



## KENAI PENINSULA BOROUGH SCHOOL DISTRICT

### Assistant Superintendent

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January 11, 2007

### MEMORANDUM

TO: Board of Education

FROM: Glen Szymoniak, Assistant Superintendent

SUBJECT: Change in AR 6187

At a meeting of the Board Policy Committee on January 4, 2007, and also at a meeting of the Charter School Oversight Committee on January 10, 2007, it was recommended that the wording of AR 6187(b) be changed to eliminate the last sentence of the first paragraph under the heading of "Funding for Charter Schools".

It is administration's recommendation that the sentence, "Indirect costs shall not be applied to state generated funds for charter schools with fewer than 150 students" be deleted from AR 6187(b).

**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.

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.
3. meet regularly with parents and with teachers of the charter school to review, evaluate, and improve operations of the charter school.

**CHARTER SCHOOLS** (continued)

- 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.

**Deleted:** 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.

In a shared facility, the Charter School may request to change the estimated number of students, the number of classrooms or the grades taught for the school year. The request must be submitted by October 1 of the year preceding the requested change. (District projected enrollment date)

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.

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.

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.

**CHARTER SCHOOLS** (continued)

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*

**Kenai Peninsula Borough School District**

**Adoption Date:** \_\_\_\_\_

Deleted: 9/11/2006