

**HOUSE BILL NO. 197**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

**BY REPRESENTATIVE KELLER**

**Introduced: 3/23/09**

**Referred: Education, Finance**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act establishing minimum standards for open enrollment virtual charter schools;**  
2 **and relating to student count estimates and facilities constituting a school."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 **\* Section 1.** AS 14.03 is amended by adding a new section to read:

5 **Sec. 14.03.256. Open enrollment virtual charter schools.** (a) A charter  
6 school approved under AS 14.03.250 - 14.03.290 that is not a correspondence school  
7 under AS 14.17.430 may operate as an open enrollment virtual charter school if the  
8 charter school also meets the standards for an open enrollment virtual charter school  
9 established under this section.

10 (b) An open enrollment virtual charter school must

11 (1) provide open enrollment to a student throughout the school year;

12 (2) offer to a student enrolled in the school

13 (A) online courses that meet or exceed state standards;

14 (B) all instructional material needed for the courses offered;

1 (C) secure, Internet-accessible education records that document  
2 the progress and performance of the student;

3 (D) an individualized learning plan that describes a strategy for  
4 meeting the educational needs of the student that include the goal of high  
5 school graduation and, for high school students, the goal of meeting entry level  
6 requirements for a postsecondary program that meets the needs of the student;

7 (3) provide qualified personnel to carry out the day-to-day operation of  
8 the school in compliance with all applicable laws, district policies, and charter school  
9 provisions and plan requirements;

10 (4) provide a plan approved by the local school governing body that

11 (A) engages the student, and, if possible, the student's parents,  
12 in the development of the student's individualized learning plan;

13 (B) establishes a monitoring schedule and system to verify

14 (i) participation by an enrolled student in the school's  
15 program and regular assessments;

16 (ii) through assessment results and coursework, the  
17 progress and performance of a student in each course in which the  
18 student is enrolled at the school;

19 (C) provides a secure means of gaining access to a student's  
20 education records by the student, the student's parent or legal guardian, and by  
21 school teachers and administrators;

22 (5) conduct proctored assessments required under state law and under  
23 district and school policies;

24 (6) provide curriculum and activities designed to enable a student to  
25 exceed minimum high school graduation requirements and proficiency standards  
26 established in state law and by the local governing body of the school district.

27 (c) An open enrollment virtual charter school may reimburse a person or entity  
28 for the cost of providing Internet service for a student enrolled in the school.

29 (d) An open enrollment virtual charter school may enter into a contract with a  
30 public or private educational entity to provide materials, facilities, or services to a  
31 student to enable the student to participate in the open enrollment virtual charter

1 school program, including student supervision, instructional materials, special  
2 education services, and the use of facilities.

3 \* **Sec. 2.** AS 14.17.500 is amended by adding a new subsection to read:

4 (d) When reporting a district's ADM, a part-time student who is enrolled in an  
5 open enrollment virtual charter school approved under AS 14.03.256 may not be  
6 counted.

7 \* **Sec. 3.** AS 14.17.905(b) is amended to read:

8 (b) Notwithstanding (a)(3) of this section, a charter **and an alternative** school  
9 shall be counted as a separate school if the charter **or alternative** school has an ADM  
10 of at least **140** [150] students.