



Book	Policy Manual
Section	6000 INSTRUCTION
Title	Charter Schools Policy 8-1-2022
Code	BP 6187
Status	Under Review/Revision
Cross References	AR 6187 - Charter School Guidelines E 6187a - Intent To Develop Charter School Application E 6187b - Charter School Application/Contract Provisions
Last Revised	December 5, 2016

**The Kenai Peninsula Board of Education desires to support innovations which improve student learning and views charter schools as an opportunity for parents, teachers, and community members to take responsible risks and create new, innovative, and more flexible ways of educating children.**

**A charter school is a public school in the Kenai Peninsula Borough School District except that the charter school:**

- 1. is exempt from the Kenai Peninsula Borough School District 's textbook, program, curriculum, and scheduling requirements.**
- 2. is exempt from AS 14.14.130, Chief School Administrator. The principal is selected by the Academic Policy Committee and selects, appoints, or otherwise supervises employees of the charter school.**
- 3. operates under an annual program budget as set out in the contract between the KPBSD Board of Education and the charter school.**

**The charter school may be exempt from other KPBSD requirements if the exemption is set out in the contract.**

**The District administration shall work cooperatively with parents/guardians, students, teachers and principals in their efforts to design new schools and alternative approaches to the existing state laws and regulations that govern public schools.**

#### **Establishment of Charter Schools**

~~Charter schools are schools established under AS 14.03.250—14.03.290 that operate within the public school district. Charter schools are established upon the approval of an application by the local School Board and the state Board of Education. Charter schools shall operate under a written contract between the charter school and the local School Board.~~

#### **Application Procedure for Establishing a Charter School**

~~The following steps shall be followed in making application for the establishment of a charter school in the Kenai Peninsula Borough School District:~~

- ~~**1. The Academic Policy Committee: The Academic Policy Committee shall consist of parents of students attending (or planning to attend) the charter school, teachers at the charter school (or teachers who agree to teach at the charter school), and employees of the charter school (or employees who agree to work at the charter school)**~~

- 2. Notification of Intent:** Any person(s) wishing to establish a charter school shall notify the Superintendent of their intention by August 1 of the year prior to the date of intended implementation. The Superintendent shall establish an administrative committee to meet with the charter school representatives to review the application procedures, discuss the requirements of the application between the charter school and the local School Board, and to answer any questions the charter school representatives may have.

Following the initial meeting with the administrative committee, the charter school representatives shall prepare the information required for the application.

Applications for charter schools shall be submitted to the local School Board no later than October 1 of the school year prior to the school year during which the charter school will begin operation. Applications received after the October 1 deadline shall not be considered until the next school year. All charter schools shall begin operations as agreed with the School Board, but no later than October 1.

The terms of an initial draft contract shall not exceed five years. The terms of a renewal contract may be for a period of up to ten years.

- 3. Charter School Application:** The charter school shall provide information to the Board as stipulated in E-6187 Charter School Application/Contract Provisions.

The Alaska Department of Education and Early Development Charter School Application and Rating Template will be used in the District's charter school application process.

Applicants are cautioned that the Alaska Department of Education and Early Development has its own policies and deadlines, and that to the extent the applicant's proposed charter school may be affected by those deadlines, the applicant should take those deadlines into account.

- 4. School Board Work Session:** Following the timely receipt of the complete application, the Board shall hold a public work session with the charter school representatives. During this work session, the charter school representatives shall present their application as a proposal for a charter school contract.

The local School Board and the charter school representatives may negotiate provisions of the contract during this meeting.

When the charter school is proposing to use a District facility which is already in use as a public school, the application and charter school contract will adhere to the "Sharing a District Facility" section of this policy.

It is not the Board's responsibility to locate a facility to operate a charter school.

- 5. Public Hearing on the Charter School Application:** Following the work session, the School Board shall hold a public hearing on the proposed charter school application.

- 6. School Board Action:** Following the work session and the public hearing, the local School Board shall place the charter school proposal on the agenda for a regular School Board meeting. The School Board will take action to approve or deny the request to establish the charter school.

Upon approval of the charter school by the local School Board and the state Board of Education, the contract will be signed by the president of the local School Board and the legally designated representative of the charter school. The Superintendent shall serve as a contact person for all communications between the charter school and the District administration.

#### **State Notification of a Charter School Application**

Upon approval or rejection of a charter school application, the local School Board will submit to the State Board of Education a copy of the charter school application and a report on the action taken by the local School Board not later than 20 working days following the School Board action.

#### **Annual Review of the Charter School**

Once approved by both the local and State Boards of Education, the charter school will be subject to an annual review of its operations and finances by the School Board. Annually, the charter school will submit a written report. Every three years they will make a presentation to the School Board and the public. This report will include information on the attainment of student performance expectations, meetings of the governing bodies of the charter school, descriptions of charter school activities, and other information of interest to the local School Board.

#### **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. Examples of breach of contract include but are not limited to:

- ~~failure to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the contract;~~
- ~~failure to meet generally accepted standards of fiscal management~~
- ~~violating any provision of law from which the charter school was not specifically exempted.~~

~~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, the School Board shall investigate these allegations. Prior to canceling the charter school contract, the School Board and the charter school shall attempt to remedy any violations of the contract.~~

~~A review of the contract is to be made at the completion of the third year. A portion of that review shall be based on a comparison of the Alaska Standards Based Assessment test scores of the school's students to those of the District average of a similar population of the District. If the school does not meet or exceed the District average the school shall be placed on a two-year probation. Failure to meet the conditions of the probation will be grounds for denial of a future charter.~~

#### ~~Sharing a District Facility~~

~~Charter schools that are housed in a non-school District facility will be recognized under Alaska Statutes 14.03.250-14.30.290. Charter schools proposing to use District facilities which are already in use as public schools, may do so only on the approval by the School Board.~~

~~When the charter school is proposing to utilize space in an existing District school:~~

- ~~1. Based on enrollment projections and school capacity, the Superintendent will determine if the amount of space requested by the charter school can be made available.~~
- ~~2. If the Superintendent determines space is available, the Superintendent will negotiate the terms of sharing a facility and make recommendations to the Board.~~

*Legal Reference:*

#### *ALASKA STATUTES*

*14.03.250 Establishment of charter schools*

*14.03.255 Organization and operation of a charter school*

*14.03.260 Funding for charter schools*

*14.03.265 Admission*

*14.03.270 Teacher or employee transfers, evaluations, and negotiated agreements*

*14.03.275 Contracts; duration*

*14.03.280 Regulations*

*14.03.290 Definitions*