

### 333.3 Application Form

Charter school applications must be received by the school district no later than October 1 of the year preceding the proposed beginning of the charter school. Applications may be submitted by an individual, group or organization.

The following information must be provided in writing:

- a. The name of the charter school.
- b. The name, address, and telephone number of a designated contact person authorized to act for the charter school applicants.
- c. The names, mailing addresses, and phone numbers of the members of the Academic Policy Committee proposing the charter school. It is recommended that the individuals on the Academic Policy Committee have expertise in the following areas: budget and finance, curriculum and instruction, fund-raising/grant writing, recruiting volunteers from the parent community as well as the community. Additionally, knowledge of school laws or legal expertise may be helpful.

In addition, a letter signed by each member of the original Academic Policy Committee attesting to their knowledge of their responsibilities toward the development and operation of the charter school will be submitted.

The proposal should also describe the following: the composition of the Academic Policy Committee's structure, how they will facilitate their relationship with the School Board and the ASD Administration, and how members are elected/appointed.

- d. Description of the Educational Program:

A mission statement of the charter school, including a description of the process used to develop the statement, (Note: the mission statement of the proposed charter school must be consistent with the existing mission statement and goals of the Anchorage School District.) A charter school shall be nonsectarian;

A statement of the program philosophy: explain why the program exists, for whom it is established, and what the intended student performance

and performance targets will be for students enrolled in this charter school;

A description of the need for this charter school;

A statement of the goals for this charter school and a description of the process used to identify the goals;

The curriculum in each subject matter area of the charter school (including educational/academic goals, State and ASD Content and Performance Standards, program of study, scope and sequence, instructional methods and materials, and evaluation procedures to be used);

An identification of any vocational courses to be offered in the charter school (if grades 9 through 12 are included);

Scheduling requirements (length of the school day with start and end times and a calendar for the school year).

Students attending a charter school may take classes and/or participate in student activities at other schools once specific budgetary arrangements have been made according to administrative charge-back procedures.

e. Specific Levels of Achievement for the Educational Program:

The charter school will participate in the Anchorage School District's School Report Card Process as required by Alaska statute.

All tests and assessments required by either the State Department of Education or the Anchorage School District will be administered to charter school students.

Charter schools should describe their academic performance targets and a timeline for achievement by all students.

If academic performance targets for achievement are not reached by the specified timeline, what corrective measures will be taken by the charter school to remedy the situation? This corrective action plan must include a Plan for Improvement, specific activities for remediation and accommodation by the staff and Academic Policy Committee, a process for monitoring the progress of the Plan by both the Academic Policy Committee and the Administration, and a process for reporting on the progress of the Plan to the Administration and the School Board.

The charter school must specify the role of the Academic Policy Committee and the Anchorage School District Administration in the Plan for Improvement effort if a school's performance is determined to be

unsatisfactory by the School Board, the Administration, the Academic Policy Committee, and/or the State of Alaska.

If progress in improving student performance is determined to be unsatisfactory by the School Board, the Administration, and/or the Academic Policy Committee after attempts at remediation through the Plan for Improvement process, a recommendation may be made to terminate the contract of the charter school. Final action on termination of the charter school contract rests with the Anchorage School Board.

f. Admission Policies and Procedures:

Annual calendar of registration and admission dates.

Any proposed student eligibility criteria and a description of the school's plan to include academically low-achieving students, to promote diversity, to increase the educational opportunities of "at risk" students (those students who because of physical, emotional, socioeconomic or cultural factors are less likely to succeed in school), and to provide an appropriate program for exceptional students and those with special needs.

A statement affirming that any eligible student who applies in a timely manner will be admitted, subject to the maximum number of students identified in the proposal. A preference for enrollment may be given to the children of the originators of the charter school (parents and staff) if there are more applicants than the approved number of students. In the event of an excess number of student applicants, the charter school and the School Board shall attempt to accommodate the students by considering additional classroom space and/or additional teachers. If it is not possible to accommodate all eligible students, students shall be selected by a drawing regulated by the adopted Anchorage School District's Lottery Procedures (School Board Policy [332.3](#)).

A statement of non-discrimination in the school's admission's policies and procedures and its educational program consistent with school district, state and federal requirements.

An Anchorage School District student may not be required to attend a charter school.

The application to establish a charter school shall specify the application procedure for students, include a copy of the student application form, and specify the timelines for application, approvals, and notification. In the case of a multi-year charter school, the contract must also contain

provisions for handling the admissions procedures for continuing students from one school year to the next.

g. Administrative Policies

The application form must include administrative policies to be followed by the charter school. A charter school may adopt, or apply in writing to exempt itself from, local School Board policies and administrative regulations. These will be discussed during the Administrative Review and at the School Board Work Session. Any Board approved exemptions must be specified in the contract. The most current copies of School Board Policies and Administrative Procedures Manuals will be provided to each charter school during the initial administrative meeting and after any subsequent changes. A complete listing of School Board policies and administrative procedures is available at the school district administration offices (Public Affairs and the Assistant Superintendent for Instruction), at each school library in the District, and on the ASD Web Site (policies only).

To the extent permitted by Alaska laws and regulations, charter schools may apply for a waiver from state regulations except that a charter school must comply with all local, state and federal requirements for receipt and use of public money. Any waivers requested by the charter school from state regulations must be included in the contract. Approval for waivers from state regulations will occur at the time the State Board of Education acts on the locally approved application and must be requested by both the charter school and the local School Board. By law, waivers of state statutes are not permitted. Copies of the state statutes and regulations are no longer available from the Alaska Department of Education, but are available for review on the Internet (<http://www.legis.state.ak.us>), at all schools, at the ASD administration offices, and the Loussac Library.

Requests for waivers to sections of collective bargaining agreements must be initiated by the charter school proposers, which may include informal discussions with the unions. The formal waiver request should be submitted in writing with the application to the Administration and the appropriate union; these will be reviewed administratively as well as by the specific bargaining unit affected by the charter school proposal. Such waiver requests and written responses from the appropriate bargaining units and the Administration must be included in the contract prior to approval by the local School Board.

h. A Statement of the Charter School's Funding Allocation From the Local School Board and Costs Assignable to the Charter School Program Budget, Including an Annual Program Budget

During the administrative meeting held in accordance with [333.22](#), the administrative committee shall provide to the charter school representatives an estimated per pupil allocation available from the district for the operation of the charter school. The estimated per pupil allocation shall be computed in a manner consistent with the method in which the district receives revenues from the state less administrative costs retained by the district determined by applying the indirect cost rate approved by the state Department of Education.

The application subsequently submitted by the charter school shall include an annual program budget proposed by the charter school. The district may allocate additional revenue beyond the per pupil allocation based on the approved program for the charter school; this increase must be approved by the School Board. The School Board shall provide an approved charter school with an annual program budget that is not less than the amount determined in accordance with [AS 14.03.260](#). The charter school budget shall not diminish the per pupil financial support of students enrolled in the remainder of the district's schools.

A charter school may not charge tuition to students who reside within the school district. Fees charged to students by the charter school, including but not limited to supply and activity fees, shall be retained by the charter school and included in the charter school program budget.

Actual revenues received by the charter school shall be derived from actual student enrollments in the charter school during the year in which the charter school is operating. The funding allocation set forth in the first paragraph of this section is for purposes of creating a program budget for the charter school for the next school year. Actual student enrollments in the charter school (and revenues generated from those enrollments) shall be ascertained in the same manner that the state of Alaska uses to determine student enrollments and state revenues generated in the school district. Foundation revenues generated for special populations of students, grants and special revenue funds will be available to the charter school as determined by the contract between the School Board and the charter school. Operating revenues will be provided to the charter school as specified in the contract.

Funds in excess of the per pupil allocation, if any, paid to the charter school by the school district shall be in accordance with the approved annual program budget. If the student enrollment in the charter school is anticipated to fluctuate more than 10% above or below the School Board authorized enrollment, the charter school and the Administration will meet to review the charter school's enrollment and budget. If approved by

the Administration, a revised charter school program budget and modification to the contract will be submitted to the School Board for action prior to the Foundation count period. The School Board shall then revise the charter school program budget and contract prior to the Foundation count period.

If actual enrollment during the Foundation count period is less than the School Board authorized enrollment, the charter school program budget will be adjusted accordingly.

All costs for operating a public school in the school district shall be assigned to the charter school subject to restrictions imposed in the charter school law and the terms of the contract between the School Board and the charter school. Except for services provided by district administration as determined by the state Department of Education indirect cost rate, all supplies, equipment, and services provided directly by the district to the charter school shall be charged to the charter school at the district's cost. All equipment and supplies purchased by the charter school become the property of the school district upon the completion or termination of the charter school contract. (School Board Policy [833](#)).

The established charter school shall annually submit a balanced program budget by November 15 of each year which shows the expected revenues and expenditures for the charter school for the next school year. The budget for the following year shall be limited to student enrollment of the current year unless School Board approval for a change in school enrollment occurs by October 1 of the current school year. This annual budget shall be approved by the School Board during annual budget deliberations. Adjustments to the charter school budget may be necessary if the estimated revenues are revised due to School Board, legislative and/or Assembly action.

i. Method by Which the Charter School Shall Account for Receipts and Expenditures

This shall include a description of how the charter school will be in compliance with [AS 14.17.910](#) Restrictions Governing Receipt and Expenditure of Money from Public School Foundation Account. The charter school will account for receipts and expenditures by using and complying with district accounting, audit, and fiscal procedures. Requests for waivers may be considered. The charter school agrees that it will comply with local, state, and federal requirements for receipt and use of public money. The charter school shall allow district personnel or the district's auditors access to financial information to perform the annual or special audits and accounting information. The charter school shall

cooperate with the School Board or the Department of Education in complying with the requirements of [AS 14.17. 910](#).

j. Location and Description of the Facility

The application form shall contain the mailing and physical address and a description of the location and facility used to house the charter school, if known. This must include a description of how the facility will be obtained and maintained; any contracted services and the proposed contractor must be included. If district space is requested, this request should be noted on the application. In addition, specific parameters should be noted in writing by the charter school; for example: whether space is preferred at an elementary, middle, or high school, geographic limitations, joint use of specific facilities and/or programs.

A charter school may be operated in an existing school district facility or in a facility within the school district that is not currently being used as a public school. Any non-district facility that is used for a charter school must meet and maintain the federal, state and local building, fire, health, and safety requirements applicable to other public schools in the district. A statement must be provided that the charter school will maintain that status. The Superintendent shall make the determination of code compliance based on inspections made by the [Municipality of Anchorage](#) code enforcement authorities which are paid for by the charter school proposers. A certificate of occupancy must be issued by the Municipality of Anchorage prior to a charter school opening its doors for students.

A charter school using a private home or homes is subject to the applicable federal, state, and local building, fire, health, and safety requirements. The Superintendent or designee will make this determination after consultation with appropriate Municipality of Anchorage officials.

The charter school shall be responsible for obtaining these inspections and shall be responsible for correcting any deficiencies in non-district facilities. The charter school shall maintain code compliance in district and non-district facilities during the duration of the contract.

A charter school using non-District facilities may only enter into a lease agreement with a property owner after review and approval by the Purchasing Department and ASD attorneys within 10 school/working days. ~~Upon approval by the Administration, a lease will be co-signed by the District designee and the charter school prior to finalization.~~ A cancellation clause will be part of the lease agreement. Rented/leased

space must be cleaned by District custodians unless a waiver is secured from Local 71 or the lease itself includes custodial service.

Charter schools proposing to use district facilities which are already in use as public schools may do so only with the approval of the School Board. A housing/ space analysis will be conducted annually by the Administration in conjunction with the development of the Six-Year Capital Improvement Plan (CIP); it will be updated during September of each school year. The CIP and the Space Analysis will be provided to the charter school proposers and each school when available.

The use of district facilities, or privately owned structures (relocatables) which meet the current state and municipal codes for schools, for the charter school shall be discussed during the Board's work session with the charter school proposers. As much as possible, the projections in the Capital Improvement Plan (CIP) will be used to ascertain long range space availability. In addition, the District will make available a list from the CIP showing all ASD sites which have the ability to house relocatables on the site. Available space for relocatables on a specific school site does not guarantee housing at that site for a charter school; it is one of several factors considered by the Administration in determining housing availability for charter schools. The charter school will pay for district custodial and utility services based on the number of square feet used in the school, or on the site. In addition, the charter school will pay for building maintenance costs directly related to the charter school program.

If a charter school is approved by the School Board and the State Board of Education, and district space is requested, the Administration and the charter school will meet to determine issues surrounding housing of the charter school. In addition, a charter school which proposes to utilize space in an existing district school, or on district property, shall meet with the principal, the Executive Board of the PTA or other parent organization of that school, representatives of the staff and students, and the appropriate Instructional Division Executive Director, and come to a mutual agreement regarding the charter school's observance of school rules and policies regarding student discipline, equipment, use of space, and other issues of mutual concern.-

For charter schools requesting the use of space in an existing district facility, or on district property, the administration will annually determine if the amount of space requested by the charter school will be available based on enrollment projections, administrative needs, and school capacity.

A location for the charter school must be identified by the charter school and approved by the administration no later than sixty (60) days prior to the beginning of the school year.

k. Teachers/Administrators in the Charter School

The application form shall contain the names of the potential teacher or teachers who will teach in the charter school, if known. It is understood that this shall not be a firm commitment, but an indication of interested and qualified teachers. Teachers who are listed on the application maintain their current placement with the district until such time that they request and are granted a transfer. All teachers in the charter school shall be selected from current teachers employed by the Anchorage School District or from the Anchorage School District's Eligible to Hire pool of approved teacher candidates.

The application form shall identify whether a principal will be employed and shall include the name of the principal if known. The principal must possess a current Alaska Type B Administrative Certificate and be either an existing principal in the ASD or be on the district's Eligible for Hire list for administrators. A retired district administrator may serve as a charter school principal if the administrator left the district in good standing, had satisfactory performance evaluations, and has maintained a current Type B certificate. If the charter school desires to contract with a principal who is currently employed as a principal within the ASD, the Superintendent's approval is required prior to entering into the contract.

If the employment of a principal is not anticipated, the charter school shall identify who, by title and name if known, will perform the administrative functions of the charter school including the keeping of financial records; the evaluation of staff; the submission of appropriate information as required by the Administration; the oversight of the charter school to ensure that the terms of the contract are being met; meeting regularly with parents, teachers/staff, and students to review, evaluate, and improve operations of the charter school; and meeting with the Academic Policy Committee at least quarterly to monitor progress in achieving the Committee's policies and goals.

A teacher or principal may not be assigned to a charter school unless the teacher or principal consents to the assignment.

All provisions of the existing negotiated agreements with the Anchorage Education Association and the Anchorage Principals' Association apply to teachers and principals in the charter school, unless the Administration, the local School Board, and the appropriate bargaining unit agree to a

waiver for the charter school. A request for a waiver to the negotiated agreement shall be initiated by the charter school proposers and submitted in writing as part of their proposal prior to the administrative review. The charter school proposers shall meet with the Administration, and the Anchorage Education Association, or Anchorage Principals' Association, as appropriate, to discuss the waiver and, if agreeable, the charter school shall obtain a letter from the appropriate Association indicating their intent to allow the waiver. A description of the waiver and the letter from the Association shall be included in the application. This waiver will not set a precedent for any other school staff.

Charter school professional staff shall be evaluated in an equivalent manner as all other teachers and administrators in the district. If the proposed evaluation procedures are not identical to the district's procedures, then the charter school proposers shall include a detailed description of the evaluation procedures to be used in the charter school. The Performance Standards adopted by the State Board of Education and the Anchorage School District for teachers and administrators must be included in any alternative evaluation procedures which are proposed. However, a charter school may develop additional performance standards which are relevant to the educational program of the charter school.

l. Other Staff in a Charter School

The application form shall also describe the positions of any other employees in the charter school. All bargaining agreements (TOTEM, Local 71, ACE, Teamsters, etc.) must be honored for any employees employed at a charter school unless specific waivers have been granted by the administration, the bargaining unit, and the School Board. A request for a waiver to the negotiated agreement shall be initiated by the charter school proposers and submitted in writing as part of their proposal prior to the administrative review. The charter school proposers shall meet with the administration and the specific bargaining unit to discuss the waiver and, if agreeable, the charter school shall obtain a letter from the bargaining unit indicating their intent to allow the waiver. A description of the waiver and the letter from the appropriate bargaining unit shall be included in the application. This waiver will not set a precedent for any other school staff.

m. Pupil-Teacher Ratio

The application form for establishing a charter school shall specify the projected number of students and pupil-teacher ratio. This shall be determined by dividing the number of full-time equivalent students in the charter school by the number of full-time equivalent teachers in the

charter school. For the purposes of the application, the pupil-teacher ratio shall use the estimated number of full-time equivalent students in the numerator of this equation. Include in the application a description of how this estimate was determined.

n. Number of Students Served

The application form will include an estimated number of students served (specify both the full-time equivalent number of students and the headcount number of students) by the charter school for the next school year. Special education should be listed by level of service as is the current practice for all schools. The anticipated number of Bilingual students shall also be identified. The charter school shall provide to the school district administration the names of the students who have pre-registered for the charter school prior to the starting date of the charter school each year. Membership, and waiting list information, will be monitored on a monthly basis and reported on the District's monthly membership report.

o. Transportation

A description of how the charter school will accommodate student transportation services is required. If there is a proposed contract and/or contractor for those services, this information and a budget must be attached to the application.

p. Food Service

A description of how the charter school will accommodate student nutrition services is required. If meals are to be provided at the charter school, a description and a budget must be provided with the application.

q. The Term of the Contract

The application form will include a specification of the term of the contract. No charter school may exceed a five (5) year contract. A charter school may apply for a contract extension or reapply for a new contract during the last year of the existing contract period. No contract term may extend beyond July 1, 2005.

r. A Termination Clause

The application form will include a termination clause providing that the contract may be terminated by the School Board for the failure of the charter school to meet educational achievement goals or fiscal management standards, or for other good cause. The School Board shall provide written notice to the charter school of its intent to terminate this

contract and the reasons therefore. The charter school may also terminate the contract on an annual basis. In such event, the charter school must notify the District by February 1 of a given school year of its intent to cease operations the following school year. This date may be waived under extreme circumstances by action of the School Board upon a recommendation of the Superintendent.

s. A Certification of Compliance for Receipt and Use of Public Money

The application must include a certification that the charter school will comply with all local, state and federal requirements for the receipt and use of public money.

t. Other Requirements or Exemptions

If there are additional provisions that either the charter school or the local School Board wish to include in the contract, then they should be included in this section of the application form. Additional provisions may include other requirements imposed by either the charter school or the local School Board, or may include other waivers to exempt the charter school from School Board policies and regulations. These additional provisions of the contract must also be agreed upon by both the charter school and the local School Board. State regulations may only be waived by action of the State Board of Education at the request of the School Board; state statutes may only be changed by action of the State Legislature.

u. Risk Management

The charter school shall adequately protect against liability and risk through an active risk management program.

The risk management program shall include purchase of insurance coverages as required by the Anchorage School District Risk Manager. Minimum coverages and levels of appropriate coverage shall be established in the contract between the charter school and the School Board. The charter school shall operate in such a manner as to minimize the risk of injury or harm to students, employees, and others. School operations and activities shall be reviewed by the Anchorage School District Risk Manager for compliance with appropriate local, state and federal safety practices/codes and School Board policies. Copies of all pertinent documents shall be on file in the Risk Management Office.

v. Breach of Contract

Failure to comply with the provisions of the contract between the charter school and the local School Board is considered a breach of contract and

may result in the termination of the charter school. During the charter school's annual review with the School Board, compliance with the provisions of the contract will be monitored. If any allegations of noncompliance with the charter school contract (either by the charter school or by the school district) are presented either during the annual review or at any other time, then the School Board, through the Superintendent or designee, shall investigate these allegations. Any legal costs incurred as a result of an investigation would be borne by the charter school, if non-compliance is verified. Prior to canceling the charter school contract, the School Board and the charter school shall attempt to remedy any violations of the contract.