

Kenai Peninsula Borough School District Board of Education Meeting Agenda

April 3, 2006 – 7:00 p.m.
Regular Meeting

Borough Administration Building
148 N. Binkley, Soldotna, Alaska

SCHOOL BOARD MEMBERS:

Mrs. Debra Mullins, President
Mrs. Sammy Crawford, Vice President
Ms. Sandra Wassilie, Clerk
Mr. Marty Anderson, Treasurer
Dr. Nels Anderson
Mrs. Debbie Brown
Mr. Bill Hatch
Mrs. Sunni Hilts
Ms. Liz Downing
Miss Kelly King, Student Representative

Worksessions/Hearing

2:30 p.m. [Project GRAD](#) – *Structure*

3:30 p.m. Student Discipline Hearing

5:00 p.m. Education Legislation (*Conference call with legislators*) – *Vision*

A-G-E-N-D-A

1. Opening Activities

- a. Call to Order
- b. Pledge of Allegiance/National Anthem/Alaska Flag Song
- c. Roll Call
- d. Approval of Agenda
- e. Approval of Minutes/[March 20, 2006](#)

2. Awards and Presentations

- a. Tony Cloud- K-Beach Elementary Community Volunteer
- b. Dennis Spindler- Soldotna High Custodian
- c. Debbie Falk- Nikiski Middle/High Career and Guidance assistant
- d. Holly Zwink- KCHS Special Education Teacher

3. School Reports – *Accountability*

- a. Soldotna High School – Mr. Todd Syverson

4. Public Presentations (Items not on agenda, 3 minutes per speaker, 30 minutes aggregate)

5. Hearing of Delegations

- a. Project GRAD USA – Ms. Ellen Harrison

6. Communications and Petitions

7. Advisory Committee, Site Councils and/or P.T.A., K.P.A.A., K.P.E.A., K.P.E.S.A., Borough Assembly

8. Superintendent's Report – *Accountability*

9. Reports – *Accountability*

- a. Board Reports
- b. Board Worksession Report

10. Action Items

- a. Consent Agenda
 - (1) Approval of [Tentative Board meeting Dates for 2006-2007](#) – *Structure*
 - (2) Approval of [Request for Leave of Absence-Certified](#) – *Structure*
 - (3) Approval of [Resignations](#) – *Structure*
 - (4) Approval of [Long-Term Substitute Contract](#) – *Structure*
 - (5) Approval of [Budget Transfer](#) – *Structure*

- b. Finance
 - Approval of [2006-2007 Budget](#) – *Structure*

- c. Instructional Services
 - Approval of [Miscellaneous Bylaws](#), Policies and Regulations: AR 0420, School Based Management/Site Councils; BP 0530, Criteria for Closing Schools; BP 6162.71 and AR 6162.71, Internet Use; BB 9130, Board Committees; BB 9310, Policy Manual; AR 6145, Cocurricular Activities – *Structure*
 - d. Approval of [BP 5141.6, AR 5141.6](#), Student Nutrition and Physical Activity: – *Structure*
 - e. Approval of [BP 6187, AR 6187](#), Charter Schools ([Revised](#)) – *Structure*

- f. Superintendent
 - Approval of [Resolution 05-06-4 Declaring Children as Alaska's Top Priority](#) – *Vision*

11. First Reading of Policy Revisions

12. Public Presentations/Comments (Individuals are limited to three minutes each on the topic(s) listed below or on any topic.)

13. Board Comments (Individual Board member comments are limited to three minutes.)

14. Executive Session (If needed)

15. Adjourn

* * * * *

Copies of agenda items are available just prior to the meeting in the back of the room or visit our website at <http://www.kpbsd.k12.ak.us>.



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Federal Programs & Small Schools

Norma Holmgaard, Director

148 North Binkley Street Soldotna, Alaska 99669-7553

Phone (907) 714-8892 Fax (907) 262-6354

March 28, 2006

MEMORANDUM

To: KPBSD School Board

From: Norma Holmgaard, Director of Federal Programs

Through: Sam Stewart, Assistant Superintendent of Instruction

Re: Project GRAD USA

A work session has been scheduled for Monday to discuss Project GRAD USA's support for the KPBSD Project GRAD programs.

KPBSD has been notified that funding from Project GRAD USA for the KPBSD programs will be reduced for the 2006-2007 school year. Project GRAD USA has provided financial support for the KPBSD program at \$500,000.00 annually. This funding will be reduced to \$200,000.00 for next year and will only be accessible until January 1, 2007.

This reduction in funding will result in a decrease in program components and personnel support the Project GRAD schools or an increase in KPBSD's share of program costs.

Ellen Harrison from Project GRAD USA will be at the work session to discuss the changes in Project GRAD USA's financial commitment to the Kenai program and to answer your questions.

Kenai Peninsula Borough School District

Board of Education Meeting Minutes

March 20, 2006 – 7:00 p.m.
Regular Meeting

Homer High School
600 E. Fairview, Homer, Alaska

SCHOOL BOARD MEMBERS: Mrs. Debra Mullins, President
Mrs. Sammy Crawford, Vice President
Ms. Sandra Wassilie, Clerk
Mr. Marty Anderson, Treasurer
Dr. Nels Anderson
Mrs. Debbie Brown
Mrs. Liz Downing
Mr. Bill Hatch
Mrs. Sunni Hilts
Miss Kelly King, Student Representative

STAFF PRESENT: Dr. Donna Peterson, Superintendent of Schools
Mrs. Melody Douglas, Chief Financial Officer
Mr. Sam Stewart, Assistant Superintendent
Mr. Glen Szymoniak, Assistant Superintendent

OTHERS PRESENT:

Mr. Ray Hillman	Mrs. Vicky Peters
Mr. Benny Abraham	Mrs. Debbie Piper
Mr. Tim Peterson	Mrs. Heather Pancratz
Dr. Ron Keffer	Mr. Pete Swanson
Mrs. Terri Woodward	Mrs. Sharon Conley
Mrs. Patty Rich	Mr. Charlie Walsworth
Mrs. Laurie Lingafelt	

Others present not identified.

CALL TO ORDER: Mrs. Mullins called the meeting to order at 3:00 p.m. A quorum of School Board members, Dr. Anderson, Mrs. Hilts, Mrs. Downing, Mrs. Mullins and Mr. Hatch were in attendance.

EXECUTIVE SESSION: At 3:01 p.m. Mr. Hatch moved the Board go into executive session to discuss matters, the immediate knowledge of which would clearly have an adverse effect upon the finances of the Borough. Specifically, the executive session was to discuss negotiations. Dr. Anderson seconded.

Motion carried unanimously.

ADJOURN EXECUTIVE SESSION: At 3:32 p.m., Mrs. Hilts moved the executive session be adjourned. Mrs. Downing seconded.

Motion carried unanimously.

CALL TO ORDER: Mrs. Mullins called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE: Mrs. Mullins invited those present to participate in the Pledge of Allegiance.

ROLL CALL:

Mrs. Debra Mullins	Present
Mrs. Sammy Crawford	Present
Ms. Sandra Wassilie	Absent/Excused
Mr. Marty Anderson	Absent/Excused
Dr. Nels Anderson	Present
Mrs. Debbie Brown	Absent/Excused
Mrs. Liz Downing	Present
Mr. Bill Hatch	Present
Mrs. Sunni Hilts	Present
Miss Kelly King	Absent/Excused

APPROVAL OF AGENDA:

The agenda was approved with a revision to Item 11b(2) Seward Middle Facility Recommendation.

APPROVAL OF MINUTES:

The School Board Minutes of February 20, 2006, were approved as printed.

AWARDS AND PRESENTATIONS:

The Board presented Golden Apple awards to Mrs. Deborah Piper, McNeil Canyon teacher and Mrs. Vicky Peters, McNeil Canyon tutor/library aide for their service to the District.

SCHOOL REPORTS:

Mr. Benny Abraham, Paul Banks Elementary School principal, gave a PowerPoint presentation highlighting the school early intervention process, assessment information, Title I program, parent involvement, resource program, full-day kindergarten, PTA support, after-school activities, strong parent and community volunteers.

Mr. Ray Hillman, Voznesenka School principal, reported that the school staff was featured at the No Child Left Behind Conference in Anchorage. With the assistance of Ms. Elaine Chalup, Grade 3/4 teacher, and Ms. Krista Etzwiler, K-2 teacher, Mr. Hillman gave a PowerPoint presentation highlighting the facility, school staff, assessment information, Project GRAD, an increase in the number of graduations, Consistency Management and Cooperative Discipline Program, Success for All Literacy Program, full-day kindergarten program, salmon project, marine safety program, wrestling program, and the Close Up Program.

PUBLIC PRESENTATIONS:

Mr. Richard Bremicker, Homer High School parent, stated that although he does not object to military recruiters on high school campuses, students should be provided with many opportunities to help them make decisions regarding their future and suggested the Board allow alternative viewpoints to be expressed on campus.

Mr. Barrett Fletcher, Homer resident, asked the Board to change KPSAA eligibility rules and allow home school students to compete in cocurricular activities and cautioned the Board that if a change is not made he will be forced to sue the District.

Mrs. Polly Reutov, Kachemak Selo parent, explained that kindergarten students enter school only speaking Russian and that it is important they have Russian instruction for a minimum of half the school day and asked the Board to reconsider the decision to reduce the amount of Russian instruction.

PUBLIC PRESENTATIONS:

(continued)

Miss Claire Thorington, Homer High student, stated that inadequate funding for education will cause the District to lose newly hired teachers and suggested the State use the Permanent Fund Dividend money to hire more teachers and to fund scholarships and reminded those present that the PFD is not an entitlement and should not be treated as such.

Mrs. Antonida Reutov asked the Board not to remove Russian aides from the classroom even though they are not considered highly qualified.

Mrs. Agafia Reutov, Kachemak Selo resident, stated that parents are pleased with the Russian aides and asked the Board to allow them to continue Russian language instruction even though they are not considered highly qualified.

Mr. Frank Martushev, Kachemak Selo resident, stated that it is important to be bilingual and asked the Board to continue Russian instruction. He thanked Mr. Creamer and Mr. Moore for their support for Russian language instruction.

Mr. Sergei Serebrekov, Razdolna School representative, reported that student enrollment will double in the next two years. He stated that Russian-speaking students progress slowly and then catch up in the upper grades. He commended the Project GRAD program. He stated that many schools offer two languages and noted that there are advantages to offering language instruction and asked the Board to help the school retain Russian language instruction.

Father Michael, Port Graham resident, read a letter from Mrs. Violet Yeaton who was unable to attend. Mrs. Yeaton stated that staffing Port Graham Elementary/High School with one teacher is not realistic and should not be considered as an option. Mrs. Yeaton stated that a majority of the Port Graham parents are opposed to the school's transition from a K-10 program to a K-12 program and asked the Board to participate in a discussion with the Village Council regarding the matter.

Mr. Art Koeninger, Homer resident, asked the Board to allow students to have access to both sides of a controversial issue especially in the area of military recruitment in schools.

Mrs. Mullins asked those in the audience for a show of hands of those who were in support of the Kachemak Selo Russian instruction issue.

COMMUNICATIONS AND PETITIONS:

Dr. Peterson reported that she received correspondence from Kachemak Selo parents voicing their concerns regarding Russian instruction. She reported that a copy of the AASB sample resolution declaring children as Alaska's top priority was shared in the Board Information packet.

Mrs. Mullins requested that a resolution declaring children as Alaska's top priority be brought to the next Board meeting for approval.

SUPERINTENDENT'S REPORT:

Dr. Peterson reported that the Community Action Coalition reported that they received 764 surveys with parental permission out of a total 1861 students in the target grades. She noted that the completed surveys were forwarded for analysis. She announced that the staff involvement and the number of community volunteers during the Arctic Winter Games was incredible and the stories being reported have been positive.

FINANCIAL REPORT:

Mrs. Douglas presented the financial report of the District for the period ending February 28, 2006.

FISCAL YEAR 2007 BUDGET:

Mrs. Douglas presented the 2006-2007 Preliminary School District Budget. She noted that the administration transmitted the budget to the borough administration who recommended that it be funded a status quo level. She announced that action is scheduled for the April 3 Board meeting.

BOARD REPORTS:

Mrs. Crawford reported that she attended two Project GRAD meetings and noted that because of the loss of earmark funds from the federal government the group has financial concerns which will be addressed during the April 3 worksession. She stated that Project GRAD is a wonderful program and added that she hopes it can continue.

Mrs. Mullins reported that the Board held a worksession to discuss the FY07 Budget and noted that the Board decided to ask the Assembly to fund the District to the cap. She reported that the Board held a worksession on the proposed wellness policy and noted that candy and soft drink vending machines will be removed from schools. She stated that the Board wants to allow birthday party treats and has asked the administration for language to allow for special occasions. She reported that the Board reviewed proposed changes to the charter school policy that would align the District with state statutes and allow for clean-up of contracts. She reported that the Board held a short executive session to be updated on negotiations. She reported that the Board heard a Level III grievance. She stated that the Board held a teleconference call with Representative Seaton and Representative Chenault and noted that the legislators told the Board that oil is the topic that is consuming their attention and that education funding will be considered during the last days of the session. She stated that hopefully the Board will have time to help Kenai Peninsula legislators understand the problems of the lack of adequate educational funding. She asked those present to talk to legislators regarding a change to the area cost differential because it is not getting much attention and was equivalent to \$10 million last school year.

CONSENT AGENDA:

Items presented on the Consent Agenda were Approval of Tentative Tenured Teaching Assignment; 2006-2007 Nontenured Pupil Services Teachers for Tenure; 2006-2007 Nontenured Pupil Services Teacher Assignments; Resignations; Requests for Sabbatical Leave; and Substitute Teacher Contract.

TENTATIVE TENURED-TEACHING ASSIGNMENT:

Mr. Szymoniak recommended that the Board approve a tentative tenured teaching assignment for the 2005-2006 school year for Ken Felchle, Grade 7, Kenai Middle School.

**2006-2007 NONTENURED
PUPIL SERVICES TEACHERS
FOR TENURE:**

Mr. Szymoniak recommended that the Board approve Lois Bisset, David "Chris" Standley, Stephanie Coolman, Angela Nelson, Mary Roed, Steve Evans, Tina Skaalerud, John Clare, and Elizabeth Lennon, nontenure teachers, for tenure.

**2006-2007 NONTENURED
PUPIL SERVICES TEACHER
ASSIGNMENTS:**

Mr. Szymoniak recommended that the Board approve nontenured pupil services teacher assignments for the 2006-2007 school year for Hope Kmetz-Casseri, intensive needs, Homer High; Jason Steadman, speech, Homer Middle; Breanna Bloom, intensive needs, K-Beach Elementary; Lisa Ferguson, resource, K-Beach Elementary; Lana Putman, school psychologist, K-Beach Elementary; Paul Gutzler, resource, Kenai Central High; Katherine VanSaun, speech, Mountain View Elementary; Shannon Riley, resource, Nanwalek; Kate Biegert, resource, Nikiski Middle/High; Gerald Olson, resource, Nikiski Middle/High; Ben Alexander, resource, Ninilchik; Tammy Flanders, resource, Redoubt; Jennifer Harvey-Kindred, resource, Sears Elementary; Lucinda Holland, resource, Sears Elementary; Robert Vernon, occupational therapist, Sears Elementary; Nicole Lyon, resource, Seward High; Amy Williams, resource, Skyview High; Judy Graham, emotionally handicapped, Soldotna Middle; Donna Huguelet, intensive needs, Soldotna Middle; Daniel Kaasa, assistive technology specialist, Soldotna Middle; Kristie Simonson, school psychologist, Soldotna Middle; Jennifer Tyler, intensive needs, Soldotna Middle; Therese Amos, school psychologist, Soldotna High; Stephanie Burns, resource, Soldotna High; and Neil Denny, emotionally handicapped, West Homer Elementary.

RESIGNATIONS:

Mr. Szymoniak recommended the Board approve resignations effective at the end of the 2005-2006 school year for Mary Alice Durman, Grade 3/4, Chapman Elementary; Duncan Wanamaker, science/health, Homer Middle School; Barbara N. Lodge, kindergarten, Nikiski North Star Elementary; Gloria J. Hensen, Grade 2, Paul Banks Elementary; Jerry Olive, special education resource, Seward Elementary; Janet Holdt, music, Seward Middle/Seward Elementary; Maureen Stoner, Grades 1/2, Sterling Elementary; Catherine A. O'Neil, intervention teacher, Tebughna Elementary/High; John W. O'Neil, generalist, Tebughna Elementary/High; and Caroline Venuti, Grade 3, West Homer Elementary. Mr. Szymoniak also recommended the Board approve a resignation effective immediately from Dale Moon, vocational education (currently on unpaid leave of absence for the 2005-2006 school year).

**REQUESTS FOR SABBATICAL
LEAVE:**

Mr. Szymoniak recommended that the Board approve unpaid sabbatical leave requests from Allan Miller, Grade 6, Sterling Elementary, and Jennifer Chapple, Grade 1, McNeil Canyon Elementary.

**SUBSTITUTE TEACHER
CONTRACT:**

Mr. Szymoniak recommended that the Board approve a substitute teacher contract for Reubin Payne, Grade 6, Redoubt Elementary.

MOTION

Mrs. Crawford moved the Board approve Consent Agenda Items Numbers 1 through 6. Mrs. Hilts seconded.

CONSENT AGENDA:

(continued)

Motion carried unanimously.

**PERMANENT RETURN OF
NIKISKI ELEMENTARY TO
BOROUGH:**

Mr. Szymoniak recommended the Board approve the permanent return of the Nikiski Elementary School building to the Borough, as of August 31, 2006.

MOTION

Mr. Hilts moved the Board approve the permanent return of the Nikiski Elementary School building to the Borough, as of August 31, 2006. Mr. Hatch seconded.

Motion carried unanimously.

**FORMER SEWARD MIDDLE
FACILITY
RECOMMENDATION:**

Mr. Szymoniak recommended the Board surplus the former Seward Middle School facility and turn over control to the Kenai Peninsula Borough effective June 30, 2006.

MOTION

Mrs. Crawford moved the Board approve the surplus of the former Seward Middle School facility and turn over control to the Kenai Peninsula Borough effective June 30, 2006. Dr. Anderson seconded.

Motion carried unanimously.

**APPROVAL OF LANGUAGE
ARTS CURRICULUM:**

Mr. Stewart recommended the Board approve the Elementary Language Arts/Reading Curriculum as presented at the February 20 worksession.

MOTION

Mr. Hatch moved the Board approve the Elementary Language Arts/Reading Curriculum as presented at the February 20 worksession. Mrs. Downing seconded.

Motion carried unanimously.

**FIRST READING OF POLICY
REVISIONS:**

The Board heard a first reading of AR 0420, School Based Management/Site Councils; BP 0530, Criteria for Closing Schools; BP 6162.71 and AR 6162.71, Internet Use; BB 9130, Board Committees; BB 9310, Policy Manual; AR 6145, Cocurricular Activities, BP 5141.6 and AR 5141.6, Student Nutrition and Physical Activity and BP 6187 and AR 6187, Charter Schools.

Mrs. Edna Conkel applauded the Board for becoming more stringent with food that is served to students at school. She stated that she operates a home daycare and follows federal food guidelines and noted that homemade desserts that are made with enriched grains can be served up to two times a week.

Ms. Kate Finn applauded the Board for making nutritional changes and asked the Board to remove diet soft drinks from school because they contain aspartame which is a poison.

FIRST READING OF POLICY REVISIONS:

(continued)

Ms. Kiki Abrahamson, Fireweed Academy teacher, reported that the biggest problem facing Charter Schools is the issue of shared facilities. She objected to new language in the first paragraph of AR 6187 regarding alternative approaches to the existing state laws and regulations governing public schools and recommended that it be deleted and insert, "meeting state education standards." She stated that the proposed changes to the charter school policy does not give equal access to public school facilities and added that she will forward more detailed suggestions. She provided copies of the state charter school guidelines.

Mrs. Edna Conkel, Fireweed Charter School parent and custodian, asked the Board to ensure that the number of students in shared facilities equals the amount of allocated space (work space, storage space, gymnasium usage, art room usage) and utility costs. She stated that she would like the revised policy to state that all of the staff and students in shared facilities are recognized as members of the Kenai Peninsula Borough School District and have equal rights and responsibilities.

PUBLIC PRESENTATIONS/ COMMENTS:

Mr. Bob Moore, former principal and teacher, spoke in favor of Project GRAD and noted the positive change in school climate, attitude among staff, students and parents. He spoke in support of bilingual instruction. He expressed concern for the large amount of turn-over in staff especially in remote schools and suggested the Board ask the legislature for forward funding.

Ms. Kate Finn objected to the presence of military recruiters in District high schools and asked that they only be allowed in school on designated Career Days.

BOARD COMMENTS:

Dr. Anderson stated that he does not object to the presence of military recruiters in the high schools although he opposed the United States' invasion of Iraq. He explained that the No Child Left Behind Act requires that public schools accommodate military recruiters. He stated that students are old enough to make their own decisions regarding military service. He stated that he supports the option for people to maintain their culture and for Russian to be taught and added that the administration is trying to resolve the problem and still be in compliance with federal law requiring Russian language teachers to be highly qualified. He discounted a theory that students who speak another language must be taught in that language in order to be proficient. He reported that a comment was made that if the School Board expects a change to the area cost differential, it will have to sue. He reported that in a recent newspaper article and again on CNN comments were made regarding big gaps between federal testing and statewide testing. He reported that Alaska test scores showed 78% of students were proficient in reading, 69% were proficient in math with federal standards at 27% proficient in reading and 34% proficient in math. He observed that the District enrollment has dropped by 200 students and asked where the families have gone.

BOARD COMMENTS:

(continued)

Mrs. Downing thanked the community members who testified and assured those present that emails and letters are read. She expressed concern that the 2007 Budget is based on an increase to the pupil-teacher ratio by 3 students. She urged those present to contact legislators regarding adequate funding for education. She expressed appreciation for the work of the Charter School Committee and for the parents who attended the worksession. She thanked the staff at Voznesenka School and Paul Banks Elementary School for the reports. She invited those present to the College Career Day on Friday, March 31 from 9:00 a.m. to 6:00 p.m. and noted that the event is a joint effort by many agencies.

Mrs. Hilts thanked those who attended the Board meeting, especially those from Kachemak Selo. She stated that she was pleased that fathers testified for their children. She stated that it is important to find the best solution for educating children. She reported that she volunteered at the Arctic Winter Games and was pleased that it was a success and noted that many School District employees volunteered.

Mr. Hatch stated that he appreciated hearing from so many people who are passionate about education.

Mrs. Crawford thanked those present for staying for the entire meeting and to those who testified. She thanked the staff of Paul Banks Elementary School and Voznesenka School for the presentations. She expressed appreciation for the work of the Charter School Committee. She reported that she was a volunteer for the AWG and noted that the best comment came from a representative from the Northwest Territory group who told her that Donna Peterson was an amazing person and should be the president of the United States.

Mrs. Mullins reported that she had the opportunity to testify before the Borough Assembly regarding funding for the District. She reported that the Assembly tabled action on the issue until the Board approves the FY 2007 Budget. She reported that she also testified before the House Finance Committee and expressed appreciation for the legislators who listened to all of the testimony throughout the state. She reported that she was an AWG volunteer in three different areas and added that she enjoyed watching the interaction between the adults and the youth participants. She expressed appreciation for those who testified during the meeting and for those who showed support by attending the meeting. She noted that there are adults who care about the education of the youth in their community and don't have children in school. She stated that it was nice to hear from former teacher and administrator, Mr. Bob Moore. She requested an excused absence from the April 3 meeting.

ADJOURN:

At 9:22 p.m., Mrs. Crawford moved the School Board Meeting be adjourned. Mr. Hatch seconded.

Motion carried unanimously.

Respectfully submitted,

Mrs. Debra Mullins, President

Ms. Sandra Wassilie, Clerk

The Minutes of March 20, 2006,
have not been approved as of
March 22, 2006.



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Office of the Superintendent

Dr. Donna Peterson, Superintendent of Schools
148 North Binkley Street Soldotna, Alaska 99669-7553
Phone (907) 714-8888 Fax (907) 262-9132

M E M O R A N D U M

DATE: March 24, 2006
TO: Members, Board of Education
FROM: Donna Peterson, Ed.D.
Superintendent of Schools
RE: [2006-2007 Meeting Dates](#)

The administration recommends approval of the attached schedule for Board meetings during the 2006-2007 school year. The proposed schedule mirrors the current school year with the exception of the March meeting (which was held later in 2006 to accommodate the Arctic Winter Games). Meetings begin at 7:00 p.m. in the Borough Assembly Chamber unless otherwise noted.

April 3, 2006

TO: Board of Education

FROM: Tim Peterson, Director, Human Resources

THROUGH: Glen Szymoniak, Assistant Superintendent

SUBJECT: Approval of Request for Leave of Absence-Certified Item 11 a (2)

It is recommended the following request for unpaid leave of absence be approved:

Shona DeVold

English

Kenai Central High School, effective
the 2006-07 school year

DATE: April 3, 2006
TO: Board of Education
FROM: Tim Peterson, Director, Human Resources
THROUGH: Glen Szymoniak, Assistant Superintendent
SUBJECT: Approval of Resignations – Item 11 a (1)

It is recommended the following resignations be approved effective the end of the 2005-06 school year:

Laurie J. Decker	Special Ed/Resource	Homer High School
Cassandra Large	Band	Homer Middle and Homer High School
Elizabeth Burck	Science	Kenai Central High
Thomas Burck	Vocational Education	Kenai Central High
James P. Bennett	Quest	Mt. View Elementary
Darlene E. Gehrke-Conright	Music	Nikiski Middle/High School
Ingrid Avril	Kindergarten	Paul Banks Elementary
Kim M. Blommel	Grade 4	Seward Elementary
Jennifer W. Carr	Grade 2	Seward Elementary
Neldon Gardner	PE	Soldotna Middle School
Letitia Hallett	Science	Soldotna Middle School
Carol Dallman	Librarian	Skyview/Soldotna High Schools
Neal Dallman	Special Ed/Resource	Soldotna High
Millie Lewis	Special Ed	West Homer Elementary
Scott Linner	School Psychologist	West Homer Elementary

April 3, 2006

TO: Board of Education
FROM: Tim Peterson, Director, Human Resources
THROUGH: Glen Szymoniak, Assistant Superintendent
SUBJECT: Approval of Substitute Contract – Item 11 a (4)

The Administration recommends the following long term substitute contract be approved:

Dan Hill Principal Soldotna Elementary



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Finance

Melody Douglas, Chief Financial Officer
148 North Binkley Street Soldotna, Alaska 99669-7553
Phone (907) 262-5846 Fax (907) 262-9645

March 28, 2006

MEMORANDUM

TO: Board of Education
FROM: Melody Douglas *Melody Douglas*
Chief Financial Officer
SUBJECT: Budget Transfers

Budget transfer 320 has been requested by the Curriculum Department to transfer funds for purchase of Language Arts curriculum materials to the schools involved.

This budget transfer exceeds \$10,000; therefore, it requires Board of Education approval per Board Policy 3120. Approval by the Board of Education is recommended.

Enclosure

SCHOOL CURRICULUM/ASSESSMNT TRANSFER # 842037 DATE 03/28/06

TRANSFER FROM ACCOUNT NO.	TRANSFER TO ACCOUNT NO.	AMOUNT
1. 100-84-4100-0114-4501	100-31-4100-0112-4501	21966.00
2. 100-84-4100-0114-4501	100-32-4100-0112-4501	21966.00
3. 100-84-4100-0114-4501	100-32-4100-0112-4501	21966.00
4. 100-84-4100-0114-4501	100-48-4100-0112-4501	60075.00
5. 100-84-4100-0114-4501	100-11-4100-0112-4501	11646.00
6. 100-84-4100-0114-4501	100-47-4100-0112-4501	21966.00
7. 100-84-4100-0114-4501	100-37-4100-0112-4501	21966.00
8. 100-84-4100-0114-4501	100-52-4100-0112-4501	47250.00
9. 100-84-4100-0114-4501	100-51-4100-0112-4501	30173.00
10. 100-84-4100-0114-4501	100-38-4100-0112-4501	8735.00
11. 100-84-4100-0114-4501	100-02-4100-0112-4501	8735.00
12. 100-84-4100-0114-4501	100-33-4100-0112-4501	29747.00
13. 100-84-4100-0114-4501	100-46-4100-0112-4501	49820.00
14. 100-84-4100-0114-4501	100-41-4100-0112-4501	33783.00
15. 100-84-4100-0114-4501	100-42-4100-0112-4501	43932.00
16. 100-84-4100-0114-4501	100-43-4100-0112-4501	43932.00
17. 100-84-4100-0114-4501	100-44-4100-0112-4501	24877.00
18. 100-84-4100-0114-4501	100-03-4100-0112-4501	21966.00
19. 100-84-4100-0114-4501	100-45-4100-0112-4501	24877.00
20. 100-84-4100-0114-4501	100-50-4100-0112-4501	33613.00

TOTAL: 582,991.00

JUSTIFICATION OR REASONS FOR REQUESTING TRANSFER OF FUNDS ARE LISTED BELOW:

PURCHASE LANGUAGE ARTS CURRICULUM MATERIALS

PRINCIPALS'S SIGNATURE

SUPERINTENDENT/OPERATIONS APPROVAL

ACCOUNTING APPROVAL

DATE APPROVED BY SCHOOL BOARD

000320

TRANSFER REQUEST NUMBER



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Finance

Melody Douglas, Chief Financial Officer
148 North Binkley Street Soldotna, Alaska 99669-7553
Phone (907) 714-8888 Fax (907) 262-5867
Email mdouglas@kpbsd.k12.ak.us

March 27, 2006

MEMORANDUM

TO: Board of Education
THROUGH: Dr. Donna Peterson, Superintendent *Donna Peterson*
FROM: Melody Douglas, Chief Financial Officer *Melody Douglas*
SUBJECT: FY07 Budget

BACKGROUND: As you know, the District's budget is in a state of transition from a funding standpoint. Education funding issues are not in the forefront of the Legislature at this time; it is likely these funding discussions will come late in the session. Governor Murkowski's proposed base student allocation of \$5347 appears to have legislative support. It is also hoped that there will be action on the district cost factor component of the funding formula this year.

If additional revenue is forthcoming, the FY07 budget will need to be revised. In the meantime, a balanced budget must be approved by the Board of Education and transmitted to the Kenai Peninsula Borough Assembly for action.

PERTINENT INFORMATION:

FY07 General Fund <u>Revenue</u> Budget		<u>\$92,951,047</u>
FY07 Approved General Fund <u>Expenditure</u> Budget		<u>\$96,607,115</u>
Increase PTR Formulas by 3 FTE's	(\$2,870,000)	
Eliminate Contingency Budget	(479,293)	
In-Kind Budget Reduction	<u>(306,775)</u>	
Net reduction to expenditure budget	<u>(\$3,656,068)</u>	
Revised General Fund <u>Expenditure</u> Budget		<u>\$92,951,047</u>

RECOMMENDATION: The administration recommends Board of Education approval of a FY07 general fund budget of \$92,951,047 and a budget of 112,315,918 for all funds.

ADDITIONAL INFORMATION:

Expenditure – Staffing Formula Changes

The District’s budget consists of approximately 80% labor and benefit costs. Increasing certified staffing formulas by 3 FTE will generate a budget reduction of \$2,870,000 in order to provide the required balanced budget at this time.

Expenditure - In-Kind Budget Adjustments

The FY07 Preliminary Budget included no changes to in-kind budget categories with the exception of insurance. The District has received updated budget information from the Kenai Peninsula Borough as noted below.

	<u>Preliminary Budget</u>	<u>Revised Preliminary Budget</u>	<u>Change</u>
Maintenance	\$5,474,762	\$5,684,563	\$209,801
Utilities	48,200	55,430	7,230
Insurance	2,542,960	2,011,056	(531,904)
Audit	26,500	26,500	0
Custodial	<u>93,776</u>	<u>101,874</u>	<u>8,098</u>
	<u>\$8,186,198</u>	<u>\$7,879,423</u>	<u>(\$306,775)</u>

Expenditure - Contingency

Contingency funds totaling \$479,293 have been reduced; these funds were inadvertently included in the preliminary budget.

School	2005-06		2006-07		2006-07 formula +2 PTR	2006-07 formula +3 PTR	2006-07 formula +4 PTR	2006-07 formula +6 PTR
	formula plus admin adjust	2005-06 formula less admin adjust	status quo formula - new proj enrollment	2006-07 formula +2 PTR				
Homer High	25.50	25.50	24.50	23.00	22.00	21.50	20.00	
Homer Middle	11.00	10.50	8.50	7.50	7.50	7.00	6.50	
Kenai Central	25.50	25.50	25.00	23.00	22.50	21.50	20.50	
Kenai Middle	17.50	17.50	18.50	17.00	16.50	15.50	14.50	
Nikiski Middle/Sr.	19.50	19.00	19.00	17.50	17.00	16.00	15.00	
Seward High	13.50	13.50	12.50	11.50	11.00	10.50	10.00	
Skyview High	26.50	26.50	26.00	24.50	23.50	22.50	21.50	
Soldotna High	26.50	25.50	26.00	24.00	23.00	22.50	21.00	
Soldotna Middle	25.50	25.50	22.00	20.50	20.00	19.00	18.00	
K-Beach	21.50	21.50	21.50	19.50	19.00	18.50	17.50	
Mt. View	14.50	13.00	10.50	10.00	9.50	9.50	9.00	
Nikiski North Star	18.50	18.00	17.50	16.50	16.00	15.50	14.50	
Paul Banks	11.00	11.00	11.50	10.50	10.00	9.50	9.00	
Redoubt	20.50	20.50	19.00	17.50	17.00	16.50	15.50	
Sears	12.50	12.50	12.00	11.00	10.50	10.50	9.50	
Seward El	15.00	15.00	13.50	13.00	12.50	12.00	11.00	
Soldotna El	12.50	12.50	12.50	11.50	11.00	10.50	10.00	
West Homer El	12.50	12.50	11.00	10.50	10.00	9.50	9.00	
Chapman	7.00	7.00	6.50	6.00	5.50	5.50	5.00	
Cooper Landing	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Hope	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
K. Selo	4.50	4.50	5.00	4.50	4.50	4.00	4.00	
McNeil Canyon	6.50	6.50	6.50	6.00	6.00	5.50	5.00	
Moose Pass	2.00	2.00	2.00	1.50	1.50	1.50	1.50	
Nanwalek	3.00	3.00	3.00	3.00	3.00	2.50	2.50	
Nikolaevsk	4.50	4.50	4.00	3.50	3.00	3.00	3.00	
Ninilchik	10.50	10.50	9.50	9.00	8.50	8.50	8.00	
Port Graham	1.50	1.50	1.00	1.00	1.00	1.00	1.00	
Razdolna	2.00	2.00	1.50	1.50	1.50	1.50	1.00	
Seward Middle	5.00	5.00	4.50	4.00	4.00	4.00	3.50	
Sterling	9.00	9.00	8.50	8.00	8.00	7.50	7.00	
S.B. English	3.50	3.50	4.00	3.50	3.50	3.50	3.00	
Tebughna	3.00	3.00	3.00	2.50	2.50	2.50	2.00	
Tustumena	8.50	8.00	8.00	7.00	7.00	7.00	6.50	
Voznesenka	7.50	7.50	7.50	7.00	6.50	6.50	6.00	
Homer Flex	2.75	2.75	2.75	2.75	2.75	2.75	2.75	
Kenai Alternative	4.75	4.75	4.75	4.75	4.75	4.75	4.75	
Kenai Youth Facility	1.00	1.00	1.00	1.00	1.00	1.00	1.00	
Spring Creek	3.00	3.00	3.00	3.00	3.00	3.00	3.00	
Connections	9.00	9.00	9.00	9.00	9.00	8.50	8.50	
	=====	=====	=====	=====	=====	=====	=====	
	430.00	425.50	408.00	379.00	367.00	354.00	333.00	
	Difference	-4.50		-29.00	-41.00	-54.00	-75.00	
1.0 FTE = approximately \$70,000				(\$2,030,000)	(\$2,870,000)	(\$3,780,000)	(\$5,250,000)	



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

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Memorandum

TO: Board of Education

FR: Sam Stewart, Assistant Superintendent

RE: Policy Revisions

Date: March 24, 2006

The following policies were reviewed by the Policy Review Committee met on February 6, 2006, at the Board Worksession on February 20, 2006, and presented to the Board for a first reading at the March 20, 2006 Board Meeting. These policies are now presented for approval:

AR 0420 School-Based Management/Site Councils – change in language regarding site councils as recommended by Donna Peterson in her October 6, 2005 memorandum to the Board.

BP 0530 Criteria for Closing Schools – new policy addressing potential need for closing schools.

BP & AR 6162.71 - Internet Use - Internet policy has been totally revised and updated.

A review of Section 9000 indicated that only the following policies needed to be updated:

BB 9130 – Board Committees – According to legal advice, membership of committees is limited to three or less Board members.

BB 9310 – Policy Manual – A change to only providing electronic copies of the policies via the District's web site

Additionally, AR 6145 - Cocurricular Activities - has been revised to exclude the word "second" since there is only one Board meeting in May.

SCHOOL-BASED MANAGEMENT/SITE COUNCILS

Philosophy:

The Board of Education is committed to the continuous improvement of student learning and believes that student achievement can be enhanced through increasing the level of involvement of school community members affected by educational decisions.

Purpose and Role:

School councils function as an advisory body in the joint planning and problem solving processes for improving student learning that occur at the local school level. Individual members of school councils will bring ideas to and from their constituent group and then, after discussion and input, act as “people of goodwill” making the best decisions for the students of the school.

Council Composition:

School councils shall include representation of the following:

- Principal
- Teachers (2)
- Support Staff (1)
- Parents (3)
- Non-parent community member (1)
- Student – Secondary schools (1-4)
- Elementary school (optional)

School councils may elect to expand their membership providing the proportionate representations of all groups (except the principal in one-administrator schools) remain the same.

In the absence of proportional membership in any of the representative groups, after a reasonable and documented effort has been made to enlist participation, the remaining members shall constitute a duly formed council and may conduct their business according to appropriately developed bylaws of the school based decision making council.

SCHOOL-BASED MANAGEMENT/SITE COUNCILS

In schools of less than 100 students and at KPBSD program sites (Connections, Kenai Youth Facility, Kenai Alternative, Homer Flex, Spring Creek, etc.), a request can be made to the Superintendent to consider a substitute process for gathering information and assisting with site decisions.

Deleted: a nationally recognized parent group in the place of the school council as long as the representation on the leadership board is consistent with the council composition outlined above

Charter Schools are exempt from the requirement for site councils as their Academic Policy Committee (APC) serves as the decision-making body representing parents.

Council Selection:

Principal: selected by virtue of his/her position and shall have the responsibility to guide the council in developing an organizational structure for conducting the council's business

Employees (teachers and support staff): eligible staff must be assigned to the school for more than 50% of their daily schedule. Itinerant teachers will be considered members of their home-based school.

Parents: eligible parents must have a child in the school during the period of elected service. The system for election is defined in the bylaws of school council. Recognized parent groups should be represented on the school council.

Non-parent community member: elected by the seated members of the council following a nomination process conducted by the principal, in accordance with the school council bylaws.

Student(s): elected through a process defined at the school level, in accordance with the school council bylaws.

Elected school council members may stand for re-election if they continue to meet the requirements of the position. Council members shall not be district Board of Education members. Parent and non-parent community members shall not be employees of the District assigned in any capacity (except short term substitute) to the school of their representation.

Parameters and Functions:

School councils shall conduct their business in compliance with the following:

- Alaska Statutes
- Alaska Department of Education and Early Development Regulations
- Board of Education Policies

SCHOOL-BASED MANAGEMENT/SITE COUNCILS

Parameters and Functions (continued):

- Federal Laws and Regulations related to education
- Negotiated Agreements and Associated Variances
- School District Administrative Regulations and Rules (i.e. enrollment, calendar, transportation, fiscal services, purchasing, environmental requirements [OSHA,AHERA], staffing formulas, curriculum, assessments)
- Contracts with suppliers and vendors
- Budgetary limitations
- Student Activity Association requirements
- Limitations defined by Board of Education action or administrative mandates

Bylaws:

All school councils shall operate under bylaws adopted by the council and filed with the Superintendent. School council decisions will be made by consensus as defined in the council bylaws. All meetings are to be advertised, held publicly in accordance with the open meetings act, and minutes posted and/or distributed to the school population. Bylaws should specifically address the following elements:

- School mission statement
- Composition of the school council and terms of service
- Officers
- Agenda setting
- Meeting frequency, date, and time
(A minimum of four meetings is required per year)
- Minutes
(Copies sent to the Superintendent after each meeting)
- Process for revision of bylaws
- Process for Community input/participation in council work
(See attached Exhibit for sample form)
- Self-evaluation to be completed annually
(District identified process submitted to the Board of Education- see attached Exhibit)

SCHOOL-BASED MANAGEMENT/SITE COUNCILS

General Operation:

The principal remains the sole administrator of the school and will operate the school within the normal constraints of the district, including working with the school council. When districts and schools establish school councils that foster involvement focused on improving student achievement, all children benefit. To that end, input from school councils will be considered on decisions affecting school improvement plans such as:

- Inservice plans
- School staffing patterns
- Curricular initiatives/projects/courses
- Capital improvement and maintenance project needs
- Co-curricular activities
- School policies
- School budget
- Scheduling
- Preferred qualifications/characteristics for staff hires

Selection of School Administrator:

When a vacancy at a school site for the principal/principal teacher becomes known, the Superintendent will consult with the School Council. The Council will provide the Superintendent with input regarding selection qualifications for candidates. Additionally, opportunities will also be provided for individual community or school members to provide information regarding preferred qualifications/characteristics that they would like candidates to possess. If an opening is determined, the Superintendent will cause the position to be advertised, will receive applications, screen and evaluate materials and conduct interviews. When possible, interviews will be open to the public to observe and will be conducted at the school with written opportunities for evaluation available to those observing. The Superintendent will make the selection, subject to approval by the Board of Education.

Waiver Process:

School councils that conclude their work in improving student performance is impeded or frustrated by the existence of a policy or regulation may petition for a waiver from the requirements. Written requests are submitted for consideration by the Superintendent. Waivers of policy and regulation must meet the following criteria:

SCHOOL-BASED MANAGEMENT/SITE COUNCILS

Waiver Process (continued)

1. Identify the specific policy, regulation, or requirement, which the council wishes to have waived.
2. Describe the manner in which the policy, regulation, or requirement impedes the improvement of student achievement in that setting.
3. Detail the manner in which the council anticipates accomplishing the intent of the policy, regulation, or requirement for which the waiver is sought.

The curriculum of the district is, by statute and policy, defined by the Board of Education. Departure from the prescribed curriculum will require approval consistent with the Board of Education regulation BP 6141.

District Support:

District office personnel will collect, interpret, and provide student performance data to the local school. The school councils will use this data as they review and assure alignment between school development plans/school council activities and the focus on improvement of student learning.

In addition, district office personnel will use their specialties to assist school councils in operations and training, particularly in the following areas:

- Operational rules for school councils
- Conflict resolution
- Effective meetings
- Consensus building
- Techniques for active listening
- Goal setting processes, implementation plans, and assessment processes
- School council committees– to maximize involvement from constituencies
- Team building
- Assessing community attitudes
- Writing/updating bylaws

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: _____

Deleted: 1/10/05

CRITERIA FOR CLOSING SCHOOLS

Consideration will be given to closing and/or consolidating schools in the Kenai Peninsula Borough School District when declining enrollment reaches a point at which continued operation of all buildings would result in detrimental effects on a part or the District’s entire educational program, and would result in adverse effects on the financial management of the District.

Considerations

1. Enrollment capacity – This consideration will include minimum needed enrollment for purposes of providing or scheduling effective, comprehensive educational programs.
2. Student displacement – This will include both the number of students involved and the severity of the effects of the displacement. Positive as well as negative effects will be considered.
3. Permanency of decision – This will include consideration of economic and demographic trends in the affected area.
4. Financial factors – This will include possible loss of revenue to the District as a result of closing, as well as potential savings for the District due to building maintenance and operation.

Criteria for Closing Schools Due to Enrollment of Less than Ten Students.

Once a school has fewer than 10 students at the official enrollment count date, the school will be placed on a list of potential school closures for the following year. The Superintendent may recommend closure for the next year or may recommend the school stay in operation for one additional year. If a school has fewer than 10 students for two consecutive years, the school will be closed for the following school year.

Considerations

1. Permanency of decision – This will include consideration of enrollment projections and demographic trends.
2. Financial factors – Potential net savings will be determined as they relate to personnel, maintenance, and operating costs. Loss of separate site status and the accompanying loss of funding will also be considered.
3. Educational alternatives – This will include the location of the school in relation to other schools student might attend.

INTERNET USE

This Internet Use Policy sets forth the standards governing authorized member use of the “Kenai Peninsula Borough School District Electronic Network Related Technologies System” (KPBSD-Net). This policy also promotes the ethical, legal, and school-related use of KPBSD-Net and ensures District compliance with the Children’s Internet Protection Act.

KPBSD-Net provides authorized members with the means for communicating effectively with students, schools, teachers, administrators, educational experts and the public. These resources should be used in a manner that both enhances students’ educational experiences and complies with the policy and regulations established from time to time by the District Board of Education. The system administrators of KPBSD-Net are employees of the District and this service is under the direction of the Director, Information Services. The District reserves the right to monitor all activity on KPBSD-Net and may modify these rules at any time by publishing the modified rules(s) on the KPBSD web site at <http://www.kpbsd.k12.ak.us>.

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: _____

Deleted: The use of an Internet account must be in support of education and research and consistent with the educational objectives of the Kenai Peninsula Borough School District. Transmission of any material in violation of any federal or state regulation is prohibited. This includes, but is not limited to, copyrighted material, threatening or obscene material, any pornographic material, or material protected by trade secret. Use for any commercial activities is not acceptable. Use for service or product advertisement, political campaigning and lobbying, or any other for-profit enterprise is strictly prohibited.¶

¶ The district electronic mail system and all messages sent on it are the property of the Kenai Peninsula Borough School District and should be treated accordingly.¶

¶ Any person using District Internet services agrees to abide by the terms and conditions set forth in the *Kenai Peninsula Borough School District Internet Use Terms and Conditions* agreement. ¶

¶ Parents of minor students (under 18 years of age) may request that their student(s) not be allowed independent use of specific networked resources, such as the internet, by making such request in writing to the school principal. ¶

¶ Parents of minor students (under 18 years of age) may request that the school district not post their children’s work, photographs or names on the Internet by making such request in writing to the school principal.¶

¶ Graduates of the school district may request that the school district not post their work, photographs or names on the Internet by making such request in writing to the school principal.¶

¶ Principals of each school will establish site procedures to ensure that notice of this policy is disseminated to parents/guardians and students at the start of each school year. Principals will ensure that notice of this policy is provided to the parents/guardians of any new student at the time of registration for any new student first enrolling in the school.¶

INTERNET USE AGREEMENT

General Provisions

Authorized Members

It is a general policy of the District to promote the use of computers in a manner that is responsible, legal and appropriate. KPBSD-Net is intended for the use of authorized members only. Any person using KPBSD-Net agrees to abide by the terms and conditions set forth in the District Internet Use Policy. A copy of this policy is included in the KPBSD Parent/Student Handbook.

This policy is applicable to any person connecting to KPBSD-Net, at any time. All users shall adhere to the provisions of this policy as a condition for continued use of KPBSD-Net.

Disclaimer

Pursuant to the Children's Internet Protection Act, the District uses filtering software to screen Internet sites for offensive material. The Internet is a collection of thousands of worldwide networks and organizations that contain millions of pages of information. Users are cautioned that many of these pages contain offensive, sexually explicit, and inappropriate material, including, but not limited to the following categories: Adult Content; Nudity; Sex; Gambling; Violence; Weapons; Hacking; Personals/Dating; Lingerie/Swimsuit; Racism/Hate; Tasteless; and Illegal/Questionable.

INTERNET USE AGREEMENT

In general, it is difficult to avoid at least some contact with this material while using the Internet. Even innocuous search requests may lead to sites with highly offensive content. Additionally, having an e-mail address on the Internet may lead to receipt of unsolicited e-mail containing offensive content. Members accessing the Internet do so at their own risk. No filtering software is one hundred percent effective, and it is possible that the software could fail. In the event that the filtering software is unsuccessful and Members gain access to inappropriate and/or harmful material, the District will not be liable. To promote student safety and minimize these risks, student use of KPBSD-Net is governed by this policy.

Definitions

Authorized Users/Members are individuals that have permission to use KPBSD-Net including: District employees, student authorized users, consultants, board members, parent-volunteers or community-volunteers working under the supervision of a school principal.

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Children's Internet Protection Act definition of terms:

Technology Protection Measure: The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are

(A) obscene, as that term is defined in section 1460 of title 18, United States Code;

(B) child pornography, as that term is defined in section 2256 of title 18, United States Code; or

(C) harmful to minors.

Harmful To Minors: The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that--

(A) taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion.

INTERNET USE AGREEMENT

(B) depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

(C) taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

Sexual Act; Sexual Contact: The terms "sexual act" and "sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.

Distance Learning Equipment is a means for providing meetings, educational or professional course materials and workshops utilizing video and/or audio conferencing equipment, and/or media management systems to distribute video to individual classrooms and offices in schools.

Electronic Mail (e-mail) consists of all electronically transmitted information including any combinations of text, graphics, audio, pictorial, or other information created on or received by a computer application system and includes the transmission data, message text, and all attachments. All e-mail processed or stored on KPBSD-Net is the property of the District. E-mail messages may be monitored or inspected by the Superintendent. The District reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any e-mail transmitted on KPBSD-Net.

Kenai Peninsula Borough School District Electronic Network Related Technologies (KPBSD-Net) is the system of computers, terminals, servers, databases, routers, hubs, switches and distance learning equipment connected to KPBSD-Net. Only District-owned equipment may be attached to KPBSD-Net. Access to KPBSD-Net by personally owned computers, printers, or other devices is strictly prohibited. Files, data, emails and other information stored on district owned equipment or produced while working for the District is the property of the District.

Internet is a worldwide telecommunications system that provides connectivity for thousands of other smaller networks.

INTERNET USE AGREEMENT

Other Electronic Devices include, but are not limited to, cellular telecommunication devices such as cellular phones, pagers, text communication pagers, two-way text pagers, and personal digital assistants that may or may not be physically connected to the network infrastructure.

Password is a secret word or series of letters and numbers that must be used to gain access to an online service or the Internet or to modify certain software (such as parental controls).

Student Authorized Users are any students enrolled in any classes offered by the District in a traditional classroom or virtual classroom setting.

Website is a collection of "pages" or files on the Internet that are linked together and managed by a company, institution or individual.

Terms and Conditions for Use of KPBSD-Net

Acceptable Uses

KPBSD-Net is intended for educational use. Internet and e-mail use is a privilege, not a right, for staff members and students, and a violation of the Internet Use Policy may result in termination of usage and/or appropriate discipline. Teachers and other staff should guide students in their use of KPBSD-Net so that students will learn how Internet resources can provide valuable educational information from other classrooms, schools, and national and international sources. Members will be expected to follow generally accepted rules of network etiquette. These include, but are not limited to, the following:

1. Be polite. Do not become abusive in your messages to others.
2. Use appropriate language. Do not use profanity or any other inappropriate language.
3. Keep personal information, including the logins, passwords, addresses, and telephone numbers of students or employees confidential.
4. Use these resources so as not to disrupt service to other users.

Unacceptable Uses

Improper use of KPBSD-Net is prohibited. Actions that constitute unacceptable uses of KPBSD-Net and are not specifically addressed elsewhere in this policy include, but are not limited to:

INTERNET USE AGREEMENT

1. Use of KPBSD-Net for, or in support of, any illegal purposes or creating direct links to inappropriate or illegal sites. Transmission of material, information, or software in violation of any local, state, or federal law is prohibited and is a breach of the Terms and Conditions.
2. Use of KPBSD-Net for, or in support of, any obscene or pornographic purposes including, but not limited to, the retrieving or viewing of any sexually explicit material.
3. Use of KPBSD-Net for soliciting or distributing information with the intent to incite violence, cause personal harm or bodily injury, or to harass or “stalk” another individual.
4. Uploading, posting, e-mailing, transmitting, or otherwise making available any content that is unlawful, dangerous or may cause a security risk.
5. Non-educational uses of KPBSD-Net including, but not limited to games, wagering, gambling, junk mail, chain letters, jokes, private business activities, raffles, fundraisers, religious activities or political purposes.
6. Using Internet tools such as discussion boards, chat rooms, and instant messaging for personal rather than educational purposes.
7. Using profanity, defamation, obscenity or language that is generally considered offensive or threatening.
8. Plagiarizing any information gained on or through use of KPBSD-Net or any other network access provider.
9. Using copyrighted materials, including commercial software, without permission of the copyright holder, and in violation of state, federal or international copyright laws. (If students are unsure whether or not they are using materials in violation of copyright provisions, they should ask their teachers for assistance. School-based personnel are encouraged to contact the Information Services Department if they have questions regarding use of copyright materials found through KPBSD-Net.)
10. Violation of any provision of the Family Educational Rights and Privacy Act which makes confidential a student’s educational records, including, but not limited to, a student’s grades and test scores.
11. Using KPBSD-Net for financial gain or for the transaction of any personal business or commercial activities.

INTERNET USE AGREEMENT

Security

It shall be the responsibility of all members of the school staff to appropriately supervise and monitor usage of KPBSD-Net to ensure compliance with this Internet Use Policy and the Children’s Internet Protection Act. If a user inadvertently accesses inappropriate information, he or she should immediately disclose the inadvertent access to a teacher or to the school principal. All users are to promptly report any breaches of security violations of the Internet Use Policy to their teacher or the school principal. Such breaches will be reported to the District Information Services Department. Failure to report any incident promptly may subject the user to corrective action consistent with the District’s rules and policies. In order to maintain the security of KPBSD-Net, users are prohibited from engaging in the following actions:

1. Using a modem to dial into any online service provider, or Internet Service Provider (ISP).
2. Intentionally disrupting the use of any computer for other users, including, but not limited to, disruptive use of any processes or programs, intentionally spreading computer viruses, sharing logins and passwords or utilizing tools for ascertaining passwords, or engaging in “hacking” of any kind, which is an illegal or unlawful entry into an electronic system to gain secret unauthorized information.
3. Disclosing the contents or existence of District computer files, confidential documents, e-mail correspondence, or other information to anyone other than authorized recipients. Users must not use the login or password belonging to someone else.
4. Unauthorized file sharing, downloading unauthorized games, programs, files, electronic media, and/or stand-alone applications from the Internet that may cause a threat to KPBSD-Net is not permitted.

Websites

The school’s website is limited to school-related materials and events. Members may create web pages as a part of a class activity. Material presented on a user’s class activity website must meet the educational objectives of the class activity. The District has the right to exercise final editorial authority over the content and/or style of member web pages.

INTERNET USE AGREEMENT

Parents of minor students (under 18 years of age) may request that their student(s) not be allowed independent use of specific networked resources, such as the Internet, by making such request in writing to the school principal.

Parents of minor students (under 18 years of age) may request that the District not post their children's work, photographs or names on the Internet by completing and returning Videotape/Photograph Non-Permission form E5145.1 to the school principal.

Monitoring

KPBSD-Net is routinely monitored to maintain the efficiency of the system. Users should be aware that any use of KPBSD-Net is subject to monitoring or investigation by the Information Services Department or school or District administrators. Any activities in violation of this policy may be reported and will subject the user to sanctions specified in District policy, procedures, and state and federal law. Users should not expect that their use of KPBSD-Net is private.

Assumption of Risk

The District will make a good faith effort to keep KPBSD-Net system and its available information accurate. However, users acknowledge that there is no warranty of any kind, either express or implied, regarding the accuracy, quality, or validity of any of the data or information available. For example, and without limitation, the District does not warrant that KPBSD-Net will be error free or free of computer viruses. In making use of these resources, users agree to release the District from all claims of any kind, including claims for direct or indirect, incidental, or consequential damages of any nature, arising from any use or inability to use the network, and from any claim for negligence in connection with the operation of KPBSD-Net. Users further acknowledge that the information available through interconnecting networks may be inaccurate. The District has no ability to maintain such information and has no authority over these materials. The District makes no warranty of any kind, either express or implied, regarding the accuracy, quality, or validity of the data and/or information residing on or passing through KPBSD-Net from outside networks. Use of KPBSD-Net is at the risk of the user.

Indemnification

The user indemnifies and holds the District harmless from any claims, including attorney's fees, resulting from the user's activities while utilizing KPBSD-Net that cause direct or indirect damage to the user or third parties.

INTERNET USE AGREEMENT

Sanctions

The Terms and Conditions shall be used in conjunction with the District's Discipline Guide (AR5144). Individual schools may choose to have additional rules and regulations pertaining to the use of networked resources in their respective buildings.

Failure to abide by this policy may subject the user to corrective action ranging from suspension of some or all access privileges up to and including expulsion, termination and prosecutions according to District Policies. Users may be denied access to KPBSD-Net while an investigation is under way.

If a user's access to KPBSD-Net is suspended or revoked by KPBSD-Net administrators as a result of violations of this policy, the user may appeal the suspension in writing, to the Superintendent within ten (10) days.

If a violator is removed from KPBSD-Net, there shall be no obligation to provide a subsequent opportunity to access KPBSD-Net.

Legal Reference

CODE OF FEDERAL REGULATIONS
47CFR54.520-- Sec. 54.520 Children's Internet Protection Act

UNITED STATES CODE
Title 18, Section 1460, Possession with intent to sell, and sale, of obscene matter on federal property.

Pub. L. 106-554: Children's Internet Protection Act

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: _____

Deleted: **ACCEPTABLE USE POLICY OF KPBSD-NET**
(continued) AR 6162.71(g)

Deleted: E 6162.71(a)

Kenai Peninsula Borough School District
Internet Safety Policy Guidelines
INTERNET USE TERMS AND CONDITIONS

In order to provide for the appropriate use of the Internet and in keeping with Board of Education policy, the following "KPBSD-Net Terms and Conditions" have been developed.

KPBSD-NET TERMS AND CONDITIONS
Kenai Peninsula Borough School District
148 North Binkley Avenue
Soldotna, Alaska

Terms and Conditions July, 2002

GENERAL INFORMATION

Kenai Peninsula School District Net (KPBSD-Net) is a system of local-area and wide-area network services provided by Kenai Peninsula Borough School District (KPBSD), which also connects KPBSD facilities to the Internet. Usage of all devices connected to any network in Kenai Peninsula Borough School District is covered by these Terms and Conditions. The use of this service is under the direction of the district technology specialist. The system administrators of KPBSD-Net are employees of Kenai Peninsula Borough School District and reserve the right to monitor all activity on KPBSD-Net. Members may be given an account name, personal e-mail address, and password. Although called a member "account," there are currently no charges to members by KPBSD-Net for system usage.

Because of the complex association between government agencies and networks, the end user of any of these networks must adhere to strict guidelines. They are provided here so that members and the parents of members who are under 18 years of age are aware of their responsibilities. KPBSD-Net may modify these rules at any time by publishing the modified rule(s) on the KPBSD-Net web site at .

Kenai Peninsula Borough School District
Internet Safety Policy Guidelines

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CONTENT FILTERING

The district will provide a technology protection measure – generally referred to as an Internet filter – to block access, to the extent practical, to visual depictions deemed “obscene”, “child pornography”, or “harmful to minors” on all Internet accessible computers whether used by children or adults. Filtering will not be disabled for students under the age of 17.

E 6162.71(b)

SUPERVISION AND MONITORING

It shall be the responsibility of all members of the school staff to supervise and monitor usage of KPBSD-Net including access to the Internet and other direct electronic communication in accordance with this policy and the Children’s Internet Protection Act. Electronic monitoring of internet or e-mail activity may also be used.

INFORMATION CONTENT AND USES OF THE SYSTEM

Members agree not to publish on or over KPBSD-Net any information, which violates or infringes upon the rights of any other person or any information which would be abusive, profane, or sexually offensive to a reasonable person, or which, without the approval of the system administrators, contains any advertising or any solicitation of other member to use goods or services. Members agree not to use the facilities and capabilities of the KPBSD Net to conduct any business or activity or solicit the performance of any activity which is prohibited by law.

Because KPBSD-Net provides, through connection to the Internet, access to other computer systems around the world, members of the District and District Net [and the parent(s) of Members if Members are under 18 years of age] specifically understand that the system administrators and Kenai Peninsula Borough School District do not have control of the content of the information residing on these other systems. Members and the parents of members who are under 18 years of age are advised that some systems may contain defamatory, inaccurate, abusive, obscene, profane, sexually oriented, threatening, racially offensive, or illegal material.

KPBSD-Net, Kenai Peninsula Borough School District, and the system administrators do not condone the use of such materials and do not permit usage of such materials in the school environment. Students who knowingly bring such materials into the school environment will be dealt with according to the discipline policies of the individual school building

and Kenai Peninsula Borough School District, and such activities may result in termination of their access to KPBSD-Net.

KPBSD-Net, the system administrators, and Kenai Peninsula Borough School District do not warrant that the functions or services performed by or that the information or software contained on the system will meet the member's requirements or that the operation of the system will be uninterrupted or error-free or that defects in the system will be corrected. KPBSD-Net is provided on an "as-is, as-available" basis. KPBSD-Net does not make any warranties, express or implied, including, without limitation, those of merchantability and fitness for a particular purpose, with respect to any services provided by same and any information or software contained therein.

E 6162.71(c)

THIRD-PARTY SUPPLIED INFORMATION

Opinions, advice, services, and all other information expressed by members, information providers, service providers, or other third-party personnel on KPBSD-Net are those of the provider and not of KPBSD-Net. Members are urged to seek professional advice for specific individual situations.

Members may order services or merchandise from other agencies and members of KPBSD-Net not affiliated with KPBSD-Net ("Seller") through KPBSD-Net. All matters concerning the merchandise and services ordered from Seller including but not limited to purchase terms, payment terms, warranties, guarantees, maintenance, and delivery, are solely between the Seller and the Member. KPBSD-Net makes no warranties or representations whatsoever with regard to any goods or services provided by Sellers. KPBSD-Net, Kenai Peninsula Borough School District, or the system administrator shall not be a party to such transactions or be liable for any costs or damage arising out of, either directly or indirectly, the actions or inactions of Sellers.

UPDATING MEMBER ACCOUNT INFORMATION

KPBSD-Net may occasionally require new registration and account information from members to continue the service. Member must notify KPBSD-Net of any changes in account information (address, phone, name, school enrollment, etc.).

ON-LINE CONDUCT

Any action by a member that is determined by a system administrator to constitute an inappropriate use of KPBSD-Net or to improperly restrict or inhibit other members from using and enjoying KPBSD-Net is strictly prohibited and may result in termination of an offending member's access. Member specifically agrees not to store, submit, publish, print, or display on or through KPBSD-Net any defamatory, abusive, obscene, profane, sexually oriented, threatening, racially offensive, illegal, or deliberately inaccurate material; nor shall Member provide direct links to such materials or encourage the use of controlled substances. Transmission of material, information, or software in violation of any local, state, or federal law is prohibited and is a breach of the Terms and Conditions.

Member specifically agrees to indemnify KPBSD-Net, Kenai Peninsula Borough School District, its officers and employees, and the system administrators for any losses, costs, or damages, including reasonable attorneys' fees incurred by KPBSD-Net, Kenai Peninsula Borough School District, its officers and employees, and the system administrators relating to, or arising out of any breach of the terms of these Terms and Conditions by Member.

Members are advised against publication of personal information on KPBSD-Net which may make them vulnerable to harassment from other Internet users. No

E 6162.71(d)

Member shall publish personal information about others on KPBSD-Net without their approval and parental approval if the individual is under 18 years of age. KPBSD-Net is to be used by Member for personal use only. Commercial uses of KPBSD-Net are strictly prohibited.

SOFTWARE LIBRARIES

Only public domain files, and files in which the author has given expressed consent for on-line distribution, may be uploaded to the software libraries by Member. Any other software may not be uploaded to the software libraries. Any software having the purpose of damaging other members' systems or the KPBSD-Net System (e.g., computer viruses) is specifically prohibited. The system administrators, at their sole discretion, reserve the right to refuse posting of files and remove files. The system administrators, at their sole discretion, further reserve the right to immediately terminate the access of a member who misuses the software libraries. System administrators do not necessarily inspect software uploaded by members, and KPBSD-Net does not guarantee the suitability or performance of any software downloaded from KPBSD-Net System or any other system accessed through KPBSD-Net.

COPYRIGHTED MATERIAL

Copyrighted material must not be placed on any system connected to KPBSD-Net without the copyright owner's permission. Only the owner(s) or persons they specifically authorize may upload copyrighted material to KPBSD-Net. Members may download copyrighted material for their own use to the extent allowed by current copyright law. Any member may also non-commercially redistribute a copyrighted program with the express permission of the owner or authorized person. Permission must be specified in the document, on the System, or must be obtained directly from the copyright owner. Members should understand that materials developed, displayed, or contributed to the system as part of a school project, or which use any district resources in their development, become the property of the school district and not the property of any individual contributors to these projects.

REAL-TIME / INTERACTIVE COMMUNICATIONS

Use of KPBSD-Net to access "talkers," "chat rooms," role-playing games, and other multi-user real-time conferences is prohibited without specific prior permission from a district authorized teacher or administrator. The administrator, at their sole discretion, reserve the right to immediately terminate the account of a member who fails to abide by this restriction.

E 6162.71(e)

ELECTRONIC MAIL

Electronic mail ("Mail") is a personal electronic message sent by or to a Member in correspondence with another person having electronic mail access. A canceled KPBSD-Net account will not retain its Mail. Members are expected to remove old messages in a timely fashion, and the system administrators may remove such messages if not attended to regularly by the member. The passing of chain letters via Mail is specifically prohibited. Any Mail messages may be monitored or inspected by the system administrators, superintendent and/or designee(s). KPBSD-Net reserves the right to cooperate fully with local, state, or federal officials in any investigation concerning or relating to any Mail transmitted on KPBSD-Net. Privacy is not guaranteed.

DISK USAGE

The system administrators reserve the right to manage disk usage on the KPBSD-Net system. Members who exceed their quota will be advised to delete files to return to compliance.

SECURITY

Security on any computer system is a high priority, especially when the system involves many users. If Members believe they can identify a security problem on KPBSD-Net, they must immediately (within 24 hours) notify the Assistant Superintendent of Instruction. The Member should not demonstrate the problem to others. Members may not let others use their account and/or password. Passwords to the system should not be easily guessable by others, nor should they be words, which could be found in the dictionary. Attempts to log in to the system using another Member's account or as a system administrator will result in termination of the account. Members should immediately notify a system administrator if their password is lost or stolen, or if they have reason to believe that someone has obtained unauthorized access to their account. Any Member identified as a security risk or having a history of problems with other computer systems may be denied access to KPBSD-Net.

VANDALISM

Vandalism will result in cancellation of access privileges and possibly other disciplinary and/or legal action. Vandalism is defined as any malicious attempt to harm or destroy data or equipment of another member, KPBSD-Net, any equipment connected to KPBSD-Net, or any of the agencies or other networks that are connected to the Internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses.

E 6162.71(f)

TERMINATION OR SUSPENSION OF ACCESS

In the case of student violations of the Terms and Conditions, a system administrator may immediately suspend a student's access to the system and refer the matter to the school administration for disposition under the district Code of Conduct. In the case of employee violations of the Terms and Conditions, a system administrator may immediately suspend the employee's access to the system and refer the matter to the employee's supervisor for disposition under district policies. Accounts which are inactive for more than 30 days during the school year may be

removed along with that Member's files without Notice given to the Member.

ENFORCEMENT PROVISIONS

In order to ensure adherence to the Terms and Conditions, the system administrators reserve the right to monitor all activity on the system and to inspect files, including Mail, stored in the system. Privacy is not guaranteed.

OTHER PROVISIONS

The Terms and Conditions shall be interpreted, construed, and enforced in all respects in accordance with the laws of the State of Alaska. Each party irrevocably consents to the jurisdiction of the courts of the State of Alaska and the federal courts situated in the State of Alaska, in connection with any action to enforce the provisions of the Terms and Conditions, to recover damages or other relief for breach or default under the Terms and Conditions, or otherwise arising under or by reason of the Terms and Conditions.

For students, the Terms and Conditions shall be used in conjunction with the school district's Code of Conduct and discipline policies of individual school buildings. Individual schools may choose to have additional rules and regulations pertaining to the use of networked resources in their respective buildings.

Children's Internet Protection Act definitions of terms

TECHNOLOGY PROTECTION MEASURE. The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are:

1. OBSCENE, as that term is defined in section 1460 of title 18, United States Code;
2. CHILD PORNOGRAPHY, as that term is defined in section 2256 of title 18, United States Code; or

E 6162.71(g)

3. HARMFUL TO MINORS.

HARMFUL TO MINORS. The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

SEXUAL ACT; SEXUAL CONTACT. The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

BOARD COMMITTEES

Committees of The Board

The School Board may establish committees of the Board as deemed necessary. The membership of these committees is limited to three or less than a majority of the whole Board. The Board shall establish written charges for Board committees. When its charges or duties have been completed, the committee shall be dissolved.

Unless specifically excluded, the Superintendent may serve as an advisor to any committee at the discretion of the Board.

Committees shall act in an advisory capacity, making recommendations to the Board. No committee action shall be binding on the full Board. The Board as a whole shall have the final consideration in all matters.

Committee meetings are subject to the state open meetings act, if it applies.

Committees Established By the Board

The School Board may establish standing or temporary committees which utilize community, administrative, or professional resources as committee members. The composition of these committees shall be determined and appointed by the Board President. The Board shall establish written charges for all committees. When its charges or duties have been completed, the committee shall be dissolved.

Board Participation in School District Committees

At the discretion of the Board, up to three Board members may participate on committees as members.

Deleted: four (4)

*(cf. 1220 - Citizen Advisory Committees)
(cf. 9320 - Board Meetings)
(cf. 9321 - Executive Sessions)*

*Legal Reference:
ALASKA STATUTES
29.20.020 Meeting public
44.62.310 Agency meetings public
44.62.312 State policy regarding meetings*

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: _____

Deleted: 11/17/03

POLICY MANUAL

The District's policy manual is developed, distributed and maintained for the purpose of communicating to interested parties the policies, regulations and bylaws within which our schools will operate.

Deleted: district's

The community and District employees shall have access to the policy manual on-line at the District website: http://www.kpbsd.k12.ak.us/school_board/board_policies.htm. Policy information may also be accessed on the Internet from all schools, public libraries and the District Office.

Deleted: district

(cf. 1340 - Access to district records)

Deleted: A public copy of the manual shall be maintained in the district central office, district internet website, and each school site so that it may be examined by students, staff and other interested parties.

As necessary, the District shall develop or revise policies and regulations on the website in order to reflect new legislation and changing community views.

Deleted: The Superintendent shall issue copies of the district policy manual to Board members, central office administrators, site administrators, recognized employee organizations, and other key district personnel.¶

(cf. 9311 - Board Policies)

(cf. 9312 - Board Bylaws)

(cf. 9313 - Administrative Regulations)

Deleted: district

Legal Reference:

ALASKA STATUTES

14.12.020 Support, management, and control in general

Deleted: The Superintendent shall maintain procedures for distributing to all authorized manual holders copies of new or revised policies, bylaws and regulations after adoption.¶

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Adoption Date: _____

Deleted: 11/18/02

COCURRICULAR ACTIVITIES

Before February 1 of every third school year, the Superintendent shall survey students in grades 5 - 11 to determine student interest in extracurricular recreational activities and interscholastic and intrascholastic activities. Before March 1 of each year, the District shall adopt a plan outlining such activities for the following year. The plan shall provide substantial equal opportunities for each sex and be based on the interests of the students.

"Substantial equal opportunities" shall be evaluated annually based on the following criteria:

1. The provision of equipment and supplies.
2. The schedule of games and practice.
3. Travel schedules and trips taken.
4. Opportunities to receive coaching/direction.
5. Assignment of coaches and tutors.
6. Provision of locker, practice, and competitive facilities.
7. Provision of administrative support services.
8. Publicity.

A copy of the survey results and comprehensive activities plan shall be available for public inspection by September 15 at each school site.

The District shall review individual school activity programs annually and propose additions or deletions for the following school year. Their recommendations shall be forwarded to the Superintendent for review and recommendation to the Board not later than the regular meeting in May.

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Requests to add or delete cocurricular programs during the school year shall be transmitted to the District for review and recommendation to the Superintendent. Requests that exceed budgeted funds for cocurricular activities must be considered by the Board.

Instruction

AR 6145(b)

COCURRICULAR ACTIVITIES (continued)

All requests shall include but are not limited to the following items:

1. Name/description of activity
2. Objectives - if a new activity
3. Proposed dates/season/length
4. Estimated cost

Legal Reference:

ALASKA ADMINISTRATIVE CODE

4 AAC 06.520 Recreational and athletic activities

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: _____



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Curriculum & Assessment

Paula Christensen, Director, Elementary Education

Sean Dusek, Director, Secondary Education

148 North Binkley Street Soldotna, Alaska 99669-7553

Phone (907) 714-8885 Fax (907) 262-6354

March 13, 2006

To: School Board

Through: Sam Stewart, Assistant Superintendent

From: Paula Christensen, Director, Elementary Education

Re: Approval of BP 5141.6 Student Nutrition and Physical Activity

The proposed new Student Nutrition and Physical Activity Policy (BP 5141.6) and its accompanying AR 5146.6 are presented for approval. This policy is required by Federal regulation as part of the Child Nutrition and WIC Reauthorization Act of 2004 (Section 204: Local Wellness Policies) and must be in place in all school districts nationwide by June 30, 2006.

The administration has made the following additional changes:

- Drink sizes under the Beverage Standards in AR 5141.6 (a & b) have been changed from 16 oz. to 20 oz.
- At the recommendation of the Board, we have added the statement "Building administrators may make allowances for special occasions at their discretion." to the third paragraph on AR 5141.6(a).

STUDENT NUTRITION AND PHYSICAL ACTIVITY

The School Board recognizes that schools are in a position to promote healthy lifestyle choices by students that can affect their lifelong wellness. Therefore, the School District will provide environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity.

Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity, and will establish linkages between nutrition education and school meal programs.

Planning and Periodic Review by Stakeholders

The School District and/or individual schools within the District will create or work with an appropriate existing advisory group that will assist in developing, implementing, monitoring, reviewing, and, as necessary, revising school nutrition and physical activity goals. The advisory group should be composed of students, parents, food service personnel, School Board, school administration, teachers, health professionals, and other interested community members. The advisory group should be provided with appropriate information and clear guidelines to assist in the development and/or revision of relevant policies.

Nutrition

All foods available in District schools during the school day shall be offered to students with consideration for promoting student health and reducing childhood obesity.

Foods and beverages provided through the National School Lunch or School Breakfast Programs shall comply with federal nutrition standards under the School Meals Initiative. To the maximum extent practical, all schools in the District will participate in available federal school meal programs.

All other foods and beverages made available on campus (including, but not limited to vending, concessions, a la carte, student stores, classroom parties, and fundraising) during the school day will be consistent with nutrition standards developed by the Superintendent in administrative regulations based on U.S. Dietary Guidelines for Americans.

Health curricula will include instruction on the benefits of good nutrition and the role nutrition plays in preventing chronic diseases and maintaining a healthy weight.

STUDENT NUTRITION AND PHYSICAL ACTIVITY

*(cf. 0210 – Goals for Student Learning;
cf. 3550 – Food Service;
cf. 3553 – Free and Reduced Price Meals;
cf. 3554 – Other Food Sales)*

Physical Activity

All students in grades K-12 will have opportunities, support, and encouragement to be physically active before, during, and after school each school day.

Health curricula will include instruction on the benefits of regular physical activity and the role physical activity plays in preventing chronic diseases and maintaining a healthy weight.

Physical education will be closely coordinated with the overall school health program, especially health education, so that students thoroughly understand the benefits of being physically active and master the self-management skills needed to stay active for a lifetime.

Communication with Parents

The District/school will support parents' efforts to provide a healthy diet and daily physical activity for their children. The District/school will send home nutrition information and/or will post nutrition tips on school websites. Schools should encourage parents to pack healthy lunches and snacks and to refrain from including beverages and foods that do not meet nutrition standards established by the District. The District will provide parents with information on healthy foods that meet the District's snack standards and ideas for healthy celebrations/parties, rewards, and fundraising activities.

The District/school will provide information about physical education and other school-based physical activity opportunities before, during, and after the school day; and support parents' efforts to provide their children with opportunities to be physically active outside school. Such support will include sharing information through a website, newsletter, or other take-home materials, special events, or physical education homework.

(cf. 6020 – Parent Involvement)

Monitoring, Compliance, and Evaluation

The Superintendent will ensure compliance with established District-wide nutrition and physical activity wellness policies and administrative regulations.

STUDENT NUTRITION AND PHYSICAL ACTIVITY (continued)

The School Board will receive an annual summary report on District-wide compliance with the established nutrition and physical activity policies, based on input from the schools within the District. The report will also be distributed to advisory councils, parent/teacher organizations, school principals, and school health services personnel in the District.

Legal Reference:

Richard B. Russell National School Lunch Act, 42 U.S.C 1751 et seq.

Child Nutrition Act of 1996, 42 U.S.C. 1771 et seq.

STUDENT NUTRITION AND PHYSICAL ACTIVITY**Nutrition**

Schools will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students; will accommodate, as much as possible, the religious, ethnic, and cultural diversity of the student body in meal planning; and will provide clean, safe, and pleasant settings and adequate time for students to eat.

Schools will limit food and beverage marketing to the promotion of foods and beverages that meet nutrition standards established by this administrative regulation.

Schools will not use foods or beverages as rewards for academic performance or good behavior. Building administrators may make allowances for special occasions at their discretion.

Schools will not withhold food or beverages as a punishment.

Traditional cultural foods may be exempted from the food standards described below for educational and/or special school events.

Food and beverages available at school (including but not limited to vending, a la carte, and student stores) must meet the following food and beverage nutrition standards. It is recommended that after-school groups also follow the nutrition standards. A list of appropriate choices will be provided:

Beverage Standards:

Water approved for sale: Plain or carbonated water that does not contain added sweeteners (natural or artificial, including sucralose, Splenda, and aspartame), vitamins, caffeine, or herbal supplements. Water may be sold in any size.

Juice or juice/water blends approved for sale: 100% fruit or vegetable juice or juice/water blends, plain or carbonated that do not add sweeteners (natural or artificial); caffeine, or herbal supplements. Maximum size allowed for sale is 12 oz.

Milk approved for sale:

- 2%, 1%, or fat free (skim) milk. Maximum size allowed for sale is 20 oz.
- Enriched rice, nut, or soy milk (may be “low fat”). Maximum size allowed for sale is 20 oz. Rice, soy, or nut milks must be enriched with calcium, per 8 oz. serving, to at least 30% of the Daily Value set by the U.S. Food and Drug Administration.

STUDENT NUTRITION AND PHYSICAL ACTIVITY (continued)

- Flavored milk may contain no more than 67 grams of sugar total per 20 oz. (27 grams of sugar per 8 oz.) including both naturally-occurring and added sweetener. Maximum size allowed for sale is 20 oz.

Sports Drinks approved for sale: Beverages that contain less than 37 grams of sugar per 20 oz. serving with no artificial sweeteners. Maximum size allowed for sale is 20 oz.

Milkshakes and smoothies will follow the food Standards listed below.

Other Beverages are not approved for sale.

Food Standards:

1. Fat: 30% or less of total calories from fat (excluding fat that occurs naturally in tofu, nuts, nut butters, seeds, eggs, legumes, fruits and vegetables, cream cheese, low-fat salad dressings, cheese, and butter).
2. Saturated plus Trans Fat: 10% or less of total calories from saturated plus *trans* fat (excluding fat that occurs naturally in tofu, nuts, nut butters, seeds, eggs, legumes, fruits and vegetables, cream cheese, low-fat salad dressings, cheese, and butter).
3. Sugar: No more than 35% total sugar by weight including naturally occurring and added sugars (except for sugars that occur naturally in a dairy product, fruit, or vegetable).
4. Portion Sizes (maximums):
 - a. One and one-quarter ounces for chips, crackers, popcorn, cereal, or jerky
 - b. Two and one-half ounces for trail mix, nuts, seeds, or dried fruit
 - c. Two ounces for cookies or cereal bars
 - d. Three ounces for bakery items
 - e. Three fluid ounces for frozen desserts, including but not limited to ice cream
 - f. Eight ounces for non-frozen yogurt

Exceptions to these administrative regulations for food and beverage may be made for individual products which have sufficient nutritional value to offset sugar or fat content, or other requirements, or to prohibit the sale of individual products which are deemed inappropriate for sale to students despite meeting these guidelines. Nutritional information, along with samples of the product in question (when possible), shall be provided to the Supervisor of Student Nutrition Services for approval before products are placed in schools.

STUDENT NUTRITION AND PHYSICAL ACTIVITY (continued)**PHYSICAL ACTIVITY****Physical Activity Opportunities**

Schools will strive to allow students the opportunity for moderate physical activity each day to include time before, during, and after school.

Schools will encourage students to walk or bike to school where feasible as a way to promote physical activity.

Schools will discourage extended periods of inactivity.

Physical Education

The District will strive to provide all students in grades K-12, including students with disabilities, special health-care needs, and in alternative educational settings, with quality daily physical education or its equivalent of 60 minutes/week (elementary) and 3 credits of total physical education credit (secondary: middle school plus high school).

Recess

All elementary students shall have a minimum of 15 minutes a day of supervised recess, preferably outdoors as weather permits, during which students are encouraged to participate in moderate to vigorous physical activity with appropriate space and equipment.

Other

Teachers and other school and community personnel are discouraged from using physical activity (e.g., running laps, pushups) or withholding opportunities for physical activity (e.g., recess, physical education, physical activity breaks) as punishment during the school day. (See Recess section above.)

(cf. 5144 – Discipline)

Schools should provide, at a minimum, one indoor and one outdoor physical activity area for community, student and school staff use.

STUDENT NUTRITION AND PHYSICAL ACTIVITY (continued)

Schools are encouraged to negotiate mutually acceptable, fiscally responsible arrangements with community agencies and organizations to keep school spaces and facilities available to students, staff, and community members before, during, and after the school day, on weekends, and during school vacations.

(cf. 1330 – Use of school facilities and properties)

STUDENT NUTRITION AND PHYSICAL ACTIVITY

***Section 204 of PL 109-265 – June 30, 2004
Child Nutrition and WIC Reauthorization Act of 2004***

(a) IN GENERAL - Not later than the first day of the school year beginning after June 30, 2006, each local education agency participating in a program authorized by the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.) or the Child Nutrition Act of 1966 (42

U.S. C. 1771 et seq.) shall establish a local school wellness policy for school under the local educational agency that, at a minimum –

- 1) Includes goals for nutrition education, physical activity and other school-based activities that are designed to promote student wellness in a manner that the local educational agency determines is appropriate;
- 2) Includes nutrition guidelines selected by the local educational agency for all foods available on each school campus under the local educational agency during the school day with the objectives of promoting student health and reducing childhood obesity;
- 3) Provides an assurance that guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 U.S.C. 1779) and section 9 (f) (1) and 17 (a) of the Richard b Russell National School Lunch Act (42 U.S.C. 1758 (f) (1), 1766 (a)), as those regulations and guidance apply to schools;
- 4) Establishes a plan for measuring implementation of the local wellness policy, including designation of one or more persons within the local educational agency or at each school, as appropriate, charged with the operational responsibility for ensuring that the school meets the local wellness policy; and
- 5) Involves parents, students, and representatives of the school food authority, the school board, school administrators, and the public in the development of the school wellness policy.



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Assistant Superintendent

Glen Szymoniak

148 North Binkley Street Soldotna, Alaska 99669

Phone (907) 714-8888 Fax (907) 262-5867

Email gszymoniak@kpbsd.k12.ak.us

March 24, 2006

TO: Board of Education

FROM: Glen Szymoniak, Assistant Superintendent

SUBJECT: Approval of BP, AR and E 6187, Charter School Policy

Attached are the proposed changes to BP 6187, AR 6187 and E 6187 Charter Schools for approval. Changes have been made to reflect the feedback from the Board at the March 20, 2006 worksession. The proposed changes and supporting documents reflect the work of the KPBSD Charter School Study Team, a group formed to accomplish this year's Board Goal II, Review Charter School Framework, Policies, Roles.

The administration recommends approval of the attached policy including the following options:

BP 6187(b) 4. (option A) "It is not the Board's responsibility to locate a facility to operate a charter school", and

AR 6187(a) (option B) "A charter school administrator with oversight by the Academic Policy Committee, shall:"

CHARTER 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.

CHARTER SCHOOLS (continued)

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.

** Option 1, (a)

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

** Option 1, (b)

It is 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.

CHARTER SCHOOLS (continued)

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.

CHARTER SCHOOLS (continued)

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.

The terms of the contract are not to exceed five years. 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. The charter school shall take appropriate steps to minimize disruptions to the educational process of the existing public school.

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

1. The charter school will modify its application, policies and bylaws to operate in harmony with other schools in the District. This includes but is not limited to District administrative oversight and operating procedures.
2. The Superintendent will annually determine if the amount of space requested by the charter school will be available, based on enrollment projections and school capacity and make appropriate recommendations to the Board.
3. The Superintendent will negotiate the terms of sharing a facility and make recommendations to the Board at a work session.

CHARTER SCHOOLS (continued)

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

**Kenai Peninsula Borough School District
Adoption Date:**

Deleted: BP 6187(a)

Instruction

CHARTER SCHOOLS POLICY

The Kenai Peninsula Borough School District Board accepts responsibility for protecting the interests of the public when granting or denying charter petitions. The Board desires to support innovations which improve student learning and views charter schools as an opportunity to implement school-level reform. 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.

Petitioners are responsible for developing the charter that will govern the charter school. Unlike other alternative education programs which are under the direct control of the District, charter schools shall be governed at the school in accordance with charter provisions approved by the Board. In granting charter petitions, the Board shall give preference to schools best able to provide comprehensive learning experiences for all students irrespective of their learner characteristics.

The Board shall evaluate charter school petitions by the degree to which they are designed to improve education for the District's children and the anticipated ability of a charter school to function effectively and meet its goals. In accordance with law, the proposed charter must include descriptions of the vision, mission and goals of the charter school, the governance structure which will be used, the educational outcomes to be attained by students and the methods by which progress in meeting these outcomes will be measured.

Charter schools in the Kenai Peninsula School District shall comply with the following requirements:

1. Charter schools may be approved in the following regions:
 - A. Southwest (Homer area)
 - B. Southeast (Seward area)

CHARTER SCHOOLS

Charter School Guidelines

The Board 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. 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.

The following guidelines will be used to assist in the establishment of charter schools in the Kenai Peninsula Borough School District.

Organization and Operation of a Charter School

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. A charter school is subject to secondary school competency testing and other competency tests required by the Alaska Department of Education and Early Development.

Option A: A charter school shall:

Option B: A charter school administrator, with oversight by the Academic Policy Committee, shall:

1. keep financial records of the charter school.
2. oversee the operation of the charter school to ensure that the terms of the contract are being met.

CHARTER SCHOOLS (continued)

3. meet regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school.
4. meet with the academic policy committee at least six times each year to monitor progress in achieving the committee's policies and goals.

The charter school application serves as a contract proposal to the Board and must address all the items specified in the KPBSD "Application/Contract Provisions" to satisfy stipulations in Alaska Statutes, Alaska Administrative Codes and KPBSD Board Policy.

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, if the chief school administrator determines the facility meets requirements for health and safety applicable to public buildings or other public schools in the District. See BP 6187 and AR 6187 section "Charter Schools Sharing Facilities."

Funding for Charter Schools

The charter school budget shall be calculated by determining the amount of state funds generated by students enrolled in the charter school less administrative costs. Administrative costs shall be determined by applying the indirect cost rate approved by the Department of Education and Early Development. Indirect costs shall not be applied to state generated funds for charter schools with fewer than 150 students.

The program budget of a charter school is to be used for operating expenses of the educational program of the charter school including purchasing textbooks, classroom materials, and instructional aids.

The charter school shall provide the financial and accounting information requested by the Board and Department of Education and Early Development and shall cooperate with the District in complying with the restrictions governing receipt and expenditure of District money.

The expense of housing nonresident students who attend the charter school, including room, board, and other reasonable housing expenses, may not be paid for with state money but may be paid for with funds contributed by sources other than the state.

CHARTER SCHOOLS (continued)**Admission**

The program of a charter school may be designed to serve students within an age group or grade level; students who will benefit from a particular teaching method or curriculum; or nonresident students, including providing domiciliary services for students who need those services, if approved by the Board.

A charter school shall enroll all eligible students who submit a timely application, unless the number of those applications exceeds the capacity of the program, class, grade level, or building. In the event of an excess of those applications, the charter school and the local School Board shall attempt to accommodate all of those applicants by considering providing additional classroom space and assigning additional teachers from the District to the charter school. If it is not possible to accommodate all eligible students who submit a timely application, students shall be accepted by random drawing. A School Board may not require a student to attend a charter school.

In addition to other requirements of law, a charter school shall be nonsectarian.

Teacher or Employee Agreements

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

All provisions of an existing negotiated agreement or collective bargaining agreement applicable to a teacher or employee of a district apply to that teacher or employee if employed at a charter school in that district, unless the district and the bargaining unit representing the teacher or employee agree to an exemption.

A teacher in a charter school shall be evaluated in an equivalent manner as all other teachers in the District, except that if there is no administrator assigned to the charter school, the local School Board, with the agreement of the charter school, shall designate a School District administrator in that district to evaluate a teacher in a charter school.

The School District assumes no responsibility for employing the charter school administrator after the termination of the charter school contract unless the person is also employed as a teacher.

CHARTER SCHOOLS (continued)

Charter Schools Sharing Facilities

1. Guidelines for Determining Adequate Space for a Shared Facility The KPBSD School Board may allow a charter school to operate within an established District neighborhood school if the projected enrollment of the two schools and other District programs (Special Ed, Title 1, Project Grad, etc.) do not exceed 90% of the rated capacity over the life of the charter school contract.

The charter school application shall include the estimated number of students, the number of requested classrooms and the grades taught for each year of the proposed contract.

2. Negotiating Shared Facility Agreements The use of District facilities for the charter school shall be negotiated by the Superintendent and presented during the Board's worksession with the charter school applicants. When proposing to use a District facility which is already in use as a public school, the principal and a site council representative of the school shall also be involved in the negotiating process.

The Principal in the existing District school will serve as the primary administrator for the building. The charter school administrator shall meet with the principal of that school and come to a mutual agreement regarding the charter school's observance of school rules and policies. These mutually agreed upon rules and policies shall be included in the charter school application and contract with the Board. Failure to abide by the agreed upon rules and policies will be considered a breach of contract.

The charter school will maintain similar grade levels as the neighborhood school.

3. Determining Costs in a Shared Facility Basic charter school funding will be allocated to charter schools by the School Board. Charter schools operating in an established neighborhood school will be responsible for funding their share of education programs in the building.

CHARTER SCHOOLS (continued)

During the administrative meeting, held after the Notification of Intent form is filed, the administrative committee shall provide the charter school representatives with an estimation of revenues and operational costs.

Following Board approval of the charter school contract, operational costs will be charged by the District to the charter school on a pro rata basis according to the recommended budget. All other services provided by the District to the charter school will be calculated on a cost only basis.

At the end of each fiscal year, adjustments shall be made to the charter school budgets based on actual revenues and expenditures.

Space, personnel and shared resources shall be equitably prorated and addressed annually in the charter school contract.

4. Shared Facility Resources Charter schools operating in established neighborhood schools shall be responsible for funding their education programs. The charter school may decide the use of their remaining available resources through their budget process after accounting for shared costs.

If a charter school desires to combine their resources with an established neighborhood educational program and the neighborhood school administrator agrees, costs will be pro-rated according to the number of students.

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

14.14.130 Chief school administrator

INTENT TO DEVELOP CHARTER SCHOOL APPLICATION

Please complete all of the information required on this form. All intent forms for establishing a charter school must be received by August 1 of the year prior to the date of intended implementation. For further details see the following documents:

- A. KPBSD Board Policy and Administrative Regulations on charter schools.
- B. State of Alaska DEED charter school web site and application form.
- C. Charter school guidelines and application procedures.

1. Name of Charter School _____

2. Contact person for this application:

Name _____

Mailing address _____

Telephone _____

3. Academic Policy Committee Membership - Include on a separate page the name of the members of the Academic Policy Committee. For each name specify whether the person is a student, parent, teacher, or employee (other than a teacher).

4. Attach to this intent form a brief description of the mission and goals of the charter school being proposed.

5. Prepare and include a narrative description of the organization, operation, and educational program of the charter school.

NOTE: Upon receipt of the intent form the Kenai Peninsula Borough School District administration will arrange for a meeting during which the content of this intent form will be discussed. It is recommended that the discussion meeting is concluded before the person(s) developing the charter school begins to complete the application form.

Return this intent form to:
Superintendent of Schools
Kenai Peninsula Borough School District
148 N. Binkley Street
Soldotna, AK 99669

Revised: _____

Deleted: E 6187(a)¶
INTENT FORM¶

INTENT TO DEVELOP CHARTER SCHOOL APPLICATION ¶

¶ Please complete all of the information required on this form. All intent forms for establishing a charter school must be received by November 1 of the year prior to the date of intended implementation. For further details see the following documents:¶

- ¶ A. School board policy on charter schools.¶
- ¶ B. Charter schools application form.¶
- ¶ C. Charter school guidelines and application procedures.¶
- ¶ D. Draft of charter school contract.¶

¶ 1. Name of Charter School _¶

¶ 2. Contact person for this application:¶

¶ Name _¶

¶ Mailing address _¶

¶ _¶

¶ Telephone _¶

¶ 3. Academic Policy Committee Membership - Include on a separate page the name of the members of the Academic Policy Committee. For each name specify whether the person is a community member, parent, teacher, or employee (other than a teacher).¶

¶ 4. Attach to this intent form a brief description of the mission and goals of the charter school being proposed.¶

¶ 5. Prepare and include a narrative description of the organization, operation, and educational program of the charter school.¶

¶ **NOTE:** Upon receipt of the intent form the Kenai Peninsula Borough School District administration will arrange for a meeting during which the content of this intent form will be discussed. It is recommended that the discussion meeting is concluded before the person(s) developing the charter school begins to complete the application form. ¶

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Charter School Application/Contract Provisions

The following two sections of the KPBSD contract provisions serve as the charter school application and a contract proposal to the Board.

Charter school applications must be received by the School District no later than October 1 preceding the school year for which applicants propose commencement of charter school operations. All applications will be subject to administrative review and comment prior to the School Board's review and approval.

Kenai Peninsula Borough School District Board of Education Provisions

The following information must be provided in writing:

1. Provide the name of the charter school and the name, address and phone number of a legally designated person authorized to act for the charter school.
2. Provide a description of the need for the charter school and how that need was established. Include evidence of the number of parents, teachers and students who support the formation of the proposed charter school. The description shall include where the students are currently attending school.
3. State the geographic description of the area of intended service.
4. Describe the proposed student transportation system including the contract if services will be provided by a second party.
5. Provide a summary of insurance coverage for protecting the District against liability and accident losses in an amount of \$1,000,000. Include a provision by which the Applicant agrees to indemnify, hold harmless and defend the Kenai Peninsula Borough School District, its Board members, employees, and agents from any liability arising through the actions and inactions of the applicant, its Academic Policy Committee, teachers, employees, volunteers, and students.
6. Provide any additional information that you feel might be helpful in supporting your desire to establish a charter school.

Alaska Statute Provisions

The following information must be provided in writing:

1. Provide a description of the educational program. Include a copy of the curricula to be used in the school. The curricula should list objectives, methods of instruction and the means of measuring student performance for each subject and each grade level.
2. Provide a statement of the specific levels of achievement for the educational program to include:
 - a. What performance targets do you plan for the students in the proposed charter school?
 - b. What specific instruments do you plan to use to measure student performance and growth?
 - c. What is the timeline for achievement of the performance targets you wish to achieve?
 - d. What are the intended procedures for taking corrective action in the event that pupil performance at the charter school falls below such standards?

Failure to meet these levels of achievement will be considered a breach of contract.

A charter school is subject to secondary pupil competency testing as provided in AS 14.03.075 and other state assessment requirements. These requirements may not be waived.

3. Define the admission policy and procedures for the charter school. Include a description of the proposed school's plan to include at risk and academically low-achieving students to promote diversity. Also include plans for educational programs for exceptional students as well as students with special needs. This information must include the following:
 - a. A charter school shall specify the application procedure for students, include a copy of the student application form, and specify the time lines for application, approvals, and notification.
 - b. A statement indicating that the charter school shall enroll all eligible students who submit a timely application unless the number of applications exceeds the capacity of the program, class, grade level, or building. In the event of an excess, students shall be selected by a random drawing supervised by a third party. Students not selected will be placed on a waiting list in the order they were drawn.

- c. A statement of nondiscrimination consistent with School District, Department of Education and Early Development, and U.S. Office of Education requirements.
- 4. Provide a copy of the administrative policies. Specifically include how the following areas will be addressed:
 - a. Names, qualifications and a description of the procedures used to establish the academic policy committee.
 - b. Describe the types and extent of parental and community involvement in the operation of the proposed school
 - c. Development of an annual school development plan with supporting student performance information.
 - d. Reporting procedures to the local school board and school community.
 - e. Description of the school's discipline procedures
 - f. Include information on how the charter school will be accountable to the public.

The Academic Policy Committee shall select the administrator of the charter school. The administrator of the charter school shall oversee the operation of the charter school and ensure the terms of the contract are being met. The administrator shall meet regularly with parents and teachers to review, evaluate and improve operations of the charter school. The administrator shall meet with the Academic Policy Committee at least six times each year to monitor progress in achieving the Committee's policies and goals.

The administrator, with the approval of the Academic Policy Committee, shall select, appoint, or otherwise supervise employees of the charter school. If the person selected as the administrator by the Academic Policy Committee does not possess an Alaska Type B administrative certificate, then the local School Board shall designate (with the approval of the Academic Policy Committee) a School District administrator to evaluate the teacher(s) in the charter school. The cost of teacher evaluations by a designated District administrator shall be included in the contract.

- 5. Provide a statement of the charter school's funding allocation from the local school board and costs assignable to the charter school program budget.

During the administrative meeting with the charter school, held after the Notification of Intent form is filed, 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. Mid-year budget adjustments shall be made pursuant to the State of Alaska OASIS system.

The application subsequently submitted by the charter school shall provide evidence that the plan for the charter school is economically sound for both the charter school and the School District. Include a proposed budget for the term of the charter. Include the charter school's funding allocation and costs assignable to the charter school budget.

With the exception of Special Services, 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.

All equipment and supplies purchased by the charter school become the property of the School District upon the completion of termination of the charter school contract.

The established charter school shall annually submit a balanced program budget, by December 1 of each year which shows the expected revenues and expenditures for the charter school for the next school year. This annual budget shall be approved by the School Board. Adjustments to the charter school budget may be necessary if the estimated revenues are significantly revised due to legislative and/or Board action.

6. Identify and describe the method by which the charter school will account for receipts and expenditures. This shall include a description of how the charter school will be in compliance with AS 14.17.190 Restrictions Governing Receipt and Expenditure of Money from Public School Foundation Account. The charter school shall specify in the application form how it will provide the financial and accounting information requested by the local School Board or the Alaska Department of Education. The charter school shall allow District personnel or the District's auditor access to financial information to perform the annual audit.
7. Describe the location and description of the facilities to be used and the way they will be obtained and maintained. Any facility that is used for a charter school must meet and maintain the federal and state building, fire, health, and safety requirements applicable to public buildings or other public schools in the District. The Superintendent shall make this determination based on inspections made by code enforcement authorities.

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 during the duration of the contract. Include:

- a. The name of the facility, if applicable.
 - b. The physical address and description of the facility.
 - c. Certificates from DEC and the fire marshal indicating that the charter school facility satisfies all health and safety requirements of the federal, state and borough, and that the charter school will maintain that status.
 - d. Contracted services and the proposed contractor
 - e. If the charter school plans to share a facility with an existing district school, please provide evidence that the "Sharing District Facility" stipulations in the policy are addressed.
8. How many of each employee group position will be included in the charter school? Identify the employee positions by type. Name the teachers who, by agreement, will teach in the charter school.

All teachers in the charter school shall be selected from current teacher employees in the School District or from the District hiring pool of approved teacher candidates. The charter school shall operate in compliance with negotiated agreements established between employee groups and the local School Board.

9. Provide the teacher-to-student ratio
10. Indicate the number of students and the age/grade levels to be served by the charter school program for each year of the contract
11. State the term of the contract, not to exceed five years.
12. The application will include a termination clause providing that the contract may be terminated by the local School Board for breach of contract, the failure of the charter school to meet educational achievement goals, fiscal management standards, or for other warranted cause.

Include a signed statement affirming that the applicant will comply with all applicable laws and regulation as well as School District policies, regulations an procedures pertaining to the charter school's operation and recognizing the Board's authority to terminate the charter school if the charter school fails to meet educational achievement goals, fiscal management standards, breech of contract, or for other good cause.

Charter School Application/Contract Provisions (continued) E 6187(g)

Describe the process to be used to discontinue the operation of the school and to assist the transition of students to other District schools in the event the school's charter is terminated before the expiration of its term, or is not renewed following expiration of a term.

13. Provide a signed statement that the charter school will comply with all state and federal requirements for receipt and use of public money.
14. List other requirements or exemptions agreed upon by the charter school and the KPBSD Board of Education. Include the waivers of state regulations the charter school is requesting and reasons for each waiver. List the waivers to School District policies and the reasons for each waiver.

The applicant should provide ten copies of the completed application.

All applications will be subjected to the School Board's review and approval.

Applications should be submitted to:

Superintendent of Schools
Kenai Peninsula Borough School District
148 N. Binkley Street
Soldotna, Alaska 99669

Revised

Deleted: E 6187(b)

KENAI PENINSULA BOROUGH
SCHOOL DISTRICT
CHARTER SCHOOLS
APPLICATION

This application is to be submitted consistent with Alaska Statute 14.03.250-290 entitled *An Act Establishing a Pilot Program for Charter Schools and Providing an Effective Date* for consideration by the Kenai Peninsula Borough School District Board. The following information is required:

The charter school application must meet all requirements as outlined in the "Charter School Guidelines and Application Procedures." Applications may be submitted by an individual, group or organization; however, applications must be received by the Kenai Peninsula Borough School District no later than January 1 of the year prior to the proposed opening of the school.

The following information must be provided in complete detail:

1. Provide the name of the applicant(s) and the name, address and phone number of a contact person.
2. Provide a copy of the mission statement of the charter school including the process used to develop the statement. Note: The mission statement of the proposed charter school must be consistent with the existing missions statement and core values of the Kenai Peninsula Borough School District.
3. A statement of the program philosophy:
 - (a) Why should the program exist? How was the need established?
 - (b) For whom the program is established?
4. Provide evidence that an adequate number of community members, parents, teachers, and pupils support the formation of the proposed charter school.
5. State the proposed three-year goals for the school including timelines. The applicant should also describe the process used to identify the goals.

6. Statement of the specific... [3]

Instruction**CHARTER SCHOOLS POLICY**

The Kenai Peninsula Borough School District Board accepts responsibility for protecting the interests of the public when granting or denying charter petitions. The Board desires to support innovations which improve student learning and views charter schools as an opportunity to implement school-level reform. 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.

Petitioners are responsible for developing the charter that will govern the charter school. Unlike other alternative education programs which are under the direct control of the District, charter schools shall be governed at the school in accordance with charter provisions approved by the Board. In granting charter petitions, the Board shall give preference to schools best able to provide comprehensive learning experiences for all students irrespective of their learner characteristics.

The Board shall evaluate charter school petitions by the degree to which they are designed to improve education for the District's children and the anticipated ability of a charter school to function effectively and meet its goals. In accordance with law, the proposed charter must include descriptions of the vision, mission and goals of the charter school, the governance structure which will be used, the educational outcomes to be attained by students and the methods by which progress in meeting these outcomes will be measured.

Charter schools in the Kenai Peninsula School District shall comply with the following requirements:

1. Charter schools may be approved in the following regions:
 - A. Southwest (Homer area)
 - B. Southeast (Seward area)
 - C. Central Peninsula area

In the event an application is not received from each region by January 1, 1997, a second or third charter school may be approved in a single region.

CHARTER SCHOOLS POLICY (continued)

2. The charter school shall use and comply with the requirements of the District accounting system.
3. The charter school shall use and comply with the requirements of the District purchasing system.
4. The charter school shall establish an academic policy committee that will function according to the terms of law.
5. Petitioners for charter schools shall comply with all defined application procedures and requirements in order to become operational.
6. The charter school shall conduct its program in a facility which satisfies all local, state, and federal health/safety requirements.
8. The charter school shall be designed to advance basic skill areas (mathematics, science, language arts, social studies) appropriate to the age of students included in the program.
9. The charter school budget shall not diminish the per pupil financial support of students enrolled in the remainder of the District's schools.
10. The charter school program shall have the same standards for student access as any other District school.
11. The charter school disciplinary program shall enforce Alaska statutes, state and federal regulations, and District policies with respect to drugs, alcohol, weapons, tobacco, and violence.
12. The charter school shall not promote religious ideologies or philosophies.
13. The charter school shall operate in compliance with negotiated agreements established between employee groups and the local school board.

CHARTER SCHOOLS POLICY (continued)

14. Charter school applications for the 1997-98 school year will be due to the District by January 1, 1997. In subsequent years, if two or less charter schools are in operation, applications shall be submitted to the local school board through the office of the Superintendent not later than January 1 if they wish consideration for the following school term.

Legal Reference:

Alaska Statutes
14.03.250-14.03.280 Charter Schools

Alaska Administrative Code
4 AAC 33.110 Charter Schools

KENAI PENINSULA BOROUGH SCHOOL DISTRICT
Adoption Date: 7/1/96

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Mari Auxier

3/10/2006 8:34 AM

E 6187(a)

INTENT FORM

INTENT TO DEVELOP CHARTER SCHOOL APPLICATION

Please complete all of the information required on this form. All intent forms for establishing a charter school must be received by November 1 of the year prior to the date of intended implementation. For further details see the following documents:

- A. School board policy on charter schools.
- B. Charter schools application form.
- C. Charter school guidelines and application procedures.
- D. Draft of charter school contract.

1. Name of Charter School _____

2. Contact person for this application:

Name _____

Mailing address _____

Telephone _____

- 3. Academic Policy Committee Membership - Include on a separate page the name of the members of the Academic Policy Committee. For each name specify whether the person is a community member, parent, teacher, or employee (other than a teacher).
- 4. Attach to this intent form a brief description of the mission and goals of the charter school being proposed.
- 5. Prepare and include a narrative description of the organization, operation, and educational program of the charter school.

NOTE: Upon receipt of the intent form the Kenai Peninsula Borough School District administration will arrange for a meeting during which the content of this intent form will be discussed. It is recommended that the discussion meeting is concluded before the person(s) developing the charter school begins to complete the application form.

Return this intent form to:
Superintendent of Schools
Kenai Peninsula Borough School District
148 N. Binkley Street
Soldotna, AK 99669

This application is to be submitted consistent with Alaska Statute 14.03.250-290 entitled *An Act Establishing a Pilot Program for Charter Schools and Providing an Effective Date* for consideration by the Kenai Peninsula Borough School District Board. The following information is required:

The charter school application must meet all requirements as outlined in the "Charter School Guidelines and Application Procedures." Applications may be submitted by an individual, group or organization; however, applications must be received by the Kenai Peninsula Borough School District no later than January 1 of the year prior to the proposed opening of the school.

The following information must be provided in complete detail:

1. Provide the name of the applicant(s) and the name, address and phone number of a contact person.
2. Provide a copy of the mission statement of the charter school including the process used to develop the statement. Note: The mission statement of the proposed charter school must be consistent with the existing missions statement and core values of the Kenai Peninsula Borough School District.
3. A statement of the program philosophy:
 - (a) Why should the program exist? How was the need established?
 - (b) For whom the program is established?
4. Provide evidence that an adequate number of community members, parents, teachers, and pupils support the formation of the proposed charter school.
5. State the proposed three-year goals for the school including timelines. The applicant should also describe the process used to identify the goals.
6. Statement of the specific levels of achievement for the educational program to include:
 - (a) What performance targets do you plan for the students in the proposed charter school?
 - (b) What specific instruments do you plan to use to measure student performance and growth?
 - (c) What is the timeline for achievement of the performance targets you wish to achieve?
 - (d) What are the intended procedures for taking corrective action in the event that pupil performance at the charter school falls below such standards?
7. State the geographic description of the area of intended service.
8. Statement of student demographics to include:
 - (a) A statement of the number of students to be served.
 - (b) A statement of the proposed student-to-teacher ratios.

Page Break

E 6187(c)

- (c) Age/grade levels to be included in the charter school program.
9. Identify the employee positions by type. How many of each position will be included in the charter school?
10. Provide a copy of the curricula to be used in the school. The curricula should list objectives, methods of instruction and the means of measuring student performance for each subject and each grade level.
11. A statement of admissions policies and procedures. This statement must include the following:
- (a) Annual calendar of registration and admissions dates.
 - (b) A statement indicating that any student who applies in a timely fashion will be admitted subject to the maximum number of students identified in this proposal.
 - (c) A statement of nondiscrimination consistent with school District, Department of Education, and U.S. Office of Education requirements.
 - (d) A statement indicating that no conditions will be imposed upon parents that would prevent equal access to the charter school program.
12. Define the enrollment policy including a description of the proposed school's plan to include at risk and academically low-achieving students, to promote diversity and plans for educational programs for exceptional students as well as students with special needs.
13. Describe the facilities to be used and the way they will be obtained and maintained. Include any contracted services and the proposed contractor.
- (a) The name of the facility, if applicable.
 - (b) The physical address of the facility.
 - (c) Certificates from DEC and the fire marshal indicating that the charter school facility satisfies all health and safety requirements of the state and borough, and that the charter school will maintain that status.
14. Describe the proposed student transportation system including the contract if services will be provided by a second party.
15. Provide a summary of insurance coverage for protecting the District against liability and accident losses in an amount of \$1,000,000.
16. Include a proposed budget for the term of the charter.
17. Provide a description of the school's discipline procedures.
18. Describe the types and extent of parental and community involvement in the operation of the proposed school.
19. Provide information on how the charter school will be accountable to the public. Specifically include how the following areas will be addressed:
- (a) Provisions for a representative academic policy committee.

- (b) Development of an annual school development plan with supporting student performance information.
 - (c) Reporting procedures to the local school board and school community.
20. List the waivers of state regulations the charter school is requesting. Include reasons for each waiver.
 21. List the waivers to school District policies the charter school is requesting. Include reasons for each waiver.
 22. Identify the proposed termination date of the contract.
 23. Describe the process to be used to discontinue the operation of the school.
 24. Provide a signed statement that the charter school will comply with all state and federal requirements for receipt and use of public money.
 25. Provide any additional information that you feel might be helpful in supporting your desire to establish a charter school.
 26. The applicant should provide ten copies of the completed application.
 27. Applications will be accepted until January 1, 1997 for schools beginning in August, 1997.
 28. All applications will be subjected to the School Board's review and approval.

Applications should be submitted to:

Superintendent of Schools
Kenai Peninsula Borough School District
148 N. Binkley Street
Soldotna, Alaska 99669

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E 6187(e)

Charter School Guidelines and Application Procedures

In July of 1995, Governor Knowles signed into law The Charter Schools Act.

In passing this legislation, the State Legislature of the State of Alaska was attempting to provide an avenue for parents, teachers, and community members to take responsible risks and create new, innovative, and more flexible ways of educating children.

The charter school concept involves a written agreement setting forth the design and operating principles of the charter school, and describes the relationship between the charter school and the legally constituted authority of the School Board for purposes of this program. A charter

school is defined as a public, nonsectarian, non-religious, nonhome-based school which operates within a public school District and is exempt from local school District curriculum requirements.

The following guidelines will be used to assist in the establishment of charter schools in the Kenai Peninsula Borough School District.

GENERAL GUIDELINES

- A charter school is a public school which is part of the Kenai Peninsula Borough School District and is accountable to the School Board. Up to three (3) charter schools may be established in the Kenai Peninsula Borough School District at any one time.
- The charter school must comply with all of the provisions as set forth in its application for a charter and may be exempt from specified state regulations and policies of the District as agreed upon by the local school board and approved by the State Board of Education.
- All state and federal laws, rules and regulations, and School Board policies must be met by the charter school unless specifically waived by the appropriate agency. The proposed charter school will also be subject to all federal and state laws and constitutional provisions prohibiting discrimination on the basis of disability, race, creed, color, sex, national origin, ancestry, or need for special education services. The charter school must be open to any child who resides within the charter school region, subject to the total enrollment limitations proposed.
- The charter school shall be administered and governed by a governing body in a manner specified in the law and contract.

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E 6187(f)

Charter School Guidelines and Application Procedures (continued)

- The charter school may not charge tuition to students who reside in the District.
- Funding for the charter school will be based on a per pupil proportional share of the funding received by the school District for students attending the charter school. In no event shall this funding be less than the "amount generated by students enrolled in the charter school" as defined in AS 14.03.260(a), less administrative costs, determined by applying the Department of

Education approved indirect cost rate to this amount. All other services provided by the District to the charter school will be provided on a cost basis. Operating revenues will be determined by the foundation report count.

- All fees collected from students enrolled in a charter school will be retained by the school subject to District procedures.
- The charter school must be nonsectarian in its programs, admissions policies, employment practices and all other operations and shall not be affiliated with a nonpublic sectarian school or a religious institution.
- The charter school application, enrollment and student selection process shall be subject to School Board approval.
- Subject to the other requirements of charter schools and the limitation on allowed charter schools, a portion of an existing District school may be converted to a charter school. Provisions within that school will be made to accommodate the interests of the remaining students.
- The charter school will be subject to student performance standards identified in the application process. If student performance at a charter school falls below these standards, as determined by the local school board, the charter school must take corrective action to meet or exceed the standards or risk termination by the Board.

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E 6187(g)

Charter School Guidelines and Application Procedures (continued)

- The charter school will be responsible for its own budget preparation. However, the annual audit of financial and administrative operations, contracting for services, personnel, as well as all other operating needs of the school shall be managed by the District. The charter school may contract other services from the school District, the governing body of a state college or university, or any third party for the use, operation and maintenance of a school building and grounds, or any other services needed by the charter school subject to approval by the Superintendent. (See AS 14.03.255(d))
- The charter school located in a District facility will not be charged rent by the Kenai Peninsula Borough School District for the use of

space that is deemed available by the Board. Operational costs will be charged to the charter school on a pro rata basis according to the costs of building operation. All other services provided by the District to the charter school will be calculated on a cost only basis.

- A new employee hired initially by the charter school will have employment rights to a position in the District upon leaving the charter school, provided the employee is included in one of the bargaining units.
- All employees of the charter school shall be members of the Teacher's Retirement System or the Public Employee's Retirement Association and subject to its requirements.
- The charter school will be responsible for developing its own set of policies as defined in the application. Academic policies shall be approved by an academic policy committee consisting of parents of students attending the school, teachers, and school employees. All policies must be approved by the academic policy committee of the charter school and reported to the School Board.
- Accountability to the local School Board shall be an integral part of the charter school program. The expectations for accountability shall be, at a minimum, the same as all other District schools.
- Any resident otherwise eligible to attend District schools may apply for admission to the charter school.

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E 6187(h)

Charter School Guidelines and Application Procedures (continued)

CONTRACT PROVISIONS

- A contract with a charter school must be approved by the Board and will constitute an agreement, and the terms shall be terms of a contract between the charter school and the local school board.
- The contract between the charter school and the local school board shall reflect all agreements regarding the release of the charter school from Board policies, procedures, and regulations. The Board and the charter school will jointly request releases from regulations of the State Board of Education, if necessary or desired.

- The contract shall contain all provisions required in AS 14.03.255(c).
- Any revision of the terms of the contract may be made only with the approval of the local school board and the governing body of the charter school.

APPLICATION PROCEDURE

- An application for a charter school may be submitted by an individual, a group or an organization.
- Applications must be submitted no later than January 1 prior to the proposed opening of the school. The Board will act on the application within 60 days of receiving the application.
- The Board will consider all applications and will either approve or deny the application within the sixty-day period. A charter school approved by the School Board will be valid for a period of up to five years subject to revocation in accordance with law. The charter may be renewed for additional years if the Board, in its judgment, believes the school is achieving its goals, is operating in a sound fiscal manner, and has otherwise met the standards required by law and the Board.
- Upon approval or rejection of a charter school application, the Board will report its action to the State Board of Education. In its report, the Board will specify the reasons for approval or rejection.

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E 6187(i)

Charter School Guidelines and Application Procedures (continued)

- Once approved, the charter school will be subject to an annual review of its operations and finances by the Board or its representative. On an annual basis, the charter school will make a written report to the local school board and the public.
- If an application for a charter school is denied by the Board, a new application may be submitted by the same person, group of people or organization during the next application period.
- The decision of the Kenai Peninsula Borough School District Board to reject an application for a charter school may not be appealed.

APPLICATION RENEWAL

- By January 1, in the year prior to the expiration of the charter school contract, a renewal application may be submitted to the Board. The renewal application shall include a report on the progress toward achievement of goals, objectives, pupil performance standards, content standards, and other terms as outlined by the original application.
- A financial statement will be presented to the Board which discloses the costs of administration, instruction, and other spending categories for the charter school that is understandable to the general public and that will allow comparison of such costs to the other schools in the District.
- A charter may be revoked or not renewed by the Board if the Board determines that the charter school did any of the following:

Violated any conditions, standards, or procedures set forth in the charter application or contract;

Failed to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the charter application;

Failed to meet generally accepted standards of fiscal management;

Violated any provision of law from which the charter school was not specifically exempted; or

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Charter School Guidelines and Application Procedures (continued)

If the School Board determines that it is not in the best interest of the pupils residing within the school District to continue the operation of the charter school.

For additional information contact:

Assistant Superintendent
Kenai Peninsula Borough School District
148 N. Binkley Street
Soldotna, AK 99669
Phone: (907) 262-5846



KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Assistant Superintendent

Glen Szymoniak

148 North Binkley Street Soldotna, Alaska 99669

Phone (907) 714-8888 Fax (907) 262-5867

Email gszymoniak@kpbsd.k12.ak.us

April 3, 2006

Item 10e Revised

TO: Board of Education

FROM: Glen Szymoniak, Assistant Superintendent

SUBJECT: Approval of BP, AR and E 6187, Charter School Policy

Attached are the proposed changes to BP 6187, AR 6187 and E 6187 Charter Schools for approval. Changes have been made to reflect the feedback from the Board at the March 20, 2006 worksession. The proposed changes and supporting documents reflect the work of the KPBSD Charter School Study Team, a group formed to accomplish this year's Board Goal II, Review Charter School Framework, Policies, Roles.

The administration recommends approval of the attached policy including the following options:

BP 6187(b) 4. (option A) "It is not the Board's responsibility to locate a facility to operate a charter school", and

BP 6187(d) 1) "The charter school will take appropriate steps to minimize disruptions.....", 2) "The charter school will modify its application and bylaws to operate in harmony.....".

AR 6187(a) (option B) "A charter school administrator with oversight by the Academic Policy Committee, shall:"

AR 6187(d) "The charter school will maintain same/similar grade levels."

CHARTER 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.

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.

**** Option 1, (a)**

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

~~** Option 1, (b)~~

~~It is 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.

CHARTER SCHOOLS (continued)

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.

CHARTER SCHOOLS (continued)

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.

The terms of the contract are not to exceed five years. 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. ~~The charter school shall take appropriate steps to minimize disruptions to the educational process of the existing public school.~~

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

- ~~1. The charter school will modify its application, policies and bylaws to operate in harmony with other schools in the District. This includes but is not limited to District administrative oversight and operating procedures.~~
2. The Superintendent will annually determine if the amount of space requested by the charter school will be available, based on enrollment projections and school capacity and make appropriate recommendations to the Board.
3. The Superintendent will negotiate the terms of sharing a facility and make recommendations to the Board at a work session.

CHARTER SCHOOLS (continued)

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

Kenai Peninsula Borough School District
Adoption Date:_____

CHARTER SCHOOLS

Charter School Guidelines

The Board 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. 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.

The following guidelines will be used to assist in the establishment of charter schools in the Kenai Peninsula Borough School District.

Organization and Operation of a Charter School

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. A charter school is subject to secondary school competency testing and other competency tests required by the Alaska Department of Education and Early Development.

~~Option A: A charter school shall:~~

Option B: A charter school administrator, with oversight by the Academic Policy Committee, shall:

1. keep financial records of the charter school.
2. oversee the operation of the charter school to ensure that the terms of the contract are being met.

CHARTER SCHOOLS (continued)

3. meet regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school.
4. meet with the academic policy committee at least six times each year to monitor progress in achieving the committee's policies and goals.

The charter school application serves as a contract proposal to the Board and must address all the items specified in the KPBSD "Application/Contract Provisions" to satisfy stipulations in Alaska Statutes, Alaska Administrative Codes and KPBSD Board Policy.

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, if the chief school administrator determines the facility meets requirements for health and safety applicable to public buildings or other public schools in the District. See BP 6187 and AR 6187 section "Charter Schools Sharing Facilities."

Funding for Charter Schools

The charter school budget shall be calculated by determining the amount of state funds generated by students enrolled in the charter school less administrative costs. Administrative costs shall be determined by applying the indirect cost rate approved by the Department of Education and Early Development. Indirect costs shall not be applied to state generated funds for charter schools with fewer than 150 students.

The program budget of a charter school is to be used for operating expenses of the educational program of the charter school including purchasing textbooks, classroom materials, and instructional aids.

The charter school shall provide the financial and accounting information requested by the Board and Department of Education and Early Development and shall cooperate with the District in complying with the restrictions governing receipt and expenditure of District money.

The expense of housing nonresident students who attend the charter school, including room, board, and other reasonable housing expenses, may not be paid for with state money but may be paid for with funds contributed by sources other than the state.

CHARTER SCHOOLS (continued)**Admission**

The program of a charter school may be designed to serve students within an age group or grade level; students who will benefit from a particular teaching method or curriculum; or nonresident students, including providing domiciliary services for students who need those services, if approved by the Board.

A charter school shall enroll all eligible students who submit a timely application, unless the number of those applications exceeds the capacity of the program, class, grade level, or building. In the event of an excess of those applications, the charter school and the local School Board shall attempt to accommodate all of those applicants by considering providing additional classroom space and assigning additional teachers from the District to the charter school. If it is not possible to accommodate all eligible students who submit a timely application, students shall be accepted by random drawing. A School Board may not require a student to attend a charter school.

In addition to other requirements of law, a charter school shall be nonsectarian.

Teacher or Employee Agreements

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

All provisions of an existing negotiated agreement or collective bargaining agreement applicable to a teacher or employee of a district apply to that teacher or employee if employed at a charter school in that district, unless the district and the bargaining unit representing the teacher or employee agree to an exemption.

A teacher in a charter school shall be evaluated in an equivalent manner as all other teachers in the District, except that if there is no administrator assigned to the charter school, the local School Board, with the agreement of the charter school, shall designate a School District administrator in that district to evaluate a teacher in a charter school.

The School District assumes no responsibility for employing the charter school administrator after the termination of the charter school contract unless the person is also employed as a teacher.

CHARTER SCHOOLS (continued)

Charter Schools Sharing Facilities

1. Guidelines for Determining Adequate Space for a Shared Facility The KPBSD School Board may allow a charter school to operate within an established District neighborhood school if the projected enrollment of the two schools and other District programs (Special Ed, Title 1, Project Grad, etc.) do not exceed 90% of the rated capacity over the life of the charter school contract.

The charter school application shall include the estimated number of students, the number of requested classrooms and the grades taught for each year of the proposed contract.

2. Negotiating Shared Facility Agreements The use of District facilities for the charter school shall be negotiated by the Superintendent and presented during the Board's worksession with the charter school applicants. When proposing to use a District facility which is already in use as a public school, the principal and a site council representative of the school shall also be involved in the negotiating process.

The Principal in the existing District school will serve as the primary administrator for the building. The charter school administrator shall meet with the principal of that school and come to a mutual agreement regarding the charter school's observance of school rules and policies. These mutually agreed upon rules and policies shall be included in the charter school application and contract with the Board. Failure to abide by the agreed upon rules and policies will be considered a breach of contract.

~~The charter school will maintain similar grade levels as the neighborhood school.~~

3. Determining Costs in a Shared Facility Basic charter school funding will be allocated to charter schools by the School Board. Charter schools operating in an established neighborhood school will be responsible for funding their share of education programs in the building.

CHARTER SCHOOLS (continued)

During the administrative meeting, held after the Notification of Intent form is filed, the administrative committee shall provide the charter school representatives with an estimation of revenues and operational costs.

Following Board approval of the charter school contract, operational costs will be charged by the District to the charter school on a pro rata basis according to the recommended budget. All other services provided by the District to the charter school will be calculated on a cost only basis.

At the end of each fiscal year, adjustments shall be made to the charter school budgets based on actual revenues and expenditures.

Space, personnel and shared resources shall be equitably prorated and addressed annually in the charter school contract.

4. Shared Facility Resources Charter schools operating in established neighborhood schools shall be responsible for funding their education programs. The charter school may decide the use of their remaining available resources through their budget process after accounting for shared costs.

If a charter school desires to combine their resources with an established neighborhood educational program and the neighborhood school administrator agrees, costs will be pro-rated according to the number of students.

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

14.14.130 Chief school administrator

INTENT TO DEVELOP CHARTER SCHOOL APPLICATION

Please complete all of the information required on this form. All intent forms for establishing a charter school must be received by August 1 of the year prior to the date of intended implementation. For further details see the following documents:

- A. KPBSD Board Policy and Administrative Regulations on charter schools.
- B. State of Alaska DEED charter school web site and application form.
- C. Charter school guidelines and application procedures.

1. Name of Charter School _____

2. Contact person for this application:

Name _____

Mailing address _____

Telephone _____

- 3. Academic Policy Committee Membership - Include on a separate page the name of the members of the Academic Policy Committee. For each name specify whether the person is a student, parent, teacher, or employee (other than a teacher).
- 4. Attach to this intent form a brief description of the mission and goals of the charter school being proposed.
- 5. Prepare and include a narrative description of the organization, operation, and educational program of the charter school.

NOTE: Upon receipt of the intent form the Kenai Peninsula Borough School District administration will arrange for a meeting during which the content of this intent form will be discussed. It is recommended that the discussion meeting is concluded before the person(s) developing the charter school begins to complete the application form.

Return this intent form to:
Superintendent of Schools
Kenai Peninsula Borough School District
148 N. Binkley Street
Soldotna, AK 99669

Revised: _____

KENAI PENINSULA BOROUGH SCHOOL DISTRICT

Charter School Application/Contract Provisions

The following two sections of the KPBSD contract provisions serve as the charter school application and a contract proposal to the Board.

Charter school applications must be received by the School District no later than October 1 preceding the school year for which applicants propose commencement of charter school operations. All applications will be subject to administrative review and comment prior to the School Board's review and approval.

Kenai Peninsula Borough School District Board of Education Provisions

The following information must be provided in writing:

1. Provide the name of the charter school and the name, address and phone number of a legally designated person authorized to act for the charter school.
2. Provide a description of the need for the charter school and how that need was established. Include evidence of the number of parents, teachers and students who support the formation of the proposed charter school. The description shall include where the students are currently attending school.
3. State the geographic description of the area of intended service.
4. Describe the proposed student transportation system including the contract if services will be provided by a second party.
5. Provide a summary of insurance coverage for protecting the District against liability and accident losses in an amount of \$1,000,000. Include a provision by which the Applicant agrees to indemnify, hold harmless and defend the Kenai Peninsula Borough School District, its Board members, employees, and agents from any liability arising through the actions and inactions of the applicant, its Academic Policy Committee, teachers, employees, volunteers, and students.
6. Provide any additional information that you feel might be helpful in supporting your desire to establish a charter school.

Alaska Statute Provisions

The following information must be provided in writing:

1. Provide a description of the educational program. Include a copy of the curricula to be used in the school. The curricula should list objectives, methods of instruction and the means of measuring student performance for each subject and each grade level.
2. Provide a statement of the specific levels of achievement for the educational program to include:
 - a. What performance targets do you plan for the students in the proposed charter school?
 - b. What specific instruments do you plan to use to measure student performance and growth?
 - c. What is the timeline for achievement of the performance targets you wish to achieve?
 - d. What are the intended procedures for taking corrective action in the event that pupil performance at the charter school falls below such standards?

Failure to meet these levels of achievement will be considered a breach of contract.

A charter school is subject to secondary pupil competency testing as provided in AS 14.03.075 and other state assessment requirements. These requirements may not be waived.

3. Define the admission policy and procedures for the charter school. Include a description of the proposed school's plan to include at risk and academically low-achieving students to promote diversity. Also include plans for educational programs for exceptional students as well as students with special needs. This information must include the following:
 - a. A charter school shall specify the application procedure for students, include a copy of the student application form, and specify the time lines for application, approvals, and notification.
 - b. A statement indicating that the charter school shall enroll all eligible students who submit a timely application unless the number of applications exceeds the capacity of the program, class, grade level, or building. In the event of an excess, students shall be selected by a random drawing supervised by a third party. Students not selected will be placed on a waiting list in the order they were drawn.

- c. A statement of nondiscrimination consistent with School District, Department of Education and Early Development, and U.S. Office of Education requirements.
4. Provide a copy of the administrative policies. Specifically include how the following areas will be addressed:
 - a. Names, qualifications and a description of the procedures used to establish the academic policy committee.
 - b. Describe the types and extent of parental and community involvement in the operation of the proposed school
 - c. Development of an annual school development plan with supporting student performance information.
 - d. Reporting procedures to the local school board and school community.
 - e. Description of the school's discipline procedures
 - f. Include information on how the charter school will be accountable to the public.

The Academic Policy Committee shall select the administrator of the charter school. The administrator of the charter school shall oversee the operation of the charter school and ensure the terms of the contract are being met. The administrator shall meet regularly with parents and teachers to review, evaluate and improve operations of the charter school. The administrator shall meet with the Academic Policy Committee at least six times each year to monitor progress in achieving the Committee's policies and goals.

The administrator, with the approval of the Academic Policy Committee, shall select, appoint, or otherwise supervise employees of the charter school. If the person selected as the administrator by the Academic Policy Committee does not possess an Alaska Type B administrative certificate, then the local School Board shall designate (with the approval of the Academic Policy Committee) a School District administrator to evaluate the teacher(s) in the charter school. The cost of teacher evaluations by a designated District administrator shall be included in the contract.

5. Provide a statement of the charter school's funding allocation from the local school board and costs assignable to the charter school program budget.

During the administrative meeting with the charter school, held after the Notification of Intent form is filed, 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. Mid-year budget adjustments shall be made pursuant to the State of Alaska OASIS system.

The application subsequently submitted by the charter school shall provide evidence that the plan for the charter school is economically sound for both the charter school and the School District. Include a proposed budget for the term of the charter. Include the charter school's funding allocation and costs assignable to the charter school budget.

With the exception of Special Services, 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.

All equipment and supplies purchased by the charter school become the property of the School District upon the completion of termination of the charter school contract.

The established charter school shall annually submit a balanced program budget, by December 1 of each year which shows the expected revenues and expenditures for the charter school for the next school year. This annual budget shall be approved by the School Board. Adjustments to the charter school budget may be necessary if the estimated revenues are significantly revised due to legislative and/or Board action.

6. Identify and describe the method by which the charter school will account for receipts and expenditures. This shall include a description of how the charter school will be in compliance with AS 14.17.190 Restrictions Governing Receipt and Expenditure of Money from Public School Foundation Account. The charter school shall specify in the application form how it will provide the financial and accounting information requested by the local School Board or the Alaska Department of Education. The charter school shall allow District personnel or the District's auditor access to financial information to perform the annual audit.
7. Describe the location and description of the facilities to be used and the way they will be obtained and maintained. Any facility that is used for a charter school must meet and maintain the federal and state building, fire, health, and safety requirements applicable to public buildings or other public schools in the District. The Superintendent shall make this determination based on inspections made by code enforcement authorities.

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 during the duration of the contract. Include:

- a. The name of the facility, if applicable.
- b. The physical address and description of the facility.
- c. Certificates from DEC and the fire marshal indicating that the charter school facility satisfies all health and safety requirements of the federal, state and borough, and that the charter school will maintain that status.
- d. Contracted services and the proposed contractor
- e. If the charter school plans to share a facility with an existing district school, please provide evidence that the "Sharing District Facility" stipulations in the policy are addressed.

8. How many of each employee group position will be included in the charter school? Identify the employee positions by type. Name the teachers who, by agreement, will teach in the charter school.

All teachers in the charter school shall be selected from current teacher employees in the School District or from the District hiring pool of approved teacher candidates. The charter school shall operate in compliance with negotiated agreements established between employee groups and the local School Board.

9. Provide the teacher-to-student ratio
10. Indicate the number of students and the age/grade levels to be served by the charter school program for each year of the contract
11. State the term of the contract, not to exceed five years.
12. The application will include a termination clause providing that the contract may be terminated by the local School Board for breach of contract, the failure of the charter school to meet educational achievement goals, fiscal management standards, or for other warranted cause.

Include a signed statement affirming that the applicant will comply with all applicable laws and regulation as well as School District policies, regulations and procedures pertaining to the charter school's operation and recognizing the Board's authority to terminate the charter school if the charter school fails to meet educational achievement goals, fiscal management standards, breach of contract, or for other good cause.

Describe the process to be used to discontinue the operation of the school and to assist the transition of students to other District schools in the event the school's charter is terminated before the expiration of its term, or is not renewed following expiration of a term.

13. Provide a signed statement that the charter school will comply with all state and federal requirements for receipt and use of public money.
14. List other requirements or exemptions agreed upon by the charter school and the KPBSD Board of Education. Include the waivers of state regulations the charter school is requesting and reasons for each waiver. List the waivers to School District policies and the reasons for each waiver.

The applicant should provide ten copies of the completed application.

All applications will be subjected to the School Board's review and approval.

Applications should be submitted to:

Superintendent of Schools
Kenai Peninsula Borough School District
148 N. Binkley Street
Soldotna, Alaska 99669

Revised _____

**Kenai Peninsula Borough School District
Resolution 05-06-4**

DECLARING CHILDREN ALASKA'S TOP PRIORITY

WHEREAS, Alaska is a young state with a growing population of children and youth; and,

WHEREAS, the safety, health, education and future of our children require the contribution of all Alaskans and the communities in which they live; and,

WHEREAS, the decisions that Alaskans make today to ensure the safety, health, education and future of the next generation of our residents will pay many dividends to the social and economic well-being of our state; and,

WHEREAS, the future leaders of Alaska are being groomed in the schools, playgrounds, houses of worship, workplaces and community centers of our state today; and,

WHEREAS, the Kenai Peninsula Borough School District has as its top priority improving the safety, health, education and future of our community's children and youth.

NOW THEREFORE, the Kenai Peninsula Borough School District School Board calls upon our local and state leaders to join us in declaring children "Alaska's Top Priority" and taking decisive action to reflect this priority in the programs and policies under our control.

Adopted by the Kenai Peninsula Borough School District School Board on this 3rd day of April, 2006.

Sammy Crawford, Vice-President
School Board

Attest:

Sally E. Tachick
Notary Public
My Commission Expires 7/25/09