

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 700

By: Kidd

4  
5  
6 AS INTRODUCED

7 An Act relating to charter schools; amending 70 O.S.  
8 2011, Section 3-134, as amended by Section 2, Chapter  
9 170, O.S.L. 2015 (70 O.S. Supp. 2020, Section 3-134),  
10 which relates to charter school sponsor proposals;  
11 allowing certain charter school to be located where  
12 certain operated or contracted facility for youth is  
13 located; providing an effective date; and declaring  
14 an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-134, as  
17 amended by Section 2, Chapter 170, O.S.L. 2015 (70 O.S. Supp. 2020,  
18 Section 3-134), is amended to read as follows:

19 Section 3-134. A. For written applications filed after January  
20 1, 2008, prior to submission of the application to a proposed  
21 sponsor seeking to establish a charter school, the applicant shall  
22 be required to complete training which shall not exceed ten (10)  
23 hours provided by the State Department of Education on the process  
24 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

1 the Department determines to be efficient and effective including,  
2 but not limited to, web-based training.

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

7 1. A mission statement for the charter school;

8 2. A description including, but not limited to, background  
9 information of the organizational structure and the governing body  
10 of the charter school;

11 3. A financial plan for the first five (5) years of operation  
12 of the charter school and a description of the treasurer or other  
13 officers or persons who shall have primary responsibility for the  
14 finances of the charter school. Such person shall have demonstrated  
15 experience in school finance or the equivalent thereof;

16 4. A description of the hiring policy of the charter school;

17 5. The name of the applicant or applicants and requested  
18 sponsor;

19 6. A description of the facility and location of the charter  
20 school;

21 7. A description of the grades being served;

22 8. An outline of criteria designed to measure the effectiveness  
23 of the charter school;

1 9. A demonstration of support for the charter school from  
2 residents of the school district which may include but is not  
3 limited to a survey of the school district residents or a petition  
4 signed by residents of the school district;

5 10. Documentation that the applicants completed charter school  
6 training as set forth in subsection A of this section;

7 11. A description of the minimum and maximum enrollment planned  
8 per year for each term of the charter contract;

9 12. The proposed calendar for the charter school and sample  
10 daily schedule;

11 13. Unless otherwise authorized by law or regulation, a  
12 description of the academic program aligned with state standards;

13 14. A description of the instructional design of the charter  
14 school, including the type of learning environment, class size and  
15 structure, curriculum overview and teaching methods;

16 15. The plan for using internal and external assessments to  
17 measure and report student progress on the performance framework  
18 developed by the applicant in accordance with subsection C of  
19 Section 3-135 of this title;

20 16. The plans for identifying and successfully serving students  
21 with disabilities, students who are English language learners and  
22 students who are academically behind;

23 17. A description of cocurricular or extracurricular programs  
24 and how they will be funded and delivered;

- 1 18. Plans and time lines for student recruitment and  
2 enrollment, including lottery procedures;
- 3 19. The student discipline policies for the charter school,  
4 including those for special education students;
- 5 20. An organizational chart that clearly presents the  
6 organizational structure of the charter school, including lines of  
7 authority and reporting between the governing board, staff, any  
8 related bodies such as advisory bodies or parent and teacher  
9 councils and any external organizations that will play a role in  
10 managing the school;
- 11 21. A clear description of the roles and responsibilities for  
12 the governing board, the leadership and management team for the  
13 charter school and any other entities shown in the organizational  
14 chart;
- 15 22. The leadership and teacher employment policies for the  
16 charter school;
- 17 23. Proposed governing bylaws;
- 18 24. Explanations of any partnerships or contractual  
19 partnerships central to the operations or mission of the charter  
20 school;
- 21 25. The plans for providing transportation, food service and  
22 all other significant operational or ancillary services;
- 23 26. Opportunities and expectations for parental involvement;
- 24

1 27. A detailed school start-up plan that identifies tasks, time  
2 lines and responsible individuals;

3 28. A description of the financial plan and policies for the  
4 charter school, including financial controls and audit requirements;

5 29. A description of the insurance coverage the charter school  
6 will obtain;

7 30. Start-up and five-year budgets with clearly stated  
8 assumptions;

9 31. Start-up and first-year cash-flow projections with clearly  
10 stated assumptions;

11 32. Evidence of anticipated fundraising contributions, if  
12 claimed in the application;

13 33. A sound facilities plan, including backup or contingency  
14 plans if appropriate;

15 34. A requirement that the charter school governing board meet  
16 at a minimum quarterly in the state and that for those charter  
17 schools outside of counties with a population of five hundred  
18 thousand (500,000) or more, that a majority of members are residents  
19 within the geographic boundary of the sponsoring entity; and

20 35. A requirement that the charter school follow the  
21 requirements of the Oklahoma Open Meeting Act and Oklahoma Open  
22 Records Act.

23 C. A board of education of a public school district, public  
24 body, public or private college or university, private person, or

1 private organization may contract with a sponsor to establish a  
2 charter school. A private school shall not be eligible to contract  
3 for a charter school under the provisions of the Oklahoma Charter  
4 Schools Act.

5 D. The sponsor of a charter school is the board of education of  
6 a school district, the board of education of a technology center  
7 school district, a higher education institution, the State Board of  
8 Education, or a federally recognized Indian tribe which meets the  
9 criteria established in Section 3-132 of this title. Any board of  
10 education of a school district in the state may sponsor one or more  
11 charter schools. The physical location of a charter school  
12 sponsored by a board of education of a school district or a  
13 technology center school district shall be within the boundaries of  
14 the sponsoring school district. The physical location of a charter  
15 school sponsored by the State Board of Education when the applicant  
16 of the charter school is the Office of Juvenile Affairs shall be  
17 where an Office of Juvenile Affairs operated or contracted facility  
18 for youth is located. The physical location of a charter school  
19 otherwise sponsored by the State Board of Education pursuant to  
20 paragraph 8 of subsection A of Section 3-132 of this title shall be  
21 in the school district in which the application originated.

22 E. An applicant for a charter school may submit an application  
23 to a proposed sponsor which shall either accept or reject  
24 sponsorship of the charter school within ninety (90) days of receipt

1 of the application. If the proposed sponsor rejects the  
2 application, it shall notify the applicant in writing of the reasons  
3 for the rejection. The applicant may submit a revised application  
4 for reconsideration to the proposed sponsor within thirty (30) days  
5 after receiving notification of the rejection. The proposed sponsor  
6 shall accept or reject the revised application within thirty (30)  
7 days of its receipt. Should the sponsor reject the application on  
8 reconsideration, the applicant may appeal the decision to the State  
9 Board of Education with the revised application for review pursuant  
10 to paragraph 8 of subsection A of Section 3-132 of this title. The  
11 State Board of Education shall hear the appeal no later than sixty  
12 (60) days from the date received by the Board.

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

19 G. Applicants for charter schools proposed to be sponsored by  
20 an entity other than a school district pursuant to paragraph 1 of  
21 subsection A of Section 3-132 of this title may, upon rejection of  
22 the revised application, proceed to binding arbitration under the  
23 commercial rules of the American Arbitration Association with costs  
24 of the arbitration to be borne by the proposed sponsor. Applicants

1 for charter schools proposed to be sponsored by school districts  
2 pursuant to paragraph 1 of subsection A of Section 3-132 of this  
3 title may not proceed to binding arbitration but may be sponsored by  
4 the State Board of Education as provided in paragraph 8 of  
5 subsection A of Section 3-132 of this title.

6 H. If a board of education of a technology center school  
7 district, a higher education institution, the State Board of  
8 Education, or a federally recognized Indian tribe accepts  
9 sponsorship of a charter school, the administrative, fiscal and  
10 oversight responsibilities of the technology center school district,  
11 the higher education institution, or the federally recognized Indian  
12 tribe shall be listed in the contract. No responsibilities shall be  
13 delegated to a school district unless the local school district  
14 agrees to assume the responsibilities.

15 I. A sponsor of a public charter school shall have the  
16 following powers and duties:

17 1. Provide oversight of the operations of charter schools in  
18 the state through annual performance reviews of charter schools and  
19 reauthorization of charter schools for which it is a sponsor;

20 2. Solicit and evaluate charter applications;

21 3. Approve quality charter applications that meet identified  
22 educational needs and promote a diversity of educational choices;

23 4. Decline to approve weak or inadequate charter applications;



1           5. Negotiate and execute sound charter contracts with each  
2 approved public charter school;

3           6. Monitor, in accordance with charter contract terms, the  
4 performance and legal compliance of charter schools; and

5           7. Determine whether each charter contract merits renewal,  
6 nonrenewal or revocation.

7           J. Sponsors shall establish a procedure for accepting,  
8 approving and disapproving charter school applications in accordance  
9 with subsection E of this section.

10          K. Sponsors shall be required to develop and maintain  
11 chartering policies and practices consistent with recognized  
12 principles and standards for quality charter authorizing as  
13 established by the State Department of Education in all major areas  
14 of authorizing responsibility, including organizational capacity and  
15 infrastructure, soliciting and evaluating charter applications,  
16 performance contracting, ongoing charter school oversight and  
17 evaluation and charter renewal decision-making.

18          L. Sponsors acting in their official capacity shall be immune  
19 from civil and criminal liability with respect to all activities  
20 related to a charter school with which they contract.

21          SECTION 2. This act shall become effective July 1, 2021.

22          SECTION 3. It being immediately necessary for the preservation  
23 of the public peace, health or safety, an emergency is hereby

24  
25

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

58-1-1158 EB 1/21/2021 1:47:08 PM