

1 STATE OF OKLAHOMA

2 2nd Session of the 54th Legislature (2014)

3 SENATE BILL 1663

By: Ford

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5
6 AS INTRODUCED

7 An Act relating to charter schools; amending 70 O.S.
8 2011, Section 3-137, which relates to charter school
9 contracts; directing a sponsor to terminate a charter
10 school contract if the school receives certain grades
11 for a certain amount of time; amending Section 5,
12 Chapter 367, O.S.L. 2012, as amended by Section 5,
13 Chapter 212, O.S.L. 2013 (70 O.S. Supp. 2013, Section
14 3-145.3), which relates to the Statewide Virtual
15 Charter School Board; directing the Statewide Virtual
16 Charter School Board to terminate a statewide virtual
17 charter school contract if the school receives
18 certain grades for a certain amount of time;
19 providing an effective date; and declaring an
20 emergency.

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

22 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-137, is
23 amended to read as follows:

24 Section 3-137. 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

1 obligations of the contract or comply with the provisions of the
2 Oklahoma Charter Schools Act. A sponsor shall give written notice
3 of its intent to deny the request for renewal at least eight (8)
4 months prior to expiration of the contract.

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

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

20 D. Beginning with the 2014-15 school year, a sponsor shall
21 terminate a contract during the term of the contract if the charter
22 school has received a grade of "D" or lower for three (3)
23 consecutive years or has received a letter grade of "F" for two (2)
24 consecutive years under the grading system established pursuant to

1 Section 1210.545 of this title. The sponsor shall give at least
2 ninety (90) days' written notice to the governing board prior to
3 terminating the contract. The sponsor shall notify the State Board
4 of Education when it revokes the sponsorship of a charter school
5 pursuant to this subsection.

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

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

13 SECTION 2. AMENDATORY Section 5, Chapter 367, O.S.L.
14 2012, as amended by Section 5, Chapter 212, O.S.L. 2013 (70 O.S.
15 Supp. 2013, Section 3-145.3), is amended to read as follows:

16 Section 3-145.3. A. Subject to the requirements of the
17 Oklahoma Charter Schools Act, the Statewide Virtual Charter School
18 Board shall:

19 1. Provide oversight of the operations of statewide virtual
20 charter schools in this state; and

21 2. Establish a procedure for accepting, approving and
22 disapproving statewide virtual charter school applications and a
23 process for renewal or revocation of approved charter school
24

1 contracts which minimally meet the procedures set forth in the
2 Oklahoma Charter Schools Act.

3 B. Each statewide virtual charter school which has been
4 approved and sponsored by the Board or any virtual charter school
5 for which the Board has assumed sponsorship of as provided for in
6 Section 3-145.5 of this title shall be considered a statewide
7 virtual charter school and the geographic boundaries of each
8 statewide virtual charter school shall be the borders of the state.

9 C. Each statewide virtual charter school approved by the
10 Statewide Virtual Charter School Board shall be eligible to receive
11 federal funds generated by students enrolled in the charter school
12 for the applicable year. Each statewide virtual charter school
13 shall be considered a separate local education agency for purposes
14 of reporting and accountability.

15 D. As calculated as provided for in Section 3-142 of this
16 title, a statewide virtual charter school shall receive the State
17 Aid allocation and any other state-appropriated revenue generated by
18 students enrolled in the virtual charter school for the applicable
19 year, less up to five percent (5%) of the State Aid allocation,
20 which may be retained by the Statewide Virtual Charter School Board
21 for administrative expenses and to support the mission of the Board.
22 A statewide virtual charter school shall be eligible for any other
23 funding any other charter school is eligible for as provided for in
24 Section 3-142 of this title. Each statewide virtual charter school

1 shall be considered a separate local education agency for purposes
2 of reporting and accountability.

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

10 F. 1. Beginning with the 2014-15 school year, the Statewide
11 Virtual Charter School Board shall terminate the charter contract of
12 a statewide virtual charter school during the term of the contract
13 if the school has received a letter grade of "D" or lower for three
14 (3) consecutive years or has received a letter grade of "F" for two
15 (2) consecutive years under the grading system established pursuant
16 to Section 1210.545 of this title. The Statewide Virtual Charter
17 School Board shall give at least ninety (90) days' written notice to
18 the statewide virtual charter school prior to terminating the
19 contract.

20 2. The decision of the Statewide Virtual Charter School Board
21 to deny, nonrenew or terminate the charter contract of a statewide
22 virtual charter school may be appealed to the State Board of
23 Education within thirty (30) days of the decision by the Statewide
24 Virtual Charter School Board. The State Board of Education shall

1 act on the appeal within sixty (60) days of receipt of the request
2 from the statewide virtual charter school applicant. The State
3 Board of Education may reverse the decision of the Statewide Virtual
4 Charter School Board or may remand the matter back to the Statewide
5 Virtual Charter School Board for further proceeding as directed.

6 SECTION 3. This act shall become effective July 1, 2014.

7 SECTION 4. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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