

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2413

By: Johns

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,
8 Section 5-200, which relates to educational
9 management organizations; modifying definition;
10 requiring new contracts only be executed with certain
11 educational management organizations; authorizing
12 certain contracts to remain effective until
13 expiration, termination, or renewal; and providing an
14 effective date.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 70 O.S. 2021, Section 5-200, is
17 amended to read as follows:

18 Section 5-200. A. As used in this section, "educational
19 management organization" means ~~a for-profit or nonprofit an~~
20 organization that receives public funds to provide administration
21 and management services for a charter school, statewide virtual
22 charter school or traditional public school.

23 B. Beginning November 1, 2023, a charter school or virtual
24 charter school that executes a new contract or renews a contract
with an educational management organization shall only contract with

1 an educational management organization that is a nonprofit
2 organization or a benefit corporation organized pursuant to the
3 Oklahoma Benefit Corporation Act. If a charter school or virtual
4 charter school has an existing contract with an educational
5 management organization that is not a nonprofit organization or
6 benefit corporation on or before October 1, 2023, the contract may
7 remain in effect until the contract term expires, terminates, or is
8 eligible for renewal.

9 C. A charter school that contracts with an educational
10 management organization shall use the Oklahoma Cost Accounting
11 System (OCAS) to report the total amount paid to an educational
12 management organization as well as itemized expenditure information
13 for the goods or services provided by the management organization as
14 defined by OCAS expenditure codes, including the total compensation
15 package of the superintendent including the base salary, insurance,
16 retirement and other fringe benefits.

17 ~~C.~~ D. Any owner of an educational management organization shall
18 be required to disclose to the governing board of the school in a
19 public meeting any ownership position in any business that contracts
20 or proposes to contract with the same public school that the
21 educational management organization is managing.

22 ~~D.~~ E. Whenever any person shall enter into a contract with any
23 school district or public charter school in the state to teach in
24 such school district or public charter school the contract shall be

1 binding on the teacher and on the board of education until the
2 teacher legally has been discharged from the teaching position or
3 released by the board of education from the contract. Except as
4 provided in Section 5-106A of Title 70 of the Oklahoma Statutes,
5 until such teacher has been thus discharged or released, the teacher
6 shall not have authority to enter into a contract with any other
7 board of education in Oklahoma for the same time covered by the
8 original contract. If upon written complaint by the board of
9 education in a district any teacher is reported to have failed to
10 obey the terms of the contract previously made and to have entered
11 into a contract with another board of education, including a public
12 charter school board of education, without having been released from
13 the former contract except as provided in Section 5-106A of Title 70
14 of the Oklahoma Statutes, the teacher, upon being found to be
15 employed full-time for another public school, including a public
16 charter school in the state, at a hearing held before the State
17 Board of Education, shall have such teacher's certificate suspended
18 for the remainder of the term for which the contract was made.

19 SECTION 2. This act shall become effective November 1, 2023.

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