

Oklahoma Charter Schools Act

70 O.S. § 3-130, *et seq.*

- Purpose of the Charter School Act is to:
 - Improve student learning
 - Increase learning opportunities for students
 - Encourage the use of different and innovative teaching methods;
 - Provide additional academic choices for parents and students;
 - Require learning and create different and innovative forms of measuring student learning;
 - Establish new forms of accountability;
 - Create new professional opportunities for teachers and administrators.

Who May Sponsor a Charter School?

- A school district with an ADM of 5,000 or more **AND** which all or part of the district is located in a county having a population of more than 500,000.
- A school district which has a school site that has been identified as “in need of improvement” by the SBE.
- A technology center school district **IF** the charter school is located in a school district served by the technology center school district **AND** the school district has an ADM of 5,000 or more **AND** which all or part of the school district is located in a county having a population of more than 500,000.
- A technology center school district **IF** the charter school is located in a school district served by the technology center school district **AND** the school district has a school site that has been identified as “in need of improvement” by the SBE.

Who May Sponsor a Charter School?

- A comprehensive or regional institution that is a member of The Oklahoma State System of Higher Education **IF** the charter school is located in a school district that has an ADM of 5,000 or more **AND** which all or part of the school district is located in a county having a population of more than 500,000
 - The institution shall have a teacher education program accredited by the Oklahoma Commission for Teacher Preparation and have a branch campus or constituent agency physically located within the school district in which the charter school is located;
- A comprehensive or regional institution that is a member of The Oklahoma State System of Higher Education **IF** the charter school is located in a school district that has a school site that has been identified as “in need of improvement” by the SBE.
 - The institution shall have a teacher education program accredited by the Oklahoma Commission for Teacher Preparation and have a branch campus or constituent agency physically located within the school district in which the charter school is located;
- A federally recognized Indian tribe, operating a high school under the authority of the Bureau of Indian Affairs as of November 1, 2010, **IF** the charter school is for the purpose of demonstrating native language immersion instruction, **AND** is located within its former reservation or treaty area boundaries.
 - “Native language immersion instruction” shall require that educational instruction and other activities conducted at the school site are primarily conducted in the native language.
- The State Board of Education when the applicant of the charter school is the Office of Juvenile Affairs or the applicant has a contract with the Office of Juvenile Affairs to provide a fixed rate level E, D, or D+ group home service **AND** the charter school is for the purpose of providing education services to youth in the custody or supervision of the state. (Two school limit)

Specific Process RE: Application

- **Law requires a written application that includes:**
 - **Mission statement**
 - **Description of organizational structure**
 - **Financial Plan for the first three years**
 - **Named officers**
 - **Description of the hiring policy of the charter school**
 - **Name of the applicant(s) requesting sponsorship**
 - **Description of the facility and location**
 - **Description of the grades served**
 - **Outline of the criteria designed to measure effectiveness of the charter school**
 - **Demonstration (evidence) of support from the residents of the affected district/area**

Process for Approval

- **Once application is submitted, the proposed sponsor has 90 days to either accept or reject the application.**
- **If the proposed sponsor rejects the application, it shall notify the applicant in writing. Must state the reasons for the rejection.**
- **The applicant *may* submit a revised application for reconsideration within 30 days of receiving the rejection.**
- **Proposed sponsor has 30 days to act on the revised application.**

Process for Approval

- A board of education of a school district, board of education of a technology center school district, higher education institution, or federally recognized Indian tribe sponsor of a charter school shall notify the State Board of Education when it accepts sponsorship of a charter school. The notification shall include a copy of the charter of the charter school.

Written Contract

- Following approval of an application for sponsorship, the sponsor and the applicant ***must*** enter into a written contract.
- Contract must include:
 - Information from original application
 - Description of the program to be offered by the school which complies with the purposes outlined in Section 11 of this act;
 - Admission policies and procedures;
 - Management and administration of the charter school;
 - Requirements and procedures for program and financial audits;
 - A description of how the charter school will comply with the charter requirements set forth in the Oklahoma Charter Schools Act;
 - Assumption of liability by the charter school; and
 - The term of the contract.
 - Personnel policies/personnel qualifications
 - Method of school governance
 - Specific role and duties of the sponsor
 - Contain provisions re: disposal of real and personal property.

Charter School Compliance

- Charter schools do have flexibility with regard to compliance to certain laws.
- Charter schools **must** ensure compliance with the following:
 - Federal regulations, state and local rules relating to health, safety, civil rights and insurance.
 - Remain nonsectarian in programs, admission policies, employment practices, and all other operations.
 - Sponsor may not authorize a charter school or program that is affiliated with a nonpublic sectarian school or religious institution.

Charter School Compliance

- All testing requirements of the Oklahoma School Testing Program Act (including Reading Sufficiency Act)
- Report all test results and data
- Financial and other reporting requirements, financial audits, audit procedures, and audit requirements. SDE and State Auditor may conduct financial, program or compliance audits.
- Shall use the Oklahoma Cost Accounting System (OCAS) to report to SDE.

Charter School Compliance

- Compliance with all laws regarding the education of students with disabilities
- Provide a governing body (board) for the school. Shall be responsible for policies and operational decisions of the school.
- Cannot charge fees.
- Shall meet the 180 day/1080 hr instructional day/hr requirements
- Comply with the Open Meetings Act and Open Records Act
- Conflict of Interest regulations/requirements apply to school board members

Miscellaneous Provisions

- Charter schools may sue and be sued
- Charter schools may enter into contracts
- Charters may participate in all health and related insurance programs available to employees of the sponsor district.
- Charters may participate as members of the Teachers' Retirement System of Oklahoma
- Charter schools may not levy taxes or issue bonds
- Transportation shall be provided by the charter in accordance with 9-101 through 9-118 of Title 70 and within boundaries of sponsor.

Miscellaneous Provisions

- Boundaries of the charter school are determined based on the sponsor of the charter school (For virtual charters: review recent guidance from the Attorney General)
- A charter school may offer a curriculum which emphasizes a specific learning philosophy or style or certain subject areas such as mathematics, science, fine arts, performance arts, or foreign language.
- The charter of a charter school which offers grades nine through twelve shall specifically address whether the charter school will comply with the graduation requirements established in Section 11-103.6 of this title.
- Provide comprehensive instruction for a Pre-K a Kindergarten program, or any grade between grades one and twelve.
(Designate in contract/charter)

Charter School Incentive Fund

- Charter schools are eligible to apply for “start-up” funding from the State Department of Education. (“Charter School Incentive Fund”)
- SBE adopted rules governing the application process
- Money may only be used for specific expenditures
- Plan for funding must be submitted with application
- Charter school required to report to OSDE

Contract Renewal

- Contract with sponsor can not be effective for more than five (5) years.
- Prior to the beginning of the last year, the charter may apply for renewal of the contract with the sponsor.
- The sponsor may deny the request if it determines the charter school has failed to complete the obligations of the contract or complied with provisions of the Charter School Act.
- A sponsor shall give written notice of intent to deny the request for renewal at least eight (8) months prior to expiration of the contract.

Virtual Charter School Board

- Beginning July 1, 2014, no district shall offer full-time virtual education to students who are not residents of the school district.
- Districts will no longer be able to sponsor virtual charter schools.
- Virtual Charter School Board will assume direct sponsorship authority of all existing virtual charters
- Specific information available upon request