

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 573

By: Standridge

4
5
6 AS INTRODUCED

7 An Act relating to charter schools; amending 70 O.S.
8 2011, Section 3-132, as last amended by Section 29,
9 Chapter 42, O.S.L. 2017 (70 O.S. Supp. 2018, Section
10 3-132), which relates to charter school sponsorship;
11 allowing a conversion school to consist of certain
12 sites; updating statutory references; providing an
13 effective date; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-132, as
16 last amended by Section 29, Chapter 42, O.S.L. 2017 (70 O.S. Supp.
17 2018, Section 3-132), is amended to read as follows:

18 Section 3-132. A. The Oklahoma Charter Schools Act shall apply
19 only to charter schools formed and operated under the provisions of
20 ~~the act~~ Section 3-130 et seq. of this title. Charter schools shall
be sponsored only as follows:

21 1. By any school district located in the State of Oklahoma,
22 provided such charter school shall only be located within the
23 geographical boundaries of the sponsoring district and subject to
24 the restrictions of Section 3-145.6 of this title;

1 2. By a technology center school district if the charter school
2 is located in a school district served by the technology center
3 school district in which all or part of the school district is
4 located in a county having more than five hundred thousand (500,000)
5 population according to the latest Federal Decennial Census;

6 3. By a technology center school district if the charter school
7 is located in a school district served by the technology center
8 school district and the school district has a school site that has
9 been identified as in need of improvement by the State Board of
10 Education pursuant to the Elementary and Secondary Education Act of
11 1965, as amended or reauthorized;

12 4. By an accredited comprehensive or regional institution that
13 is a member of The Oklahoma State System of Higher Education or a
14 community college if the charter school is located in a school
15 district in which all or part of the school district is located in a
16 county having more than five hundred thousand (500,000) population
17 according to the latest Federal Decennial Census;

18 5. By a comprehensive or regional institution that is a member
19 of The Oklahoma State System of Higher Education if the charter
20 school is located in a school district that has a school site that
21 has been identified as in need of improvement by the State Board of
22 Education pursuant to the Elementary and Secondary Education Act of
23 1965, as amended or reauthorized. In addition, the institution
24 shall have a teacher education program accredited by the Oklahoma

1 Commission for Teacher Preparation and have a branch campus or
2 constituent agency physically located within the school district in
3 which the charter school is located in the State of Oklahoma;

4 6. By a federally recognized Indian tribe, operating a high
5 school under the authority of the Bureau of Indian Affairs as of
6 November 1, 2010, if the charter school is for the purpose of
7 demonstrating native language immersion instruction, and is located
8 within its former reservation or treaty area boundaries. For
9 purposes of this paragraph, native language immersion instruction
10 shall require that educational instruction and other activities
11 conducted at the school site are primarily conducted in the native
12 language;

13 7. By the State Board of Education when the applicant of the
14 charter school is the Office of Juvenile Affairs or the applicant
15 has a contract with the Office of Juvenile Affairs to provide a
16 fixed rate level E, D, or D+ group home service and the charter
17 school is for the purpose of providing education services to youth
18 in the custody or supervision of the state. Not more than two
19 charter schools shall be sponsored by the Board as provided for in
20 this paragraph during the period of time beginning July 1, 2010,
21 through July 1, 2016;

22 8. By a federally recognized Indian tribe only when the charter
23 school is located within the former reservation or treaty area
24 boundaries of the tribe on property held in trust by the Bureau of

1 Indian Affairs of the United States Department of the Interior for
2 the benefit of the tribe; or

3 9. By the State Board of Education when the applicant has first
4 been denied a charter by the local school district in which it seeks
5 to operate. In counties with fewer than five hundred thousand
6 (500,000) population, according to the latest Federal Decennial
7 Census, the State Board of Education shall not sponsor more than
8 five charter schools per year each year for the first five (5) years
9 after ~~the effective date of this act~~ August 21, 2015, with not more
10 than one charter school sponsored in a single school district per
11 year. In order to authorize a charter school under this section,
12 the State Board of Education shall find evidence of all of the
13 following:

- 14 a. a thorough and high-quality charter school application
15 from the applicant based on the authorizing standards
16 in subsection B of Section 3-134 of this title,
- 17 b. a clear demonstration of community support for the
18 charter school, and
- 19 c. the grounds and basis of objection by the school
20 district for denying the operation of the charter are
21 not supported by the greater weight of evidence and
22 the strength of the application.

1 B. An eligible non-school-district sponsor shall give priority
2 to opening charter schools that serve at-risk student populations or
3 students from low-performing traditional public schools.

4 C. An eligible non-school-district sponsor shall give priority
5 to applicants that have demonstrated a record of operating at least
6 one school or similar program that demonstrates academic success and
7 organizational viability and serves student populations similar to
8 those the proposed charter school seeks to serve. In assessing the
9 potential for quality replication of a charter school, a sponsor
10 shall consider the following factors before approving a new site or
11 school:

12 1. Evidence of a strong and reliable record of academic success
13 based primarily on student performance data, as well as other viable
14 indicators, including financial and operational success;

15 2. A sound, detailed, and well-supported growth plan;

16 3. Evidence of the ability to transfer successful practices to
17 a potentially different context that includes reproducing critical
18 cultural, organizational and instructional characteristics;

19 4. Any management organization involved in a potential
20 replication is fully vetted, and the academic, financial and
21 operational records of the schools it operates are found to be
22 satisfactory;

1 5. Evidence the program seeking to be replicated has the
2 capacity to do so successfully without diminishing or putting at
3 risk its current operations; and

4 6. A financial structure that ensures that funds attributable
5 to each charter school within a network and required by law to be
6 utilized by a school remain with and are used to benefit that
7 school.

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

16 E. 1. For the purposes of the Oklahoma Charter Schools Act,
17 "conversion school" means a school created by converting all or any
18 part of a traditional public school in order to access any or all
19 flexibilities afforded to a charter school.

20 2. Prior to the board of education of a school district
21 converting all or any part of a traditional public school to a
22 conversion school, the board shall prepare a conversion plan. The
23 conversion plan shall include documentation that demonstrates and
24 complies with paragraphs 1, 2, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17,

1 19, 20, 21, 22, 23, 24, 34 and 35 of subsection B of Section 3-134
2 of this title. The conversion plan and all documents shall be in
3 writing and shall be available to the public pursuant to the
4 requirements of the Oklahoma Open Records Act. All votes by the
5 board of education of a school district to approve a conversion plan
6 shall be held in an open public session. If the board of education
7 of a school district votes to approve a conversion plan, the board
8 shall notify the State Board of Education within sixty (60) days
9 after the vote. The notification shall include a copy of the
10 minutes for the board meeting at which the conversion plan was
11 approved.

12 3. A conversion school shall comply with all the same
13 accountability measures as are required of a charter school as
14 defined in subsection D of this section. The provisions of Sections
15 3-140 and 3-142 of this title shall not apply to a conversion
16 school. Conversion schools shall comply with the same laws and
17 State Board of Education rules relating to student enrollment which
18 apply to traditional public schools. Conversion schools shall be
19 funded by the board of education of the school district as a school
20 site within the school district and funding shall not be affected by
21 the conversion of the school.

22 4. The board of education of a school district may vote to
23 revert a conversion school back to a traditional public school at
24

1 any time; provided, the change shall only occur during a break
2 between school years.

3 5. Unless otherwise provided for in this subsection, a
4 conversion school shall retain the characteristics of a traditional
5 public school.

6 F. A conversion school or a charter school may consist of a new
7 school site, new school sites or all or any portion of an existing
8 school site. An entire school district may not become a charter
9 school site.

10 SECTION 2. This act shall become effective July 1, 2019.

11 SECTION 3. It being immediately necessary for the preservation
12 of the public peace, health or safety, an emergency is hereby
13 declared to exist, by reason whereof this act shall take effect and
14 be in full force from and after its passage and approval.

15
16 57-1-328 EB 1/17/2019 8:45:49 AM
17
18
19
20
21
22
23
24
25