

**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 school district.

Administrative Meeting

Any person(s) wishing to establish a charter school shall notify the Superintendent of their intention at their earliest convenience. 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 form and the contract between the charter school and the 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 on the application form, and shall prepare a proposed contract between the charter school and the School Board. The required provisions of the contract are the same as the elements required in the application form, and shall prepare a proposed contract between the charter school and the Board. The required provisions of the contract are the same as the elements required in the application form set forth in this policy. These documents shall be submitted to the Board no later than February 1st of the school year prior to the school year in which the charter school begins operation. Applications received after the February 1st deadline shall not be considered until the next school year.

School Board Work Session

Following the timely receipt of the complete application form and the proposed written contract between the charter school and the Board, the Board shall hold a public work session with the charter school representatives. During this work session, the charter school representatives shall present their proposal for a charter school and the contract with the Board. The Board and the charter school representatives may negotiate provisions of the contract during this meeting.

School Board Action

Following the work session and receipt of the final amended charter school application, the Board shall place the charter school proposal on the agenda for a regular School Board Meeting. The Superintendent or designee shall prepare a written recommendation to the School Board, with proposed findings of fact and conclusions of law, that support approving or denying the charter school application. School Board action on the application should occur within 50 days of receipt of the final charter school application. The Board will take action to approved or deny the request to establish the charter school.

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No later than 10 business days following the School Board's action, the Board, through its designee, will issue a written confirmation of its decision. The written decision will include all relevant findings of fact and conclusions of law. The Board may adopt the Superintendent's proposed findings of fact and conclusions of law, in whole or in part.

Charter School Application Review and Appeal Process

If the School Board approves a charter school application, within 30 days of issuing its written decision, it shall forward the application to the State Board of Education and Early Development (EED) for review and approval. In addition to the complete application and supporting documents, the School Board shall forward its written decision; all other materials considered in support or opposition to the application; and the minutes of the School Board meeting at which the charter school was approved.

Note: An approved application may not be submitted more than 12 months before the planned start-up date for the new school or expiration of the existing contract, if a renewal application. An approved application must be received by the Department at least 90 days before the next regularly scheduled meeting of the State Board. 4 AAC 33.110.
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If the School Board denies the application, the applicant may appeal the denial to the Commissioner of EED within 60 days of the School Board issuing its written decision. The charter school applicant is responsible for meeting all requirements for an appeal as established by EED. If the Commissioner approves the application, it shall be forwarded to the State Board of EED for review. The State Board of EED shall exercise independent judgment in evaluating the application.

If the Commissioner upholds the denial, the applicant may appeal within 30 days to the State Board of EED. The charter school applicant is responsible for meeting all requirements for this appeal as established by EED. The State Board shall determine, based on the record, whether the Commissioner's findings are supported by substantial evidence and whether the decision is contrary to law. The State Board shall issue a written decision within 90 days of the appeal.

During the appeal process, the Superintendent and School Board will cooperate in any requests for additional information from the Commissioner or the State Board of EED.

If, after the School Board has denied a charter school application, both the Commissioner and State Board approve the charter school to operate, the district will operate the charter school.

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Application Form

An application must include the following and should attach documents and information needed to evaluate the proposed charter school:

- (1) A list of the members of the academic policy committee and their qualifications;
 - (2) The name, address, and telephone number of a designated person authorized to act on behalf of the charter school;
 - (3) The length of the term of the charter school contract;
 - (4) The charter school's bylaws;
 - (5) A description of the education program to be offered at the charter school and mechanisms for student assessment to be utilized in addition to those required by state law;
 - (6) A written instructional program that addresses state content standards under 4 AAC 04 and that aligns with the content on the statewide student assessment system under 4 AAC 06.710 – 4 AAC 06.790;
 - (7) Written objectives for program achievement;
 - (8) A description of and schedule for staff development activities;
 - (9) A school schedule and calendar;
 - (10) Plans for serving special education, vocational education, gifted, and bilingual students;
 - (11) Written admissions policies and procedures;
 - (12) If the charter school is the only school in the community, an alternative option for students not wishing to attend the charter school;
 - (13) A written administrative policy manual;
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- (14) A written budget summary and financial plan, including
 - (A) a statement of the charter school's funding allocation from the local school board and costs assignable to the charter school program budget; and
 - (B) the method by which the charter school will account for receipts and expenditures;
 - (15) A written plan for the charter school's facility, including
 - (A) acknowledgment that any facility used for a charter school must meet and maintain the federal and state building, fire, health, and safety requirements applicable to other public buildings or public schools in the district; and
 - (B) whether the charter school is requesting to use or lease available space within an existing district facility;
 - (16) A written plan that addresses the teacher-to-student ratio, including projected enrollment figures;
 - (17) A written student recruitment process, including a lottery or random drawing mechanism for enrollment if applicants exceed the school's capacity;
 - (18) A requested or existing exemption for the charter school from a written collective bargaining contract;
 - (19) A plan for pupil transportation and the district charter school transportation policy, if proposed or adopted;
 - (20) A written termination clause to appear in the contract between the charter school and the School Board, providing that the contract may be terminated by the School Board for failure of the charter school to meet educational achievement goals or fiscal management standards, or for other good cause.
 - (21) Proof of compliance with applicable law;
 - (22) The charter school contract with the School Board; and
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- (23) Other documents or information the district needs to evaluate the proposed charter school.

Adoption Date: October 20, 2003
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