

**SPECIAL MEETING OF THE
STATEWIDE VIRTUAL CHARTER SCHOOL BOARD
2500 NORTH LINCOLN BOULEVARD
STATE BOARD ROOM, SUITE 1-20
OKLAHOMA CITY, OKLAHOMA**

March 18, 2013

Appointed Members

Pamela Vreeland	Jenks	First Congressional District
Debbie Long	Claremore	Second Congressional District
Jaared Scott	Stillwater	Third Congressional District
Not yet appointed		Fourth Congressional District
John Harrington	Edmond	Fifth Congressional District

Ex-Officio Nonvoting Members

Janet Barresi	State Superintendent of Public Instruction
Phyllis Hudecki	Secretary of Education

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AGENDA

Monday, March 18, 2013

1. Call to order and roll call – 10:00 a.m.
2. Pledge of Allegiance, Salute to the Oklahoma State Flag, and Moment of Silence
(I salute the flag of the State of Oklahoma. Its symbols of peace unite all people.)
3. **STATE SUPERINTENDENT**
 - (a) Welcome
 - (b) Remarks by Senator Gary Stainslawski

(Action) (c) Nomination and Election of the Chair and Vice Chair of the Board.
4. **INFORMATION TO THE BOARD**
 - (a) Discussion of the purpose and the role of the Statewide Virtual Charter School Board and a Virtual School Program – **Derrel Fincher, Director of Learning Technologies**
 - (b) Discussion on continuing education for Statewide Virtual Charter School Board Members – **Art Schofield, Executive Director, Accreditation/Standards**
5. **LEGAL SERVICES – Kimberly Richey, General Counsel**
 - (a) Discussion on the adoption of the following permanent rule – **Stephanie Moser Goins, Assistant General Counsel**
 - (1) Chapter 40. Grants and Programs-In-Aid; Subchapter 87. Rules for Payment to Charter Schools – 210:40-87-6. Charter School surety bonds [NEW]
210:40-87-7. Statewide Virtual Charter School Board [NEW]
 - (b) Discussion of the Statewide Virtual Charter School Board Duties and rules – 70 O.S. § 3-140
 - (c) Discussion of Charter School Application Process
6. **ADMINISTRATION**
 - (a) Statewide Virtual Charter School Board regular meeting dates for 2013 – **Derrel Fincher, Director of Learning Technologies**
7. **ADJOURNMENT**

Chapter 40. Grants and Programs-In-Aid; Subchapter 87.

**Rules for Payment to Charter Schools – 210:40-87-6. Charter School
surety bonds [NEW]**

210:40-87-7. Statewide Virtual Charter School Board [NEW]

RULE IMPACT STATEMENT

TITLE 210. STATE DEPARTMENT OF EDUCATION

CHAPTER 40. GRANTS AND PROGRAMS-IN-AID.

SUBCHAPTER 87. RULES FOR PAYMENT TO CHARTER SCHOOLS

a. **What is the purpose of the proposed rule change?**

The purpose of the proposed rules is to clarify requirements for charter schools under 70 O.S. § 3-136, which requires charter schools to comply with federal, state, and local rules and statutes relating to health, safety, civil rights, and insurance and comply with reporting requirements and financial audits. The new proposed rule at 210:40-87-6 states the requirements for a charter school or a statewide virtual charter school established under the Oklahoma Charter School act to submit the surety bonds required under 70 O.S. § 5-129 and 70 O.S. §5-116A. The surety bonds serve as a form of insurance for school districts to protect state aid distributed to charter schools.

In addition, the new proposed rule at 210:40-87-7 establishes a framework for the operation, governance, and monitoring of the Statewide Virtual Charter School Board established by amendments to the Oklahoma Charter School Act during the 2012 legislative session. The proposed rule establishes basic requirements for submission of an application to the State Board of Education to sponsor a statewide virtual charter school and renewals of a contract for sponsorship, as well as reporting requirements to ensure oversight and accountability of statewide virtual charter school providers in accordance with the requirements of the Oklahoma Charter School Act.

b. **What classes of persons will be affected by the proposed rule change and what classes of persons will bear the costs of the proposed rule change?**

The proposed changes to the rule will affect prospective students of statewide virtual charter schools and their parents/legal guardians. The proposed changes to the rule will also affect the Statewide Virtual Charter School Board, as well as prospective administrative employees of the prospective statewide virtual charter school and any prospective virtual providers with whom the Statewide Virtual Charter School Board seeks to contract.

c. **What classes of persons will benefit from the proposed rule change?**

Students who reside in the State and their parents/legal guardians who are interested in enrolling in a virtual charter school program will benefit from the change. The Statewide Virtual Charter School Board will benefit from the addition of policies and procedures clarifying requirements for submission and consideration of an application for a statewide virtual charter school by the State Board of Education in accordance with the requirements of the Oklahoma Charter School Act.

d. **What is the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions?**

The agency does not anticipate any economic impact upon affected classes of persons or political subdivisions as a result of implementation of the proposed rule change at this time.

e. **What is the probable cost to the agency to implement and enforce the proposed rule change?**

The agency does not anticipate any cost to the agency to implement and enforce as a result of the proposed change in the rule at this time. Additional record keeping, if any, will be performed by existing staff.

f. **What is the economic impact on any political subdivision to implement the proposed rule change?**

State aid is specifically authorized to fund a statewide virtual charter school which may be sponsored by the State Board of Education under the Oklahoma Charter School Act. In addition, since the Oklahoma Charter School Act authorizes the State Board of Education to retain up to five percent (5%) of the state aid allocated for the funding of administrative expenses, the Agency expects the economic impact, if any, to be greatly minimized.

g. **Will implementing the rule change have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act?**

The agency does not anticipate any adverse economic impact on small business as a result of the proposed rule change at this time.

h. **Are there any other methods which are less costly, nonregulatory, or less intrusive to achieve the purpose of the proposed rule change?**

No.

i. **Will the rule change impact the public health, safety, and environment, and is the change designed to reduce significant risks to the public health, safety, and environment? If so, explain nature of risk and to what extent the proposed rule change will reduce the risk.**

The agency does not anticipate any impact on public health, safety, or environment as a result of implementation of the proposed rule at this time.

j. **What detrimental effect will there be on the public health, safety, and environment if the rule change is not implemented?**

The agency does not anticipate any detrimental effect on public health, safety, or environment as a result of implementation of the proposed rule at this time.

k. **Date Prepared:** February 22, 2013

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 40. GRANTS AND PROGRAMS-IN-AID**

SUBCHAPTER 87. RULES FOR PAYMENT TO CHARTER SCHOOLS

210:40-87-6. Charter school insurance and surety bonding.

(a) **Liability insurance.** Each charter school shall be required to furnish and maintain liability insurance coverage and fidelity bonding of the same terms, conditions, types and amounts required of public schools under Oklahoma law. The provisions of this subsection shall not be interpreted to preclude any charter school from obtaining liability insurance coverage or fidelity bonds in addition to or in excess of the requirements of this section.

(b) **Surety bonds.** Charter school officers and/or employees shall be required to furnish and maintain surety bonds of the same terms, conditions, penalty, types and amounts required of public school officers and/or employees under Oklahoma law.

(1) All surety bonds shall comply with the requirements set forth in 70 O.S. § 5-116a, *provided that:*

(A) In the case of a charter school sponsored by an entity other than a school district as permitted by the provisions of the Oklahoma Charter Schools Act at 70 O.S. § 3-132, the surety bond shall be made payable to the sponsoring entity instead of the school district; and

(B) The Statewide Virtual Charter School established in accordance with the provisions of the Oklahoma Charter School Act shall be considered a “school district” for purposes of 70 O.S. § 5-116a.

(2) The provisions of this subsection shall not be interpreted to preclude any charter school officer and/or employee from furnishing and maintaining a surety bond in excess of the requirements of this section.

(3) Further, the provisions of this subsection shall not be interpreted to preclude a school board, school district, or other charter school sponsor from requiring a charter school officer and/or employee charged with custody of public funds from furnishing a surety bond as a prerequisite of employment unless otherwise prohibited by law.

210:40-87-7. Statewide Virtual Charter School Board

(a) **Authority of Statewide Virtual Charter School Board.** As the governing body of a full-time statewide virtual charter school sponsored by the State Board of Education in accordance with the provisions of the Oklahoma Charter School Act, the Statewide Virtual Charter School Board shall be charged with establishing all operating policies and procedures necessary to ensure safe, consistent, effective, and appropriate services are provided to full-time virtual charter school students enrolled in the Statewide Virtual Charter School. Each statewide virtual charter school provider shall assume the role expected of a charter school site as set forth in the charter of the statewide virtual charter school and the provisions incorporated into provider contracts with the Statewide Virtual Charter School Board.

(b) **Applications to sponsor a statewide virtual charter school.** Applications to the State Board of Education to sponsor a statewide virtual charter school may only be submitted by the Statewide Virtual Charter School Board. In addition to the requirements of 70 O.S. § 3-134, the application must comply with the following requirements:

(1) An entity shall not be eligible to enter a contract as a statewide virtual charter school provider if it is currently operating a charter school under separate contract with a sponsor under the provisions of the Oklahoma Charter Schools Act.

(2) For initial consideration for sponsorship, the Statewide Virtual Charter School Board shall develop and submit to the State Board of Education for review and approval a set of policies and procedures governing administration and operation of the statewide virtual charter school and a set of policies and procedures governing operation of virtual charter school providers. The policies and procedures governing administration and operation of the statewide virtual charter school shall be incorporated into the terms of the application of the virtual charter school and into the terms of the contract between the State Board of Education and the Statewide Virtual Charter School Board along with the provisions required by 70 O.S. § 3-135.

(3) The policies and procedures governing operation of the statewide virtual charter school providers shall be incorporated into each contract the statewide virtual charter school board executes with a virtual charter school provider under (b)(4) of this rule, and shall ensure that the virtual charter school provider is able to meet each of the following requirements specific to the virtual delivery of education services:

(A) That each virtual charter school provider is adequately prepared to deliver services to all enrolled students on the school's first day of operation and all required instructional hours for every school year through a stable virtual platform:

(B) That each virtual charter school provider has consistent procedures in place governing admission, transfers, enrollment, and withdrawal of students by each virtual charter school provider:

(C) That each virtual charter school provider has consistent procedures in place governing identification of and provision of online services and technical support to students with disabilities and/or other special needs by each virtual charter school provider, including:

(i) Students who require individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA);

(ii) Students who require accommodations under a plan developed in accordance with the requirements of Section 504 of the Rehabilitation Act of 1973;

(iii) Students who are English Language Learners; and

(iv) Students who are gifted and talented;

(D) That each virtual charter school provider complies with state and federal law in protection and handling of student records and data;

(E) That each virtual charter school provider has consistent procedures and technology in place necessary to monitor and report student attendance and participation in online school activities in accordance with the requirements set forth under state law;

(F) That each virtual charter school provider has fair and consistent procedures in place to implement necessary and appropriate practices to promote student discipline and includes sufficient due process protections necessary for students facing accusations of conduct which may result in suspension and/or expulsion of a student;

(G) That the online courses offered by each virtual charter school provider are approved by the Statewide Virtual Charter School Board;

(H) That each virtual charter school provider has provided a full description and explanation of all equipment, services, training, technical support, software, and textbooks that will be provided to statewide virtual online education students meeting requirements established by the Statewide Virtual Charter School Board;

(I) That each virtual charter school provider has consistent procedures and technology in place to ensure delivery of services and that each virtual charter school provider has an adequate plan in place for communicating emergency procedures to students in the event

of technical failures of equipment and/or loss of connectivity as a result of weather conditions; and

(J) That each virtual charter school provider has consistent procedures and technology in place to ensure consistent and adequate communication with parents/guardians of students and provide student progress and academic reports to parents/guardians of students; and

(K) That each virtual charter school provider has provided a full description and explanation of the grade levels in which the provider intends to provide instruction agrees to use Oklahoma curriculum standards in each grade level served by the provider.

(4) **Authority to enter contracts.** Upon approval of a sponsorship application by the State Board of Education, the Statewide Virtual Charter School Board shall be authorized to contract with providers of services who meet the criteria established by the Statewide Virtual Charter School and the requirements set forth in (b)(3) of this rule.

Providers of services to statewide virtual charter school students shall be classified in two groups:

(A) “Statewide virtual charter school providers” shall be defined as any entity contracted by the Statewide Virtual Charter School Board to provide full-time, online only public school courses of instruction for Pre-K through twelfth (12th) grade students whose legal residence is located within the State of Oklahoma; and

(B) “Virtual educational student activity service providers” which shall be defined as any entity contracted by the Statewide Virtual Charter School Board to provide services, resources, or school activities to students of virtual online charter schools which are not otherwise included in an agreement with a virtual charter school provider. Examples of related service and/or resources include extra-curricular and enrichment activities such as field trips and hands-on laboratory activities, student physical activities, special education services, student counseling services, and transportation services.

(c) **List of approved statewide virtual charter school providers.** The Statewide Virtual Charter School Board shall post and maintain on the State Department of Education website a list of the names, contact information, and links to the websites of all virtual charter school providers which have entered into contracts under the Oklahoma Charter School Act.

(d) **Statewide virtual charter school contract renewal and reporting requirements.**

Renewal of a contract for a statewide virtual charter school sponsored by the State Board of Education shall be conducted in accordance with the requirements of the Oklahoma Charter Schools Act. At least one (1) year prior to expiration of the initial contract term, the Statewide Virtual Charter School Board shall present the State Board of Education a proposal for renewal of the statewide virtual charter school. The recommendation by the State Board for or against renewal shall be based upon factors including, but not limited to:

(1) The statewide virtual charter school’s record of compliance with state and federal statutes and regulations;

(2) The statewide virtual charter school providers’ record of compliance with state and federal statutes and regulations, as well as compliance with policies and procedures established by the Statewide Virtual Charter School Board;

(3) Data collected from statewide virtual charter school providers in accordance with subsection (e) of this rule;

(4) Accountability data collected from statewide virtual charter school providers in accordance with the requirements of state and federal law; and

(4) Statewide virtual charter school student performance data derived from standardized assessments and completion of student coursework.

(e) Virtual charter school provider reporting requirements. Prior to October 1 of every year, the Statewide Virtual Charter School Board shall provide the State Board of Education with a report of all full-time online education providers which have entered contracts with either the Statewide Virtual Charter School Board or any other sponsors pursuant to the Oklahoma Charter School Act. In addition to all data required by 70 O.S. § 145.3, the report shall include all data from the previous school year necessary to assess and evaluate the effectiveness with which providers are meeting students' online education needs. Information from the previous school year provided in the report shall include, but not be limited to:

(1) Student demographic data, including age, gender, grade ethnicity, tribal affiliation, city, county and school district in which the student legally resides, languages spoken in the student's home; and household income;

(2) Data regarding the number of students served who have been placed on an individualized education program pursuant to the Individuals with Disabilities Education Act (IDEA);

(3) Data regarding the number of students with disabilities receiving accommodations under a plan developed in accordance with the requirements of Section 504 of the Rehabilitation Act of 1973;

(4) Data regarding the number of students served who have been identified as English Language Learners, the number of students who have been placed on a Language Instruction Educational Plan (LEIP) for English Language Learners, and the number of ELL students who have been exited from an ELL program;

(5) Data regarding student retention and matriculation, including rates of annual student enrollment, withdrawal, and graduation;

(6) Data collected in accordance with annual student and parent/guardian evaluations of the online provider which include responses to questions regarding satisfaction with services provided; the basis for the choice of the provider; how the student's workload aligned with the expectations of the students and their parents/guardians, and suggestions for improvement of services to students;

(7) Data identifying and summarizing all compliance actions taken by the Statewide Virtual Charter School Board; and

(8) Data identifying with specificity all state and federal funds received by the virtual charter school provider and a statement identifying all expenses for which the funds were used to provide payment.

(f) Funding. In addition to the requirements set forth in 210:40-87-3, disbursement of state aid allocations to an online virtual charter school shall be conducted in accordance with the following procedures:

(1) Prior to disbursement of state aid allocations provided by the Oklahoma Charter School Act to the Statewide Virtual Charter School Board, the Statewide Virtual Charter School Board shall prepare and submit to the State Board of Education a budget detailing anticipated expenditures associated with administration and governance of virtual charter school providers. Approval of the budget by the State Board of Education shall be required prior to disbursement of the state aid allocations set forth under the Oklahoma Charter School Act.

(2) Prior to receiving state aid allocations, a virtual charter school provider must, by June 30 before the initial year of operation, meet the following requirements:

(A) Submit a copy of the approved contract with the sponsor to the State Department of Education;

(B) Establish and maintain a student identification system in accordance with the requirements of 70 O.S. § 18-200.1;

(C) Establish a financial accounting system that meets with the requirements of the Oklahoma Cost Accounting System (OCAS); and

(D) Have been issued a county and district identification number from the Accreditation Division of the State Department of Education.

(g) **Virtual charter school provider graduation requirements.** The Statewide Virtual Charter School Board shall not issue a standard diploma to students of the statewide virtual charter school unless they have demonstrated mastery of state academic content standards in accordance with the provisions of the Achieving Classroom Excellence Act at 70 O.S. § 1210.523 and the Act's accompanying rules and regulations established by the State Board of Education, and met all curriculum and course requirements established by the Statewide Virtual Charter School Board.

(h) **Virtual charter school accountability.** For purposes of assessing student performance levels as required under the Oklahoma School Accountability System and reporting results of the Oklahoma School Testing Program required by 70 O.S. § 1210.545, the statewide virtual charter school shall be considered a separate school district, and each statewide virtual charter school provider shall be considered a separate school site.

**Oklahoma Charter Schools Act
70 O.S. §3-130 et seq. including
Statewide Virtual Charter School Board duties
70 O.S. §3-140.**

§70-3-130. Short title.

Sections 6 through 18 of this act shall be known and may be cited as the "Oklahoma Charter Schools Act".

Added by Laws 1999, c. 320, § 5, eff. July 1, 1999.

§70-3-131. Purpose.

A. The purpose of the Oklahoma Charter Schools Act is to:

1. Improve student learning;
2. Increase learning opportunities for students;
3. Encourage the use of different and innovative teaching methods;

4. Provide additional academic choices for parents and students;

5. Require the measurement of student learning and create different and innovative forms of measuring student learning;

6. Establish new forms of accountability for schools; and

7. Create new professional opportunities for teachers and administrators including the opportunity to be responsible for the learning program at the school site.

B. The purpose of the Oklahoma Charter Schools Act is not to provide a means by which to keep open a school that may otherwise be closed. Applicants applying for a charter for a school which is to be otherwise closed shall be required to prove that conversion to a charter school fulfills the purposes of the act independent of closing the school. Nothing in this section shall be interpreted to preclude a school designated as a "high challenge school" from becoming a charter school.

Added by Laws 1999, c. 320, § 6, eff. July 1, 1999.

§70-3-132. Application of act - Charter schools - Sponsorship - Pilot program - Limitation on establishment of new schools.

A. The Oklahoma Charter Schools Act shall apply only to charter schools formed and operated under the provisions of the act. Charter schools shall be sponsored only as follows:

1. By a school district with an average daily membership of five thousand (5,000) or more and which all or part of the school district is located in a county having more than five hundred thousand (500,000) population according to the latest Federal Decennial Census;

2. By a school district which has a school site listed on the school improvement list as determined by the State Board of Education pursuant to the Elementary and Secondary Education Act of 1965, as amended or reauthorized;

3. By 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 average daily membership of five thousand (5,000) or more and which all

or part of the school district is located in a county having more than five hundred thousand (500,000) population according to the latest Federal Decennial Census;

4. By 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 listed on the school improvement list as determined by the State Board of Education pursuant to the Elementary and Secondary Education Act of 1965, as amended or reauthorized;

5. By 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 average daily membership of five thousand (5,000) or more and which all or part of the school district is located in a county having more than five hundred thousand (500,000) population according to the latest Federal Decennial Census. In addition, 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;

6. By 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 listed on the school improvement list as determined by the State Board of Education pursuant to the Elementary and Secondary Education Act of 1965, as amended or reauthorized. In addition, 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;

7. By 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. For purposes of this paragraph, native language immersion instruction shall require that educational instruction and other activities conducted at the school site are primarily conducted in the native language;

8. By 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.

Not more than two charter schools shall be sponsored by the Board as provided for in this paragraph during the period of time beginning July 1, 2010, through July 1, 2016; or

9. By the State Board of Education when the applicant of the charter school is the **Statewide Virtual Charter School Board** created in Section 3 of this act and the charter school is for the purpose of establishing a full-time statewide virtual charter school.

B. Any charter or enterprise school operating in the state pursuant to an agreement with the board of education of a school district on July 1, 1999, may continue to operate pursuant to that agreement or may contract with the board of education of the school district pursuant to the Oklahoma Charter Schools Act. Nothing in the Oklahoma Charter Schools Act shall prohibit a school district from applying for exemptions from certain education-related statutory requirements as provided for in the Educational Deregulation Act.

C. For purposes of the Oklahoma Charter Schools Act, "charter school" means a public school established by contract with a board of education of a school district, an area vocational-technical school district, a higher education institution, a federally recognized Indian tribe, or the State Board of Education pursuant to the Oklahoma Charter Schools Act to provide learning that will improve student achievement and as defined in the Elementary and Secondary Education Act of 1965, 20 U.S.C. 8065.

D. A charter school may consist of a new school site, new school sites or all or any portion of an existing school site. An entire school district may not become a charter school site. Added by Laws 1999, c. 320, § 7, eff. July 1, 1999. Amended by Laws 2000, c. 232, § 5, eff. July 1, 2000; Laws 2001, c. 33, § 67, eff. July 1, 2001; Laws 2007, c. 257, § 1; Laws 2010, c. 290, § 1, eff. Nov. 1, 2010; Laws 2011, c. 1, § 34, emerg. eff. March 18, 2011; Laws 2011, c. 367, § 1; Laws 2012, c. 367, § 1, eff. July 1, 2012.

NOTE: Laws 2010, c. 288, § 1 repealed by Laws 2011, c. 1, § 35, emerg. eff. March 18, 2011.

§70-3-133. Repealed by Laws 2007, c. 257, § 5.

§70-3-134. Applications - Presubmission training - Contents - Procedures.

A. For written applications filed after January 1, 2008, prior to submission of the application to a proposed sponsor seeking to establish a charter school, the applicant shall be required to complete training which shall not exceed ten (10) hours provided by the State Department of Education on the

process and requirements for establishing a charter school. The Department shall develop and implement the training by January 1, 2008. The Department may provide the training in any format and manner that the Department determines to be efficient and effective including, but not limited to, web-based training.

B. Except as otherwise provided for in Section 3-137 of this title, an applicant seeking to establish a charter school shall submit a written application to the proposed sponsor as prescribed in subsection E of this section. The application shall include:

1. A mission statement for the charter school;
2. A description of the organizational structure and the governing body of the charter school;
3. A financial plan for the first three (3) years of operation of the charter school and a description of the treasurer or other officers or persons who shall have primary responsibility for the finances of the charter school. Such person shall have demonstrated experience in school finance or the equivalent thereof;
4. A description of the hiring policy of the charter school;
5. The name of the applicant or applicants and requested sponsor;
6. A description of the facility and location of the charter school;
7. A description of the grades being served;
8. An outline of criteria designed to measure the effectiveness of the charter school;
9. A demonstration of support for the charter school from residents of the school district which may include but is not limited to a survey of the school district residents or a petition signed by residents of the school district; and
10. Documentation that the applicants completed charter school training as set forth in subsection A of this section.

C. A board of education of a public school district, public body, public or private college or university, private person, or private organization may contract with a sponsor to establish a charter school. A private school shall not be eligible to contract for a charter school under the provisions of the Oklahoma Charter Schools Act.

D. The sponsor of a charter school is the board of education of a school district, the board of education of a technology center school district, a higher education institution, the State Board of Education, or a federally recognized Indian tribe which meets the criteria established in Section 3-132 of this title. Any board of education of a school district in the state may sponsor one or more charter schools.

The physical location of a charter school sponsored by a board of education of a school district or a technology center school district shall be within the boundaries of the sponsoring school district. The physical location of a charter school sponsored by the State Board of Education when the applicant of the charter school is the Office of Juvenile Affairs shall be where an Office of Juvenile Affairs facility for youth is located.

E. An applicant for a charter school may submit an application to a proposed sponsor which shall either accept or reject sponsorship of the charter school within ninety (90) days of receipt of the application. If the proposed sponsor rejects the application, it shall notify the applicant in writing of the reasons for the rejection. The applicant may submit a revised application for reconsideration to the proposed sponsor within thirty (30) days after receiving notification of the rejection. The proposed sponsor shall accept or reject the revised application within thirty (30) days of its receipt.

F. 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.

G. If a proposed sponsor rejects the revised application for a charter school, the applicant may proceed to mediation or binding arbitration or both mediation and binding arbitration as provided in the Dispute Resolution Act and the rules promulgated pursuant thereto. The applicant shall contact the early settlement program for the county in which the charter school would be located. If the parties proceed to binding arbitration, a panel of three arbitrators shall be appointed by the director of the early settlement program handling the dispute. The proposed sponsor shall pay the cost for any mediation or arbitration requested pursuant to this section.

H. If a board of education of a technology center school district, a higher education institution, the State Board of Education, or a federally recognized Indian tribe accepts sponsorship of a charter school, the administrative, fiscal and oversight responsibilities of the technology center school district, the higher education institution, or the federally recognized Indian tribe shall be listed in the contract. No responsibilities shall be delegated to a school district unless the local school district agrees to assume the responsibilities. Added by Laws 1999, c. 320, § 9, eff. July 1, 1999. Amended by Laws 2001, c. 33, § 69, eff. July 1, 2001; Laws 2007, c. 257, §

2; Laws 2010, c. 288, § 2, eff. Nov. 1, 2010; Laws 2011, c. 1, § 36, emerg. eff. March 18, 2011; Laws 2011, c. 367, § 2.

NOTE: Laws 2010, c. 290, § 2 repealed by Laws 2011, c. 1, § 37, emerg. eff. March 18, 2011.

§70-3-135. Sponsor to contract with governing board - Contents of contract.

A. The sponsor of a charter school shall enter into a written contract with the governing body of the charter school. The contract shall incorporate the provisions of the charter of the charter school and contain, but shall not be limited to, the following provisions:

1. A description of the program to be offered by the school which complies with the purposes outlined in Section 11 of this act;

2. Admission policies and procedures;

3. Management and administration of the charter school;

4. Requirements and procedures for program and financial audits;

5. A description of how the charter school will comply with the charter requirements set forth in the Oklahoma Charter Schools Act;

6. Assumption of liability by the charter school; and

7. The term of the contract.

B. A charter school shall not enter into an employment contract with any teacher or other personnel until the charter school has a contract with a sponsoring school district. The employment contract shall set forth the personnel policies of the charter school, including, but not limited to, policies related to certification, professional development evaluation, suspension, dismissal and nonreemployment, sick leave, personal business leave, emergency leave, and family and medical leave. The contract shall also specifically set forth the salary, hours, fringe benefits, and work conditions. The contract may provide for employer-employee bargaining, but the charter school shall not be required to comply with the provisions of Sections 509.1 through 509.10 of Title 70 of the Oklahoma Statutes. The contract shall conform to all applicable provisions set forth in Section 11 of this act.

Upon contracting with any teacher or other personnel, the governing body of the charter school shall, in writing, disclose employment rights of the employees in the event the charter school closes or the charter is not renewed.

Added by Laws 1999, c. 320, § 10, eff. July 1, 1999.

§70-3-136. Rules and standards to be incorporated into charter.

A. A charter school shall adopt a charter which will ensure compliance with the following:

1. A charter school shall comply with all federal regulations and state and local rules and statutes relating to health, safety, civil rights and insurance. By January 1, 2000, the State Department of Education shall prepare a list of relevant rules and statutes which a charter school must comply with as required by this paragraph and shall annually provide an update to the list;

2. A charter school shall be nonsectarian in its programs, admission policies, employment practices, and all other operations. A sponsor may not authorize a charter school or program that is affiliated with a nonpublic sectarian school or religious institution;

3. The charter school may provide a comprehensive program of instruction for a prekindergarten program, a kindergarten program or any grade between grades one and twelve. Instruction may be provided to all persons between the ages of four (4) and twenty-one (21) years. 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. No charter school shall be chartered for the purpose of offering a curriculum for deaf or blind students that is the same or similar to the curriculum being provided by or for educating deaf or blind students that are being served by the Oklahoma School for the Blind or the Oklahoma School for the Deaf;

4. A charter school shall participate in the testing as required by the Oklahoma School Testing Program Act and the reporting of test results as is required of a school district. A charter school shall also provide any necessary data to the Office of Accountability;

5. Except as provided for in the Oklahoma Charter Schools Act and its charter, a charter school shall be exempt from all statutes and rules relating to schools, boards of education, and school districts;

6. A charter school, to the extent possible, shall be subject to the same reporting requirements, financial audits, audit procedures, and audit requirements as a school district. The State Department of Education or State Auditor and Inspector may conduct financial, program, or compliance audits. A charter

school shall use the Oklahoma Cost Accounting System to report financial transactions to the sponsoring school district;

7. A charter school shall comply with all federal and state laws relating to the education of children with disabilities in the same manner as a school district;

8. A charter school shall provide for a governing body for the school which shall be responsible for the policies and operational decisions of the charter school;

9. 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;

10. A charter school may not charge tuition or fees;

11. A charter school shall provide instruction each year for at least the number of days required in Section 1-109 of this title;

12. A charter school shall comply with the student suspension requirements provided for in Section 24-101.3 of this title;

13. A charter school shall be considered a school district for purposes of tort liability under The Governmental Tort Claims Act;

14. Employees of a charter school may participate as members of the Teachers' Retirement System of Oklahoma in accordance with applicable statutes and rules if otherwise allowed pursuant to law;

15. A charter school may participate in all health and related insurance programs available to the employees of the sponsor of the charter school;

16. A charter school shall comply with the Oklahoma Open Meeting Act and the Oklahoma Open Records Act; and

17. The governing body of a charter school shall be subject to the same conflict of interest requirements as a member of a local school board.

B. The charter of a charter school shall include a description of the personnel policies, personnel qualifications, and method of school governance, and the specific role and duties of the sponsor of the charter school.

C. The charter of a charter school may be amended at the request of the governing body of the charter school and upon the approval of the sponsor.

D. A charter school may enter into contracts and sue and be sued.

E. The governing body of a charter school may not levy taxes or issue bonds.

F. The charter of a charter school shall include a provision specifying the method or methods to be employed for disposing of real and personal property acquired by the charter

school upon expiration or termination of the charter or failure of the charter school to continue operations. Except as otherwise provided, any real or personal property purchased with state or local funds shall be retained by the sponsoring school district. If a charter school that was previously sponsored by the board of education of a school district continues operation within the school district under a new charter sponsored by an entity authorized pursuant to Section 3-132 of this title, the charter school may retain any personal property purchased with state or local funds for use in the operation of the charter school until termination of the new charter or failure of the charter school to continue operations.

Added by Laws 1999, c. 320, § 11, eff. July 1, 1999. Amended by Laws 2000, c. 232, § 7, eff. July 1, 2000; Laws 2008, c. 439, § 1, eff. July 1, 2008.

§70-3-137. Duration of contract - Renewal - Termination.

A. An approved contract for a charter school shall be effective for not longer than five (5) years from the first day of operation. Prior to the beginning of the fifth year of operation, the charter school may apply for renewal of the contract with the sponsor. The sponsor may deny the request for renewal if it determines the charter school has failed to complete the obligations of the contract or comply with the provisions of the Oklahoma Charter Schools Act. A sponsor shall give written notice of its intent to deny the request for renewal at least eight (8) months prior to expiration of the contract.

B. If a sponsor denies a request for renewal, the governing board may proceed to mediation or binding arbitration or both as provided for in subsection G of Section 3-134 of this title.

C. A sponsor may terminate a contract during the term of the contract for failure to meet the requirements for student performance contained in the contract, failure to meet the standards of fiscal management, violations of the law, or other good cause. The sponsor shall give at least ninety (90) days' written notice to the governing board prior to terminating the contract. The governing board may request, in writing, an informal hearing before the sponsor within fourteen (14) days of receiving notice. The sponsor shall conduct an informal hearing before taking action. If a sponsor decides to terminate a contract, the governing board may proceed to mediation or binding arbitration or both as provided for in subsection G of Section 3-134 of this title.

D. If a contract is not renewed, the governing board of the charter school may submit an application to a proposed new sponsor as provided for in Section 3-134 of this title.

E. If a contract is not renewed or is terminated according to this section, a student who attended the charter school may enroll in the resident school district of the student or may apply for a transfer in accordance with Section 8-103 of this title.

Added by Laws 1999, c. 320, § 12, eff. July 1, 1999. Amended by Laws 2003, c. 434, § 6; Laws 2004, c. 472, § 1, emerg. eff. June 7, 2004; Laws 2007, c. 257, § 3.

§70-3-138. Reprisal against school employee seeking to establish charter school.

A board of education of a school district or an employee of the district who has control over personnel actions shall not take unlawful reprisal action against an employee of the school district for the reason that the employee is directly or indirectly involved in an application to establish a charter school. As used in this section, "unlawful reprisal" means an action that is taken by a board of education or a school district employee as a direct result of a lawful application to establish a charter school and that is adverse to an employee or an education program.

Added by Laws 1999, c. 320, § 13, eff. July 1, 1999.

§70-3-139. Status of teacher returning to public school from charter school.

A. A sponsoring school district shall determine whether a teacher who is employed by or teaching at a charter school and who was previously employed as a teacher at the sponsoring public school district shall not lose any right of salary status or any other benefit provided by law due to teaching at a charter school upon returning to the sponsoring public school district to teach.

B. A teacher who is employed by or teaching at a charter school and who submits an employment application to the school district where the teacher was employed immediately before employment by or at a charter school shall be given employment preference by the school district if:

1. The teacher submits an employment application to the school district no later than three (3) years after ceasing employment with the school district; and

2. A suitable position is available at the school district.

Added by Laws 1999, c. 320, § 14, eff. July 1, 1999.

§70-3-140. Student eligibility - Districts - Preferences - Discrimination.

A. Except for a charter school sponsored by the State Board of Education, a charter school shall enroll those students whose

legal residence is within the boundaries of the school district in which the charter school is located and who submit a timely application, or those students who transfer to the district in which the charter school is located in accordance with Section 8-103 or 8-104 of this title, unless the number of applications exceeds the capacity of a program, class, grade level, or building. Students who reside in a school district where a charter school is located shall not be required to obtain a transfer in order to attend a charter school in the school district of residence. If capacity is insufficient to enroll all eligible students, the charter school shall select students through a lottery selection process. Except for a charter school sponsored by the State Board of Education, a charter school shall give enrollment preference to eligible students who reside within the boundaries of the school district in which the charter school is located. Except for a charter school sponsored by the State Board of Education, a charter school created after the effective date of this act shall give enrollment preference to eligible students who reside within the boundaries of the school district in which the charter school is located and who attend a school site listed on the school improvement list as determined by the State Board of Education pursuant to the Elementary and Secondary Education Act of 1965, as amended or reauthorized. A charter school may limit admission to students within a given age group or grade level. A charter school sponsored by the State Board of Education when the applicant of the charter school is the Office of Juvenile Affairs shall limit admission to youth that are in the custody or supervision of the Office of Juvenile Affairs. A charter school sponsored by the State Board of Education when the applicant of the charter school is the **Statewide Virtual Charter School Board** shall enroll those students who are legal residents of this state and who have been approved for a transfer pursuant to Section 8-103 or 8-104 of this title.

B. Except for a charter school sponsored by the State Board of Education, a charter school shall admit students who reside in the attendance area of a school or in a school district that is under a court order of desegregation or that is a party to an agreement with the United States Department of Education Office for Civil Rights directed towards mediating alleged or proven racial discrimination unless notice is received from the resident school district that admission of the student would violate the court order or agreement.

C. A charter school may designate a specific geographic area within the school district in which the charter school is located as an academic enterprise zone and may limit admissions to students who reside within that area. An academic enterprise

zone shall be a geographic area in which sixty percent (60%) or more of the children who reside in the area qualify for the free or reduced school lunch program.

D. Except as provided in subsections B and C of this section, a charter school shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language, measures of achievement, aptitude, or athletic ability.

Added by Laws 1999, c. 320, § 15, eff. July 1, 1999. Amended by Laws 2010, c. 288, § 3, eff. Nov. 1, 2010; Laws 2011, c. 185, § 1; Laws 2011, c. 367, § 3; Laws 2012, c. 367, § 2, eff. July 1, 2012.

NOTE: Laws 2010, c. 290, § 3 repealed by Laws 2011, c. 1, § 38, emerg. eff. March 18, 2011.

§70-3-141. Transportation.

A. Transportation shall be provided by the charter school in accordance with Sections 9-101 through 9-118 of Title 70 of the Oklahoma Statutes and only within the transportation boundaries of the school district in which the charter school is located.

B. A charter school shall provide the parent or guardian information regarding transportation at the time the student enrolls in the charter school.

Added by Laws 1999, c. 320, § 16, eff. July 1, 1999.

§70-3-142. Funding.

A. For purposes of funding, a charter school sponsored by a board of education of a school district shall be considered a site within the school district in which the charter school is located. The student membership of the charter school shall be considered separate from the student membership of the district in which the charter school is located for the purpose of calculating weighted average daily membership pursuant to Section 18-201.1 of this title and State Aid pursuant to Section 18-200.1 of this title. For charter schools sponsored by a board of education of a school district, the sum of the separate calculations for the charter school and the school district shall be used to determine the total State Aid allocation for the district in which the charter school is located. A charter school shall receive from the sponsoring school district, the State Aid allocation and any other state-appropriated revenue generated by its students for the applicable year, less up to five percent (5%) of the State Aid allocation, which may be retained by the school district as a fee for administrative services rendered. For charter schools sponsored by the board

of education of a technology center school district, a higher education institution, the State Board of Education, or a federally recognized Indian tribe, the State Aid allocation for the charter school shall be distributed by the State Board of Education and not more than five percent (5%) of the State Aid allocation may be charged by the sponsor as a fee for administrative services rendered. The State Board of Education shall determine the policy and procedure for making payments to a charter school. The fee for administrative services as authorized in this subsection shall only be assessed on the State Aid allocation amount and shall not be assessed on any other appropriated amounts.

B. The weighted average daily membership for the first year of operation of a charter school shall be determined initially by multiplying the actual enrollment of students as of August 1 by 1.333. The charter school shall receive revenue equal to that which would be generated by the estimated weighted average daily membership calculated pursuant to this subsection. At midyear, the allocation for the charter school shall be adjusted using the first quarter weighted average daily membership for the charter school calculated pursuant to subsection A of this section.

C. A charter school shall be eligible to receive any other aid, grants or revenues allowed to other schools. A charter school sponsored by the board of education of a technology center school district, a higher education institution, the State Board of Education, or a federally recognized Indian tribe shall be considered a local education agency for purposes of funding. A charter school sponsored by a board of education of a school district shall be considered a local education agency for purposes of federal funding.

D. A charter school, in addition to the money received from the state, may receive money from any other source. Any unexpended nonstate funds, excluding local revenue, may be reserved and used for future purposes.

E. Any charter school which chooses to lease property shall be eligible to receive current government lease rates. Added by Laws 1999, c. 320, § 17, eff. July 1, 1999. Amended by Laws 2004, c. 472, § 2, emerg. eff. June 7, 2004; Laws 2006, c. 278, § 1, eff. July 1, 2006; Laws 2007, c. 257, § 4; Laws 2010, c. 204, § 1; Laws 2010, c. 288, § 4, eff. Nov. 1, 2010; Laws 2011, c. 1, § 39, emerg. eff. March 18, 2011; Laws 2011, c. 184, § 1.

NOTE: Laws 2010, c. 290, § 4 repealed by Laws 2011, c. 1, § 40, emerg. eff. March 18, 2011.

§70-3-143. Reports.

The State Board of Education shall issue an annual report to the Legislature and the Governor outlining the status of charter schools in the state. Each charter school shall annually file a report with the Office of Accountability. The report shall include such information as requested by the Office of Accountability, including but not limited to information on enrollment, testing, curriculum, finances and employees. Added by Laws 1999, c. 320, § 18, eff. July 1, 1999.

§70-3-144. Charter Schools Incentive Fund.

A. There is hereby created in the State Treasury a fund to be designated the "Charter Schools Incentive Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies appropriated by the Legislature, gifts, grants, devises and donations from any public or private source. The State Department of Education shall administer the fund for the purpose of providing financial support to charter school applicants and charter schools for start-up costs and costs associated with renovating or remodeling existing buildings and structures for use by a charter school. The State Department of Education is authorized to allocate funds on a per-pupil basis for purposes of providing matching funds for the federal State Charter School Facilities Incentive Grants Program created pursuant to the No Child Left Behind Act, 20 USCA, Section 7221d.

B. The State Board of Education shall adopt rules to implement the provisions of this section, including application and notification requirements.

Added by Laws 1999, c. 351, § 16, emerg. eff. June 8, 1999.

Amended by Laws 2004, c. 472, § 3, emerg. eff. June 7, 2004.

§70-3-145.1. **Statewide Virtual Charter School Board.**

A. There is hereby created the **Statewide Virtual Charter School Board**. The Board shall have the authority to be an applicant for a full-time statewide virtual charter school sponsored by the State Board of Education pursuant to the Oklahoma Charter Schools Act. The Board shall be composed of five (5) voting members as follows:

1. One member appointed by the Governor, who shall be a resident and elector of the Fifth Congressional District;
2. Two members appointed by the President Pro Tempore of the Senate, one of whom shall be a resident and elector of the First Congressional District and one of whom shall be a resident and elector of the Third Congressional District;
3. Two members appointed by the Speaker of the House of Representatives, one of whom shall be a resident and elector of

the Second Congressional District and one of whom shall be a resident and elector of the Fourth Congressional District;

4. The State Superintendent of Public Instruction and the Secretary of Education or their designees shall serve as ex officio nonvoting members, and shall not be counted toward a quorum.

B. Initial appointments shall be made by August 1, 2012. The President Pro Tempore of the Senate and the Speaker of the House of Representatives shall each appoint one member for one (1) year and one member for three (3) years. The Governor shall appoint one member for two (2) years. Members shall serve until their successors are duly appointed for a term of three (3) years. Appointments shall be made by and take effect on November 1 of the year in which the appointment is made. Annually by December 30 the Board shall elect from its membership a chair and vice chair.

C. A member may be removed from the Board by the appointing authority for cause which shall include, but not be limited to:

1. Being found guilty by a court of competent jurisdiction of a felony or any offense involving moral turpitude;

2. Being found guilty of malfeasance, misfeasance or nonfeasance in relation to Board duties;

3. Being found mentally incompetent by a court of competent jurisdiction; or

4. Failing to attend three successive meetings of the Board without just cause, as determined by the Board.

D. Vacancies shall be filled by the appointing authority.

E. No member of the Senate or House of Representatives may be appointed to the Board while serving as a member of the Legislature, or for two (2) full years following the expiration of the term of office.

Added by Laws 2012, c. 367, § 3, eff. July 1, 2012.

§70-3-145.2. Meetings - Reimbursement.

A. The **Statewide Virtual Charter School Board** shall meet at the call of the chair. The first meeting of the Board shall be held no later than sixty (60) days after the effective date of this act.

B. Three members of the Board shall constitute a quorum and an affirmative vote of at least three members shall be required in order for the Board to take any final action.

C. Members of the Board shall receive necessary traveling expenses while in the performance of their duties in accordance with the State Travel Reimbursement Act. Members shall receive reimbursement from the State Department of Education.

Added by Laws 2012, c. 367, § 4, eff. July 1, 2012.

§70-3-145.3. Powers and duties.

A. Subject to limitations provided by the State Board of Education and subject to the requirements of the Oklahoma Charter Schools Act, the **Statewide Virtual Charter School Board** shall:

1. Be the governing body of the statewide virtual charter school;
2. Provide oversight of the operations of the statewide virtual charter school;
3. Negotiate and enter into contracts with providers of virtual education to provide academic content and with providers for the management and administration of the statewide virtual charter school;
4. Establish policies and procedures for student admissions eligibility, student transfers, approval of online courses, and student enrollment;
5. Submit annually, by November 1 of each year, to the Governor, President Pro Tempore of the Senate, and Speaker of the House of Representatives a report on each provider which has entered into a contract with the Board and each provider which has entered into a contract with a local school district to provide full-time virtual instruction to students who do not reside within the school district boundaries, that has detailed data on the performance of students enrolled with the provider through the statewide virtual charter school or school district offering full-time virtual education to students who do not reside within the school district. The report shall be posted on the State Department of Education website.

B. The **Statewide Virtual Charter School Board** shall have authority to issue a diploma to students enrolled in the statewide virtual charter school full-time who have completed the curriculum requirements for graduation as provided in Section 1210.523 of Title 70 of the Oklahoma Statutes and as determined by the Board.

C. Each provider approved by the statewide virtual charter school governed by the **Statewide Virtual Charter School Board** shall be eligible to receive federal funds generated by students enrolled in the charter school for the applicable year. Each provider shall be considered a separate school site for purposes of reporting and accountability.

D. As calculated as provided for in Section 3-142 of Title 70 of the Oklahoma Statutes, the **Statewide Virtual Charter School Board** shall receive the state aid allocation and any other state-appropriated revenue generated by students enrolled in the full-time statewide virtual charter school for the applicable year, less up to five percent (5%) of the state aid allocation, which may be retained by the State Board of

Education for administrative expenses, all other funds shall be passed along to the providers. The statewide virtual charter school shall be eligible for any other funding any other charter school is eligible for as provided for in Section 3-142 of Title 70 of the Oklahoma Statutes. Each provider shall be considered a separate school site for purposes of reporting and accountability.

E. Students enrolled full-time in the statewide virtual charter school governed by the **Statewide Virtual Charter School Board** shall not be authorized to participate in any activities administered by the Oklahoma Secondary Schools Activities Association. However, the students may participate in intramural activities sponsored by the Virtual Charter School, an online provider for the charter school or any other outside organization.

Added by Laws 2012, c. 367, § 5, eff. July 1, 2012.

§70-3-145.4. Authority to promulgate rules.

Pursuant to and in compliance with Article I of the Administrative Procedures Act, the State Board of Education shall promulgate rules as may be necessary to implement the provisions of this act.

Added by Laws 2012, c. 367, § 6, eff. July 1, 2012.

§70-3-145.5. Annual report.

Each school district which offers full-time virtual education to students who are not residents of the school district shall submit annually, by October 1 of each year, to the **Statewide Virtual Charter School Board**, a report on each provider which has entered into a contract with the school district. The report shall contain detailed data on the performance of students enrolled with the district who are receiving full-time instruction through a provider and do not reside within the school district.

Added by Laws 2012, c. 367, § 7, eff. July 1, 2012.

Statewide Virtual Charter School Board Suggested Meeting Dates

The board meets at the call of the chair as per 70 O.S. §3-145.2.

Suggested meeting dates are the second Tuesday of the month, with additional meetings called as necessary to consider applications. Regularly scheduled meetings require notification and listing at the Secretary of State 24 hours prior, and special meetings require posting at the Secretary of State 48 hours prior.

For the rest of 2013, the second Tuesday of the month are:

April 9

May 14

June 11

July 9

August 13

September 10

October 8

November 12

December 10