Cyndi Brown

SENATE COMMITTEE REPORT

DATE: 4/25/01

FURTHER: Finance

DATE TURNED IN TO OFFICE: 04/28/01

Health, Education and Social Services Committee considered CS FOR HOUSE BILL NO. 101(FIN)

"An Act relating to charter schools; and providing for an effective date."

and recommends:

- be replaced with SCS CS HB 101 (HES)
- adopt previous _____ CS _____ (_____)
- attached amendment(s)
- adopt Letter of Intent by _____ Committee
- further referral to _____ Committee

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

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Zero	FN#
DEED	2/16/01	x		1
DEED	2/23/01	x		2

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS:	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Kevin L. Hanna</i>	✓			
<i>Sam Allen</i>			✓	
<i>Becky Brown</i>	✓			
CHAIR: <i>[Signature]</i>	✓			



Alaska State Legislature

Please enter into the record my testimony to the Senate Finance
committee name

Committee on H.B. 101 / Charter School, dated May 1 2001
bill # / subject

General comments: I ^{focus on} favor charter schools in general, however feel that Charter Schools should be on success and accountability. That success is often predicated on sufficient resources and suitable facilities. This bill will help ensure success. The funding mechanism should be structured to feed and encourage successful programs, enabling the expansion, development, and maintenance of those schools and programs which are successful or for which there is a demand.

Specifically:

* Very much favor sect 14.03. 263 which provides \$500 per pupil for program development and instruction. As is to accomplish those "non-teaching" duties ^{is} to offer only after evenings, weekends, and ~~vacations~~ vacations. 00-25

Signed: Gene Palm
Testifier

self and Aurora Borealis Charter School
Representing (optional)

55140 East Chinook St, Kenai, AK, 99611
Address

776-8213 Home 283-0292 School
Phone number

2.) ^{Charter} No sunset clause is a good one. Schools should be monitored closely. Those that don't measure up, don't succeed, ~~or~~ for which there is little demand should not stay open. Those schools which can demonstrate success and for which there is demand ~~can~~ should be given the funds and resources to allow them to meet that demand.

Thanks,

Gene Palm.

5th & 6th grade teacher,
Aurora Borealis Charter School
Kenai, Alaska

SENATE FINANCE COMMITTEE

SIGN-IN

HB 101-CHARTER SCHOOLS

NAME: Eddy Jean Subject/Bill No: HB 101
Co./Dept./Title: Education, School Finance Manager Phone: 465-8679
Address: 801 West 10th St., Suite 200 Tuxedo Zip: 99801
Do you wish to testify? ___Yes ___No Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? ___Yes ___No ___Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? ___Yes ___No ___Respond To Questions

NAME: _____ Subject/Bill No: _____
Co./Dept./Title: _____ Phone: _____
Address: _____ Zip: _____
Do you wish to testify? ___Yes ___No ___Respond To Questions

SITE: Kenai LIO

COMMITTEE: SFIN

DATE: 5-01-01

SUBJECT OF MEETING:

HB101: Charter Schools

UPDATE #: 1



PLEASE SIGN IN

PLEASE PRINT:

NAME	ADDRESS (MAILING & ZIP)	REPRESENTING	DO YOU WANT TO TESTIFY? Y or N
Larry Semmens	36574 Mackey Lk Rd, Soldorna Ak 99669	Aurora Borealis C.S.	Y HB 101
Gene Palm	55140 E Chinook, Kenai Ak 99611	Aurora Borealis C.S.	Y HB 101