

The background is a solid blue gradient. At the top, there are several thin, wavy lines in lighter shades of blue and cyan, creating a sense of movement or a horizon line. The text is centered in the middle of the frame.

Oklahoma Charter Schools Act



70 O.S. § 3-130, *et seq.*

- A charter school may consist of a school site or new school sites, or any portion of an existing school site.
- 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.



Charter School

Applicant -> Application -> Sponsor -> Acceptance

-> Charter -> Contract w/ Sponsor = Charter School

Who May Sponsor a Charter School?

- **School District**
 - With an ADM of 5,000 or more AND
 - If all or part of the district is located in a county with a population of more than 500,000.
- **School District**
 - With a site identified as “in need of improvement” by the SBE.
- **Career technology center**
 - Charter school located in a school district served by the TC AND
 - District has an ADM of 5,000 or more AND
 - If all or part of the district is located in a county with a population of more than 500,000.
- **Career technology center**
 - Charter school is located in a school district served by the TC AND
 - District has a school site that has been identified as “in need of improvement” by the SBE.

Who May Sponsor a Charter School?

- **Institution of Higher Education**
 - Charter school is located in a school district that has an ADM of 5,000 or more AND
 - If all or part of the school district is located in a county with 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;
- **Institution of Higher Education**
 - Charter school is located in a school district that has a 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;
- **Federally recognized Indian tribe**
 - That operates a high school under the authority of the BIA as of November 1, 2010, IF
 - Charter school’s purpose of having a native language immersion instruction, AND
 - Charter school 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.
- **State Board of Education**
 - When Applicant is 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
 - Charter school is for the purpose of providing education services to youth in the custody or supervision of the state. (Two school limit)

Who May Sponsor a Charter School?

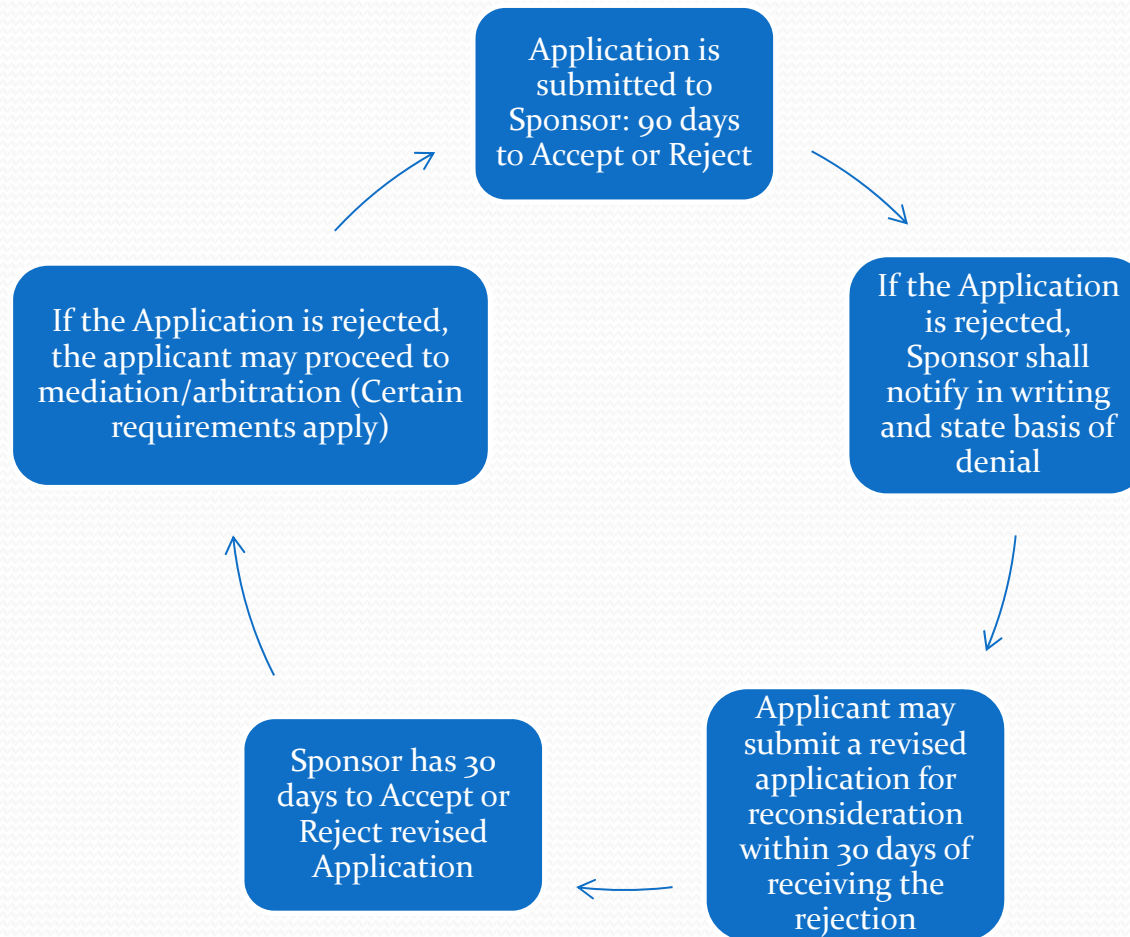
- **Statewide Virtual Charter School Board**
 - Beginning July 1, 2014, SVCSB assumes sponsorship of all virtual charter schools.
 - Upon this date, no school district shall offer full-time virtual education to non-resident students **OR** enter into virtual charter school contracts with full-time providers.



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





Process for Approval

- A board of education of a **school district**, board of education of a **technology center**, **higher education institution**, or federally recognized Indian **tribe** sponsor 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.



Process for Approval

- When a board of education of a **technology center**, **higher education institution**, or federally recognized Indian **tribe** sponsor a charter school, *the administrative, fiscal and oversight responsibilities shall be listed in the contract.*
- *No responsibilities shall be deleted to a school district unless the school district agrees to assume the responsibilities.*



Written Contract

- Following approval of an application for sponsorship, the sponsor and the **governing body of a charter school must** enter into a written contract.
- Contract should include:
 - Information from original application
- Contract must include:
 - 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. (Exempt from all statutes related to schools, BOE's, and school districts)
- However, 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
- Establish 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



Charter School Compliance

- Charter schools may sue and be sued
- The governing board may not levy taxes or issue bonds, but can qualify for building assistance (3-104)
- 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
- 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)



Miscellaneous Provisions

- A charter school shall not be used as a method of generating revenue for students who are being home schooled and are not being educated at an organized charter school site.
- A charter school shall comply with student suspension requirements of 1-109.
- A charter school shall be considered a school district for purposes of tort liability under GTCA.
- The charter of a charter school may be amended at the request of the governing body of the charter school AND upon approval of the sponsor.



Miscellaneous Provisions

- Funding – Section 3-142
- Transportation – 3-141
- Enrollment Restrictions -3-140



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



Contracts and Renewal

- Contract with sponsor can not be effective for more than five (5) years *from the first day of operation*.
- 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.
- If a sponsor denies a request for renewal, the governing board may proceed to mediation/arbitration as provided in 3-134.



Termination

- A sponsor may terminate a contract during the term of the contract for:
 - Failure to meet the requirements of student performance contained in the contract;
 - Failure to meet the standards for fiscal management;
 - Violations of law; or
 - Other good cause
- The sponsor shall give at least 90 days' written notice to the governing board prior to terminating contract.
- The governing board may request, in writing, an informal hearing before the sponsor within 14 days of receiving notice.
- The sponsor shall conduct an informal hearing before taking action.
- If a sponsor decides to terminate following this process, the governing board may proceed to mediation/arbitration as provided in 3-134



Employment Contracts

- Charter school shall not enter into an employment contract with any teacher until the contract has been signed with the sponsor.
- The employment contract **shall** set forth the personnel policies of the charter school, including:
 - Policies related to certification
 - PD evaluation
 - Suspension, dismissal and non-reemployment
 - Sick leave/personal leave/emergency leave policies
 - Family/medical leave policies.
 - Salary/hours/fringe benefits/work conditions.
- The contract *may* provide for bargaining, but the charter school is not required to comply with 509.1-509.10 of Title 70.
- Upon contracting with any teacher or personnel, charter school shall disclose (in writing) employment rights of employees in the event the charter school closes or the charter is not renewed.



Virtual Charter School Board

- Provides oversight
- Establish procedure for accepting, approving, disapproving virtual charter school applications.
- If you are a virtual applicant, must comply with SVCSB policies in addition to requirements of Charter School Act.
- See Sections 3-145.1 through 3-145.6