

SENATE CHAMBER

STATE OF OKLAHOMA

DISPOSITION BY SENATE

FLOOR AMENDMENT

No. _____

(Date)

Mr./Madame President:

I move to amend Senate Bill No. 573, by striking the title, enacting clause and entire body of the bill and substituting the attached floor substitute.

Submitted by:

Senator Jolley

Jolley-EB-FS-Req#1601
3/11/2013 5:04 PM

STATE OF OKLAHOMA
1st Session of the 54th Legislature (2013)

FLOOR SUBSTITUTE

FOR

SENATE BILL NO. 573

By: Jolley of the Senate

and

Nelson of the House

FLOOR SUBSTITUTE

[charter schools - creating the Public Charter
School Commission - codification - effective dates]

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3-132.1 of Title 70, unless
there is created a duplication in numbering, reads as follows:

A. There is hereby created the Public Charter School
Commission. Effective July 1, 2014, the Commission shall have the
authority to authorize a charter school in any school district in
this state and, conditioned on compliance with the provisions of
this act, select and approve authorizing agents to authorize charter
schools in any school district in this state. The Commission shall
be composed of nine (9) members appointed by the Governor with the
advice and consent of the Senate. The membership shall consist of:

1 1. Two representatives of the business community;

2 2. One person who is a member of the administration of a
3 charter school in the state;

4 3. One teacher who is employed by a charter school in the
5 state; and

6 4. One representative selected from each of the five (5)
7 congressional districts.

8 B. Appointments shall be made by December 1, 2013. Terms for
9 initial appointments shall be three (3) years. Members shall serve
10 until their successors are duly appointed for a term of three (3)
11 years. The Commission shall elect from its membership a chair and
12 vice-chair annually by December 30.

13 C. Members shall serve at the pleasure of the Governor.

14 D. Vacancies shall be filled by the Governor in the same manner
15 as provided in subsection A of this section.

16 SECTION 2. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 3-132.2 of Title 70, unless
18 there is created a duplication in numbering, reads as follows:

19 A. The Public Charter School Commission shall meet at the call
20 of the chair. The first meeting of the Commission shall be held no
21 later than thirty (30) days after appointments have been made.

22 B. Five (5) members of the Commission shall constitute a quorum
23 and an affirmative vote of at least five (5) members shall be
24 required for the Commission to take any final action.

1 C. Members of the Commission shall receive necessary travel
2 expenses while in the performance of their duties in accordance with
3 the State Travel Reimbursement Act. Members shall receive
4 reimbursement from the State Department of Education.

5 SECTION 3. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 3-132.3 of Title 70, unless
7 there is created a duplication in numbering, reads as follows:

8 As used in the Oklahoma Charter Schools Act:

9 1. "Applicant" means the person, group of persons or entity
10 submitting a proposal for a public charter school to the Public
11 Charter School Commission. An "applicant" may include but is not
12 limited to a board of education of a public school district, public
13 body, public or private college or university or private
14 organization. An "applicant" shall not mean a private school;

15 2. "Authorizing agent" means one of the following types of
16 entities:

- 17 a. a school district with an average daily membership of
18 five thousand (5,000) or more and which all or part of
19 the school district is located in a county having more
20 than five hundred thousand (500,000) population
21 according to the latest Federal Decennial Census,
22 b. a school district that has a school site listed on the
23 school improvement list as determined by the State
24 Board of Education pursuant to the Elementary and

1 Secondary Education Act of 1965, as amended or
2 reauthorized,

3 c. a technology center school district if the charter
4 school is located in a school district served by the
5 technology center school district and the school
6 district has an average daily membership of five
7 thousand (5,000) or more and which all or part of the
8 school district is located in a county having more
9 than five hundred thousand (500,000) population
10 according to the latest Federal Decennial Census,

11 d. a technology center school district if the charter
12 school is located in a school district served by the
13 technology center school district and the school
14 district has a school site listed on the school
15 improvement list as determined by the State Board of
16 Education pursuant to the Elementary and Secondary
17 Education Act of 1965, as amended or reauthorized,

18 e. a comprehensive or regional institution that is a
19 member of The Oklahoma State System of Higher
20 Education if the charter school is located in a school
21 district that has an average daily membership of five
22 thousand (5,000) or more and which all or part of the
23 school district is located in a county having more
24 than five hundred thousand (500,000) population

1 according to the latest Federal Decennial Census. In
2 addition, the institution shall have a teacher
3 education program accredited by the Oklahoma
4 Commission for Teacher Preparation and have a branch
5 campus or constituent agency physically located within
6 the school district in which the charter school is
7 located,

8 f. a comprehensive or regional institution that is a
9 member of the Oklahoma State System of Higher
10 Education if the charter school is located in a school
11 district that has a school site listed on the school
12 improvement list as determined by the State Board of
13 Education pursuant to the Elementary and Secondary
14 Education Act of 1965, as amended or reauthorized. In
15 addition, the institution shall have a teacher
16 education program accredited by the Oklahoma
17 Commission for Teacher Preparation and have a branch
18 campus or constituent agency physically located within
19 the school district in which the charter school is
20 located,

21 g. a federally recognized Indian tribe, operating a high
22 school under the authority of the Bureau of Indian
23 Affairs as of November 1, 2010, if the charter school
24 is for the purpose of demonstrating native language

1 immersion instruction, and is located within its
2 former reservation or treaty area boundaries. For
3 purposes of this paragraph, native language immersion
4 instruction shall require that educational instruction
5 and other activities conducted at the school site are
6 primarily conducted in the native language, and

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

18 3. "Charter school" means a public school authorized by the
19 Public Charter School Commission to provide learning that will
20 improve student achievement and as defined in the Elementary and
21 Secondary Education Act of 1965, 20 U.S.C. 8065; and

22 4. "Commission" means the Public Charter School Commission,
23 which shall be the authorizer of charter schools and authorizing
24 agents in Oklahoma effective July 1, 2014.

1 SECTION 4. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3-132.4 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 A. The Public Charter School Commission shall have the
5 following powers and duties:

6 1. Formulate, adopt and promulgate rules as may be necessary to
7 implement the provisions of this act, in compliance with the
8 Administrative Procedures Act;

9 2. Establish high standards of expectation and rigor for
10 charter school applicants and charter school plans and ensure that
11 the charter school plan(s) adopted meet at least the following
12 standards:

- 13 a. require that public charter schools be as equally free
14 and open to all students as traditional public
15 schools,
- 16 b. require students be selected by lottery to ensure
17 fairness if more students apply than a school can
18 accommodate,
- 19 c. require public charter schools be subject to the same
20 academic standards and expectations as existing public
21 schools,
- 22 d. provide for public charter schools to receive funding
23 based on student enrollment in accordance with
24

1 statutory guidelines for funding existing public
2 schools,

3 e. give priority to opening public charter schools that
4 serve at-risk student populations or students from
5 low-performing public schools, and

6 f. require public charter schools specify the freedom
7 they seek from many regulations to demonstrate more
8 flexibility with a correlated impact on student
9 achievement to offer a more customized learning
10 experience for students;

11 3. Provide oversight of the operations of public charter
12 schools in the state through annual performance reviews of public
13 charter schools and reauthorization of public charter schools;

14 4. Solicit and evaluate charter applications;

15 5. Approve quality charter applications that meet identified
16 educational needs and promote a diversity of educational choices;

17 6. Decline to approve weak or inadequate charter applications;

18 7. Negotiate and execute sound charter contracts with each
19 approved public charter school;

20 8. Monitor, in accordance with charter contract terms, the
21 performance and legal compliance of public charter schools; and

22 9. Determine whether each charter contract merits renewal,
23 nonrenewal or revocation.

1 B. Regulation of applicants shall be limited to these powers
2 and duties and consistent with the spirit and intent of this act.

3 C. The Commission shall promulgate rules establishing a
4 procedure for accepting, approving and disapproving public charter
5 school applications. The procedure shall include a method by which
6 an applicant for a public charter school may submit an application
7 which shall either be accepted or rejected within ninety (90) days
8 of receipt of the application. If the application is rejected, the
9 Commission shall notify the applicant in writing of the reasons for
10 the rejection. The applicant may submit a revised application for
11 reconsideration to the Commission within thirty (30) days after
12 receiving notification of the rejection. The Commission shall
13 accept or reject the revised application within thirty (30) days of
14 its receipt.

15 D. The Commission shall be required to develop and maintain
16 chartering policies and practices consistent with nationally
17 recognized principles and standards for quality charter authorizing,
18 such as those established by the National Association of Charter
19 School Authorizers, in all major areas of authorizing responsibility
20 including: organizational capacity and infrastructure; soliciting
21 and evaluating charter applications; performance contracting;
22 ongoing public charter school oversight and evaluation; and charter
23 renewal decision making. The Commission shall carry out all its
24 duties under this act in a manner consistent with such nationally

1 recognized principles and standards with the spirit and intent of
2 this act.

3 E. The State Department of Education shall provide staff
4 support to the Commission.

5 F. The Commission, members of the Commission acting in their
6 official capacity, and employees of the Commission shall be immune
7 from civil and criminal liability with respect to all activities
8 related to a public charter school with which they contract.

9 G. Beginning in 2014, the Commission shall submit annually by
10 November 1, a report on policies, procedures and innovative methods
11 employed by public charter schools that show an improvement in
12 student achievement. The report shall be submitted to the Governor,
13 President Pro Tempore of the Senate and Speaker of the House of
14 Representatives as well as the Chairs of the Senate and House
15 committees that govern policy on common education. The report shall
16 include:

17 1. Recommendations to the Legislature on how to improve
18 education in this state based on best practices from public charter
19 school innovations;

20 2. A summary of the Commission's strategic vision for
21 chartering and progress toward achieving that vision;

22 3. A summary of the academic and financial performance of all
23 operating public charter schools overseen by the Commission
24

1 according to the performance expectations for public charter schools
2 set forth in this act;

3 4. A summary of the status of the state's public charter school
4 portfolio, identifying all public charter schools in each of the
5 following categories: approved but not yet open, operating, renewed,
6 transferred, revoked, not renewed, voluntarily closed or never
7 opened; and

8 5. A summary of the authorizing functions provided by the
9 Commission to the public charter schools under its purview,
10 including the Commission's operating costs and expenses detailed in
11 annual audited financial statements that conform with generally
12 accepted accounting principles.

13 SECTION 5. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 3-132.5 of Title 70, unless
15 there is created a duplication in numbering, reads as follows:

16 A. The Commission shall continually monitor the performance and
17 legal compliance of the public charter schools it oversees,
18 including collecting and analyzing data to support ongoing
19 evaluation according to the charter contract. The Commission shall
20 have the authority to conduct or require oversight activities that
21 enable the applicant to fulfill its responsibilities under this act,
22 including conducting appropriate inquiries and investigations, so
23 long as those activities are consistent with the intent of this act,
24 adhere to the terms of the charter contract and do not unduly

1 inhibit the autonomy granted to public charter schools. At a
2 minimum, the Commission shall:

3 1. Require sufficient reporting and submissions from each
4 charter school to allow the Commission to assess its educational,
5 financial and operational status;

6 2. Collect, analyze and report on student-level and school-
7 level performance data from state- or applicant-required external
8 assessments, including but not limited to an annual school
9 performance report presented to each school that summarizes the
10 school's results on its performance framework and performance
11 expectations;

12 3. Monitor legal compliance, financial propriety and compliance
13 with the material terms of the charter agreement;

14 4. Ensure that the rights of students with disabilities and
15 English language learners are being respected; and

16 5. Take timely and appropriate action in response to concerns
17 over violations of law or of the school's charter agreement.

18 B. The Commission shall annually publish and provide as part of
19 its annual report to the State Superintendent of Public Instruction
20 and the Legislature a performance report for each public charter
21 school it oversees, in accordance with the performance framework set
22 forth in the charter contract and this act. The Commission may
23 require each public charter school it oversees to submit an annual
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1 report to assist in gathering complete information about each
2 school, consistent with the performance framework.

3 C. In the event that a public charter school's performance or
4 legal compliance appears unsatisfactory, the Commission shall
5 promptly notify the public charter school of the perceived problem
6 and provide reasonable opportunity for the school to remedy the
7 problem, unless the problem warrants revocation of the charter, in
8 which case the revocation time frames will apply.

9 D. The Commission shall have the authority to take appropriate
10 corrective actions or exercise sanctions short of revocation in
11 response to apparent deficiencies in public charter school
12 performance or legal compliance. Such actions or sanctions may
13 include, if warranted, requiring a school to develop and execute a
14 corrective action plan within a specified time frame.

15 SECTION 6. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 3-132.6 of Title 70, unless
17 there is created a duplication in numbering, reads as follows:

18 A. The Commission may give priority to applicants that have
19 demonstrated a record of operating at least one (1) school or
20 similar program that demonstrates academic success and
21 organizational viability and serves student populations similar to
22 those the proposed school seeks to serve.

1 B. In assessing a program's potential for quality replication,
2 the Commission shall consider the following factors before approving
3 a new site or distinct school:

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

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

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

11 4. Any management organization involved in a potential
12 replication is fully vetted and its academic, financial and
13 operational records are found to be satisfactory;

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

17 6. A financial structure that ensures that funds attributable
18 to each district school within a network and required by law to be
19 utilized by a school remain with and are used to benefit that
20 school.

21 SECTION 7. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 3-132.7 of Title 70, unless
23 there is created a duplication in numbering, reads as follows:
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1 Closure of a charter school by the Commission shall be in
2 accordance with the following protocol:

3 1. Within two (2) calendar weeks of a final closure
4 determination, the Commission shall meet with the school's board and
5 leadership to establish a transition team composed of school staff,
6 applicant staff and others designated by the applicant that will
7 attend to the closure, including:

- 8 a. the transfer of students,
- 9 b. student records, and
- 10 c. school funds;

11 2. The Commission and transition team shall communicate
12 regularly and effectively with families of students enrolled in the
13 school as well as with school staff and other stakeholders to keep
14 them apprised of key information regarding the school's closure,
15 their options and risks;

16 3. The Commission and transition team shall ensure that current
17 instruction of students enrolled in the school continues per the
18 charter agreement for the remainder of the school year;

19 4. The Commission and transition team shall ensure that all
20 necessary and prudent notifications are issued to agencies,
21 employees, insurers, contractors, creditors, debtors and management
22 organizations; and
23
24

1 5. The school's board will continue to meet as necessary to
2 take actions needed to wind down school operations, manage school
3 finances, allocate resources and facilitate all aspects of closure.

4 SECTION 8. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 3-132.8 of Title 70, unless
6 there is created a duplication in numbering, reads as follows:

7 A. Prior to submission of an application to the Public Charter
8 School Commission seeking to establish a charter school, the
9 applicant shall be required to complete training which shall not
10 exceed ten (10) hours provided by the Public Charter School
11 Commission on the process and requirements for establishing a
12 charter school. The Commission shall develop and implement the
13 training by July 1, 2014. The Commission may provide the training
14 in any format and manner that the Commission determines to be
15 efficient and effective including, but not limited to, web-based
16 training.

17 B. An applicant seeking to establish a charter school shall
18 submit a written application to the Public Charter School Commission
19 as prescribed in this section. The application shall include:

- 20 1. An executive summary;
- 21 2. The mission and vision of the proposed public charter
22 school, including identification of the targeted student population
23 and the community the school hopes to serve;
- 24 3. The location or geographic area proposed for the school;

- 1 4. The grades to be served each year for the full term of the
2 charter contract;
- 3 5. Minimum, planned and maximum enrollment per grade per year
4 for the term of the charter contract;
- 5 6. Evidence of need and community support for the proposed
6 public charter school;
- 7 7. Background information on the proposed founding governing
8 board members and, if identified, the proposed school leadership and
9 management team;
- 10 8. The school's proposed calendar and sample daily schedule;
- 11 9. A description of the academic program aligned with state
12 standards;
- 13 10. A description of the school's instructional design,
14 including the type of learning environment, class size and
15 structure, curriculum overview and teaching methods;
- 16 11. The school's plan for using internal and external
17 assessments to measure and report student progress on the
18 performance framework developed by the applicant in accordance with
19 Section 9 of this act;
- 20 12. The school's plans for identifying and successfully serving
21 students with disabilities, students who are English language
22 learners, students who are academically behind and gifted students,
23 including but not limited to compliance with applicable laws and
24 regulations;

- 1 13. A description of co-curricular or extracurricular programs
2 and how they will be funded and delivered;
- 3 14. Plans and timelines for student recruitment and enrollment,
4 including lottery procedures;
- 5 15. The school's student discipline policies, including those
6 for special education students;
- 7 16. An organization chart that clearly presents the school's
8 organizational structure, including lines of authority and reporting
9 between the governing board, staff, any related bodies such as
10 advisory bodies or parent and teacher councils and any external
11 organizations that will play a role in managing the school;
- 12 17. A clear description of the roles and responsibilities for
13 the governing board, the school's leadership and management team and
14 any other entities shown in the organization chart;
- 15 18. A staffing chart for the school's first year and a staffing
16 plan for the term of the charter;
- 17 19. Plans for recruiting and developing school leadership and
18 staff;
- 19 20. The school's leadership and teacher employment policies,
20 including performance evaluation plans;
- 21 21. Proposed governing bylaws;
- 22 22. Explanations of any partnerships or contractual
23 partnerships central to the school's operations or mission;
- 24

1 23. The school's plans for providing transportation, food
2 service and all other significant operational or ancillary services;
3 24. Opportunities and expectations for parent involvement;
4 25. A detailed school start-up plan, identifying tasks,
5 timelines and responsible individuals;
6 26. A description of the school's financial plan and policies,
7 including financial controls and audit requirements;
8 27. A description of the insurance coverage the school will
9 obtain;
10 28. Start-up and five-year budgets with clearly stated
11 assumptions;
12 29. Start-up and first-year cash-flow projections with clearly
13 stated assumptions;
14 30. Evidence of anticipated fundraising contributions, if
15 claimed in the application; and
16 31. A sound facilities plan, including back-up or contingency
17 plans if appropriate.

18 C. In the case of an application to establish a public charter
19 school by converting an existing non-charter public school to public
20 charter school status, the application shall additionally require
21 the applicants to demonstrate support for the proposed public
22 charter school conversion by a petition signed by a majority of
23 teachers and a petition signed by a majority of parents or legal
24 guardians of students in the existing non-charter public school.

1 D. In the case of a proposal to establish a virtual public
2 charter school, the application shall additionally require the
3 applicants to describe the proposed school's system of course
4 credits and how the school will:

5 1. Monitor and verify full-time student enrollment, student
6 participation in a full course load, credit accrual and course
7 completion;

8 2. Monitor and verify student progress and performance in each
9 course through regular, proctored assessments and submissions of
10 coursework;

11 3. Conduct parent-teacher conferences; and

12 4. Administer state-required assessments to all students in a
13 proctored setting.

14 E. In the case of a proposed public charter school that intends
15 to contract with an education service provider for substantial
16 educational services, management services or both types of services,
17 the application shall additionally require the applicants to:

18 1. Provide evidence of the education service provider's success
19 in serving student populations similar to the targeted population,
20 including demonstrated academic achievement as well as successful
21 management of non-academic school functions if applicable;

22 2. Provide a term sheet setting forth the proposed duration of
23 the service contract; roles and responsibilities of the governing
24 board, the school staff and the service provider; the scope of

1 services and resources to be provided by the service provider;
2 performance evaluation measures and timelines; compensation
3 structure, including clear identification of all fees to be paid to
4 the service provider; methods of contract oversight and enforcement;
5 investment disclosure; and conditions for renewal and termination of
6 the contract; and

7 3. Disclose and explain any existing or potential conflicts of
8 interest between the school governing board and proposed service
9 provider or any affiliated business entities.

10 F. In the case of a public charter school proposal from an
11 applicant that currently operates one or more schools in any state
12 or nation, the application shall additionally require the applicant
13 to provide evidence of past performance and current capacity for
14 growth.

15 G. In reviewing and evaluating charter applications, the
16 Commission shall employ procedures, practices and criteria
17 consistent with nationally recognized principles and standards for
18 quality charter authorizing, such as those established by the
19 National Association of Charter School Authorizers. The application
20 review process shall include thorough evaluation of each written
21 charter application, an in-person interview with the applicant group
22 and an opportunity in a public forum for local residents to learn
23 about and provide input on each application.

1 H. In deciding whether to approve charter applications, the
2 Commission shall:

3 1. Grant charters only to applicants that have demonstrated
4 competence in each element of the Commission's published approval
5 criteria and are likely to open and operate a successful public
6 charter school;

7 2. Base decisions on documented evidence collected through the
8 application review process; and

9 3. Follow charter-granting policies and practices that are
10 transparent, based on merit and avoid conflicts of interest or any
11 appearance thereof.

12 I. The Commission shall adopt by resolution all charter
13 approval or denial decisions in an open meeting of the Commission.

14 J. An approval decision may include, if appropriate, reasonable
15 conditions that the charter applicant must meet before a charter
16 contract may be executed.

17 K. For any charter denial, the Commission shall clearly state,
18 for public record, its reasons for denial.

19 L. If the Commission rejects the revised application for a
20 charter school, the applicant may proceed to binding arbitration as
21 provided in the Dispute Resolution Act and the rules promulgated
22 pursuant thereto. The applicant shall contact the early settlement
23 program for the county in which the charter school would be located.
24 If the parties proceed to binding arbitration, a panel of three

1 arbitrators shall be appointed by the director of the early
2 settlement program handling the dispute. The applicant shall pay
3 the cost for any mediation or arbitration requested pursuant to this
4 section.

5 M. The Commission shall notify the State Board of Education
6 when it authorizes an application for a public charter school.

7 SECTION 9. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 3-132.9 of Title 70, unless
9 there is created a duplication in numbering, reads as follows:

10 A. An applicant for a charter school approved by the Public
11 Charter School Commission shall enter into a written contract with
12 the Commission. The contract shall incorporate the provisions of
13 the charter of the charter school and contain, but shall not be
14 limited to, the following provisions:

15 1. The administrative, fiscal and oversight responsibilities of
16 the Commission;

17 2. A description of the program to be offered by the school
18 which complies with the purposes of this act;

19 3. Admission policies and procedures;

20 4. Management and administration of the charter school;

21 5. Requirements and procedures for program and financial
22 audits;

23 6. A description of how the charter school will comply with the
24 charter requirements set forth in this act;

1 7. Assumption of liability by the charter school;

2 8. The academic and operational performance expectations and
3 measures by which the public charter school will be judged. The
4 performance expectations and measures set forth in the charter
5 contract shall include but not be limited to applicable federal and
6 state accountability requirements. The performance provisions may
7 be refined or amended by mutual agreement after the public charter
8 school is operating and has collected baseline achievement data for
9 its enrolled students;

10 9. The administrative relationship between the applicant and
11 public charter school, including each party's rights and duties;

12 10. Information relating to any third party management
13 organization or network; and

14 11. The standards by which the charter school will be judged
15 for renewal, non-renewal or revocation of its charter.

16 B. The performance provisions within the charter contract shall
17 be based on a performance framework that clearly sets forth the
18 academic and operational performance indicators, measures and
19 metrics that will guide the Commission's evaluations of each public
20 charter school. The performance framework shall include indicators,
21 measures and metrics for, at a minimum:

22 1. Student academic proficiency;

23 2. Student academic growth;

1 3. Achievement gaps in both proficiency and growth between
2 major student subgroups;
3 4. Attendance;
4 5. Recurrent enrollment from year to year;
5 6. Postsecondary readiness for high schools;
6 7. Financial performance and sustainability; and
7 8. Governing board performance and stewardship, including
8 compliance with all applicable laws, regulations and terms of the
9 charter contract.

10 C. Annual performance targets shall be set by each public
11 charter school in conjunction with its applicant and shall be
12 designed to help each school meet applicable federal, state and
13 applicant expectations.

14 The performance framework shall allow the inclusion of
15 additional rigorous, valid and reliable indicators proposed by a
16 public charter school to augment external evaluations of its
17 performance, provided that the Commission approves the quality and
18 rigor of such school-proposed indicators, and that they are
19 consistent with the purposes of this act.

20 The performance framework shall require the disaggregation of
21 all student performance data by major student subgroups, including
22 gender, race, poverty status, special education status, English
23 learner status and gifted status.

1 For each public charter school it oversees, the Commission shall
2 be responsible for collecting, analyzing and reporting all data from
3 state assessments in accordance with the performance framework.

4 Multiple schools operating under a single charter contract or
5 overseen by a single governing board shall be required to report
6 their performance as separate, individual schools, and each school
7 shall be held independently accountable for its performance.

8 D. The charter contract for a virtual public charter school
9 shall include the description and agreement regarding the methods by
10 which the school will:

11 1. Monitor and verify full-time student enrollment, student
12 participation in a full course load, credit accrual and course
13 completion;

14 2. Monitor and verify student progress and performance in each
15 course through regular, proctored assessments and submissions of
16 coursework;

17 3. Conduct parent-teacher conferences; and

18 4. Administer state-required assessments to all students in a
19 proctored setting.

20 E. The charter contract shall be signed by the members of the
21 Commission and the president of the public charter school's
22 governing body.

1 F. No public charter school may commence operations without a
2 charter contract executed in accordance with this provision and
3 approved in an open meeting of the Commission.

4 G. The Commission may establish reasonable pre-opening
5 requirements or conditions to monitor the start-up progress of newly
6 approved public charter schools and ensure that they are prepared to
7 open smoothly on the date agreed, and to ensure that each school
8 meets all building, health, safety, insurance and other legal
9 requirements for school opening.

10 H. A charter school shall not enter into an employment contract
11 with any teacher or other personnel until the charter school has an
12 approved contract with the Public Charter School Commission. The
13 employment contract shall set forth the personnel policies of the
14 charter school, including, but not limited to, policies related to
15 certification, professional development evaluation, suspension,
16 dismissal and nonreemployment, sick leave, personal business leave,
17 emergency leave, and family and medical leave. The contract shall
18 also specifically set forth the salary, hours, fringe benefits, and
19 work conditions. The contract may provide for employer-employee
20 bargaining, but the charter school shall not be required to comply
21 with the provisions of Sections 509.1 through 509.10 of Title 70 of
22 the Oklahoma Statutes.

23 Upon contracting with any teacher or other personnel, the
24 governing body of the charter school shall, in writing, disclose

1 employment rights of the employees in the event the charter school
2 closes or the charter is not renewed.

3 I. A charter contract may consist of an applicant for one or
4 more schools, to the extent approved by the Commission and
5 consistent with applicable law. Each public charter school that is
6 part of a charter contract shall be separate and distinct from any
7 others.

8 J. An applicant or the governing board of an applicant may hold
9 one or more charter contracts. Each public charter school that is
10 part of a charter contract shall be separate and distinct from any
11 others.

12 SECTION 10. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 3-132.10 of Title 70, unless
14 there is created a duplication in numbering, reads as follows:

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

17 1. A charter school shall comply with all federal regulations
18 and state and local rules and statutes relating to health, safety,
19 civil rights and insurance. By July 1, 2014, the Public Charter
20 School Commission shall prepare a list of relevant rules and
21 statutes which a charter school must comply with as required by this
22 paragraph and shall annually provide an update to the list;

23 2. A charter school shall be nonsectarian in its programs,
24 admission policies, employment practices, and all other operations.

1 The Commission may not authorize a charter school or program that is
2 affiliated with a nonpublic sectarian school or religious
3 institution;

4 3. The charter school may provide a comprehensive program of
5 instruction for a prekindergarten program, a kindergarten program or
6 any grade between grades one and twelve. Instruction may be
7 provided to all persons between the ages of four (4) and twenty-one
8 (21) years. A charter school may offer a curriculum which
9 emphasizes a specific learning philosophy or style or certain
10 subject areas such as mathematics, science, fine arts, performance
11 arts, or foreign language. The charter of a charter school which
12 offers grades nine through twelve shall specifically address whether
13 the charter school will comply with the graduation requirements
14 established in Section 11-103.6 of Title 70 of the Oklahoma
15 Statutes. No charter school shall be chartered for the purpose of
16 offering a curriculum for deaf or blind students that is the same or
17 similar to the curriculum being provided by or for educating deaf or
18 blind students that are being served by the Oklahoma School for the
19 Blind or the Oklahoma School for the Deaf;

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

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

5 6. A charter school, to the extent possible, shall be subject
6 to the same reporting requirements, financial audits, audit
7 procedures, and audit requirements as a school district. The
8 Commission or State Auditor and Inspector may conduct financial,
9 program, or compliance audits. A charter school shall use the
10 Oklahoma Cost Accounting System to report financial transactions to
11 the Public Charter School Commission;

12 7. A charter school shall ensure that the rights of English
13 language learners and other special populations will be respected,
14 their needs addressed and applicable rules, regulations and laws
15 complied with. A charter school shall comply with all federal and
16 state laws relating to the education of children with disabilities
17 in the same manner as a school district;

18 8. A charter school shall provide for a governing body for the
19 school which shall be responsible for the policies and operational
20 decisions of the charter school. Each such charter school governing
21 body shall ensure that it operates in accordance with its bylaws and
22 that the governing body accepts and cannot delegate ultimate
23 responsibility for the school and its academic performance,
24 financial and operational viability, including the responsibility to

1 oversee any management organization or network, and hold that entity
2 accountable for its performance;

3 9. A charter school shall not be used as a method of generating
4 revenue for students who are being home schooled and are not being
5 educated at an organized charter school site;

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

7 11. A charter school shall provide instruction each year for at
8 least the number of days required in Section 1-109 of Title 70 of
9 the Oklahoma Statutes;

10 12. A charter school shall comply with the student suspension
11 requirements provided for in Section 24-101.3 of Title 70 of the
12 Oklahoma Statutes;

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

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

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

21 16. A charter school shall comply with the Oklahoma Open
22 Meeting Act and the Oklahoma Open Records Act; and
23
24

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

4 B. The charter of a charter school shall include a description
5 of the personnel policies, personnel qualifications, and method of
6 school governance, and the specific role and duties of the applicant
7 of the charter school.

8 C. The charter of a charter school may be amended at the
9 request of the governing body of the charter school and upon the
10 approval of the Commission.

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

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

15 F. The charter of a charter school shall include a provision
16 specifying the method or methods to be employed for disposing of
17 real and personal property acquired by the charter school upon
18 expiration or termination of the charter or failure of the charter
19 school to continue operations. Except as otherwise provided, any
20 real or personal property purchased with state or local funds shall
21 be retained by the Public Charter School Commission.

22 SECTION 11. NEW LAW A new section of law to be codified
23 in the Oklahoma Statutes as Section 3-132.11 of Title 70, unless
24 there is created a duplication in numbering, reads as follows:

1 A. An approved contract for a charter school shall be effective
2 for five (5) years from the first day of operation.

3 B. A charter may be renewed for successive five-year terms of
4 duration, although the Public Charter School Commission may vary the
5 term based on the performance, demonstrated capacities and
6 particular circumstances of each public charter school. The
7 Commission may grant renewal with specific conditions for necessary
8 improvements to a public charter school.

9 C. Prior to the beginning of the fifth year of operation for a
10 charter school, the Commission shall issue a public charter school
11 performance report and charter renewal application guidance to the
12 school. The performance report shall summarize the public charter
13 school's performance record to date, based on the data required by
14 this act and the charter contract, and shall provide notice of any
15 weaknesses or concerns perceived by the Commission concerning the
16 public charter school that may jeopardize its position in seeking
17 renewal if not timely rectified. The public charter school shall
18 have forty-five (45) days to respond to the performance report and
19 submit any corrections or clarifications for the report.

20 D. The renewal application guidance shall, at a minimum,
21 provide an opportunity for the public charter school to:

22 1. Present additional evidence, beyond the data contained in
23 the performance report, supporting its case for charter renewal;
24

1 2. Describe improvements undertaken or planned for the school;

2 and

3 3. Detail the school's plan for the next charter term.

4 E. The renewal application guidance shall include or refer
5 explicitly to the criteria that will guide the Commission's renewal
6 decisions, which shall be based on the performance framework set
7 forth in the charter contract and consistent with this act.

8 F. The charter school may apply for renewal of the contract
9 with the Commission. The Commission may deny the request for
10 renewal if it determines the charter school has failed to complete
11 the obligations of the contract or comply with the provisions of the
12 Oklahoma Charter Schools Act. The Commission shall give written
13 notice of its intent to deny the request for renewal at least eight
14 (8) months prior to expiration of the contract.

15 G. In making charter renewal decisions, the Commission shall:

16 1. Ground its decisions in evidence of the school's performance
17 over the term of the charter contract in accordance with the
18 performance framework set forth in the charter contract;

19 2. Grant renewal only to schools that have achieved the
20 standards, targets and performance expectations as stated in the
21 charter contract, are organizationally and fiscally viable and have
22 been faithful to the terms of the contract and applicable law;

23 3. In any event, not renew any charter school that has been
24 identified by the state in its education accountability system as

1 among the state's lowest fifteen percent (15%) of public schools,
2 unless the charter school demonstrates exceptional circumstances
3 that the Commission finds justifiable;

4 4. Ensure that data used in making renewal decisions are
5 available to the school and the public; and

6 5. Provide a public report summarizing the evidence basis for
7 each decision.

8 H. If the Commission denies a request for renewal, the
9 governing board of the public charter school may proceed to
10 mediation or binding arbitration or both as provided for in
11 subsection L of Section 8 of this act.

12 I. The Commission may terminate a contract during the term of
13 the contract for failure to meet the requirements for student
14 performance contained in the contract, failure to meet the standards
15 of fiscal management, violations of the law, or other good cause.
16 The Commission shall give at least ninety (90) days' written notice
17 to the governing board of the public charter school prior to
18 terminating the contract. The governing board may request, in
19 writing, an informal hearing before the Commission within fourteen
20 (14) days of receiving notice. The Commission shall conduct an
21 informal hearing before taking action. If the Commission decides to
22 terminate a contract, the governing board may proceed to mediation
23 or binding arbitration or both as provided for in subsection L of
24 Section 8 of this act.

1 J. Transfer of a charter contract from one applicant to another
2 before the expiration of the charter term shall not be permitted
3 except by special petition to the Commission by a public charter
4 school or its applicant. The Commission shall review such petitions
5 on a case-by-case basis and may grant transfer requests in response
6 to special circumstances and evidence that a transfer would serve
7 the best interests of the public charter school's students.

8 K. If a contract is not renewed or is terminated according to
9 this section, a student who attended the charter school may enroll
10 in the resident school district of the student or may apply for a
11 transfer in accordance with Section 8-103 of Title 70 of the
12 Oklahoma Statutes.

13 L. The Commission shall develop revocation and non-renewal
14 processes that are consistent with this act and that:

15 1. Provide the public charter school with a timely notification
16 of the prospect of revocation or non-renewal and of the reasons for
17 such possible closure;

18 2. Allow the public charter school a reasonable amount of time
19 in which to prepare a response;

20 3. Provide the public charter school with an opportunity to
21 submit documents and give testimony challenging the rationale for
22 closure and in support of the continuation of the school at an
23 orderly proceeding held for that purpose;

1 4. Allow the public charter school access to representation by
2 counsel and to call witnesses on its behalf;

3 5. Permit the recording of such proceedings; and

4 6. After a reasonable period for deliberation, require a final
5 determination be made and conveyed in writing to the public charter
6 school.

7 M. If the Commission revokes or does not renew a charter, the
8 Commission shall clearly state in a resolution the reasons for the
9 revocation or nonrenewal.

10 SECTION 12. NEW LAW A new section of law to be codified
11 in the Oklahoma Statutes as Section 3-132.12 of Title 70, unless
12 there is created a duplication in numbering, reads as follows:

13 A. A public charter school shall enroll those students whose
14 legal residence is within the boundaries of the school district in
15 which the charter school is located and who submit a timely
16 application, or those students who transfer to the district in which
17 the charter school is located in accordance with Section 8-103 or 8-
18 104 of Title 70 of the Oklahoma Statutes, unless the number of
19 applications exceeds the capacity of a program, class, grade level,
20 or building. Students who reside in a school district where a
21 charter school is located shall not be required to obtain a transfer
22 in order to attend a charter school in the school district of
23 residence. If capacity is insufficient to enroll all eligible
24 students, the charter school shall select students through a lottery

1 selection process. A charter school shall give enrollment
2 preference to eligible students who reside within the boundaries of
3 the school district in which the charter school is located and who
4 attend a school site listed on the school improvement list as
5 determined by the State Board of Education pursuant to the
6 Elementary and Secondary Education Act of 1965, as amended or
7 reauthorized. A charter school may limit admission to students
8 within a given age group or grade level.

9 B. A charter school created to serve youth who are in the
10 custody or supervision of the Office of Juvenile Affairs shall limit
11 admission to youth that are in the custody or supervision of the
12 Office of Juvenile Affairs.

13 C. A virtual charter school shall enroll those students who are
14 legal residents of this state and who have been approved for a
15 transfer pursuant to Section 8-103 or 8-104 of Title 70 of the
16 Oklahoma Statutes.

17 D. A charter school shall admit students who reside in the
18 attendance area of a school or in a school district that is under a
19 court order of desegregation or that is a party to an agreement with
20 the United States Department of Education Office for Civil Rights
21 directed towards mediating alleged or proven racial discrimination
22 unless notice is received from the resident school district that
23 admission of the student would violate the court order or agreement.
24

1 E. A charter school may designate a specific geographic area
2 within the school district in which the charter school is located as
3 an academic enterprise zone and may limit admissions to students who
4 reside within that area. An academic enterprise zone shall be a
5 geographic area in which sixty percent (60%) or more of the children
6 who reside in the area qualify for the free or reduced school lunch
7 program.

8 F. Except as otherwise provided in this section, a charter
9 school shall not limit admission based on ethnicity, national
10 origin, gender, income level, disabling condition, proficiency in
11 the English language, measures of achievement, aptitude, or athletic
12 ability.

13 SECTION 13. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 3-132.13 of Title 70, unless
15 there is created a duplication in numbering, reads as follows:

16 A. For purposes of funding, a public charter school shall be
17 considered a site within the school district in which the charter
18 school is located. The student membership of the charter school
19 shall be considered separate from the student membership of the
20 district in which the charter school is located for the purpose of
21 calculating weighted average daily membership pursuant to Section
22 18-201.1 of Title 70 of the Oklahoma Statutes and State Aid pursuant
23 to Section 18-200.1 of Title 70 of the Oklahoma Statutes. The
24 weighted average daily membership shall be reported to the State

1 Board of Education. A charter school shall receive from the State
2 Board of Education the State Aid allocation and any other state-
3 appropriated revenue generated by its students for the applicable
4 year, less up to 5 percent of the State Aid allocation, with two and
5 one-half percent (2.5%) allocated to the Public Charter School
6 Commission and two and one-half percent (2.5%) to the charter school
7 applicant for administrative services rendered. The State Board of
8 Education shall determine the policy and procedure for making
9 payments to a charter school. The fee for administrative services
10 as authorized in this subsection shall only be assessed on the State
11 Aid allocation amount and shall not be assessed on any other
12 appropriated amounts.

13 B. The weighted average daily membership for the first year of
14 operation of a charter school shall be determined initially by
15 multiplying the actual enrollment of students as of August 1 by
16 1.333. The charter school shall receive revenue equal to that which
17 would be generated by the estimated weighted average daily
18 membership calculated pursuant to this subsection. At midyear, the
19 allocation for the charter school shall be adjusted using the first
20 quarter weighted average daily membership for the charter school
21 calculated pursuant to subsection A of this section.

22 C. A charter school shall be eligible to receive any other aid,
23 grants or revenues allowed to other schools. A charter school shall
24

1 be considered a local education agency for purposes of federal
2 funding.

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

7 E. Any charter school which chooses to lease property shall be
8 eligible to receive current government lease rates.

9 SECTION 14. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 3-132.14 of Title 70, unless
11 there is created a duplication in numbering, reads as follows:

12 Beginning July 1, 2014, the Public Charter School Commission
13 shall be the only entity authorized in the state to approve
14 applications for public charter schools. If the sponsor of any
15 charter school operating in the state prior to July 1, 2014, seeks
16 continuation of the charter school's operation upon expiration of
17 the sponsorship contract, the sponsor shall submit an application as
18 an applicant to the Commission for renewal of the contract. The
19 application for renewal shall comply with the requirements set forth
20 in Section 8 of this act.

21 SECTION 15. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 3-132.15 of Title 70, unless
23 there is created a duplication in numbering, reads as follows:

24

1 A. The board of education of a school district which is granted
2 approval by the Public Charter School Commission to operate a public
3 charter school shall determine whether a teacher who is employed by
4 or teaching at the charter school and who was previously employed as
5 a teacher at the applicant public school district shall not lose any
6 right of salary status or any other benefit provided by law due to
7 teaching at a charter school upon returning to the applicant public
8 school district to teach.

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

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

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

18 SECTION 16. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 3-132.16 of Title 70, unless
20 there is created a duplication in numbering, reads as follows:

21 Beginning July 1, 2014, the Public Charter School Commission
22 shall be the authorizer of charter schools in the state. However,
23 it may enter into agreement(s) with authorizing agents as defined in
24 Section 3 of this act to act on its behalf to perform the duties of

1 the Commission as prescribed in this act. The Commission and
2 authorizing agents shall enter into an agreement for no more than
3 four (4) years that specifically requires the authorizing agent to
4 implement the provisions of this act prior to authorizing or
5 reauthorizing a charter school. The Commission shall have the duty
6 and power to routinely inspect the authorizing agents' protocols to
7 ensure they comply with the minimum standards prescribed in this
8 act.

9 SECTION 17. AMENDATORY Section 3, Chapter 367, O.S.L.
10 2012 (70 O.S. Supp. 2012, Section 3-145.1), is amended to read as
11 follows:

12 Section 3-145.1. A. There is hereby created until July 1,
13 2014, the Statewide Virtual Charter School Board. The Board shall
14 have the authority to be an applicant for a full-time statewide
15 virtual charter school sponsored by the State Board of Education
16 pursuant to the Oklahoma Charter Schools Act. The Board shall be
17 composed of five (5) voting members as follows:

18 1. One member appointed by the Governor, who shall be a
19 resident and elector of the Fifth Congressional District;

20 2. Two members appointed by the President Pro Tempore of the
21 Senate, one of whom shall be a resident and elector of the First
22 Congressional District and one of whom shall be a resident and
23 elector of the Third Congressional District;

24

1 3. Two members appointed by the Speaker of the House of
2 Representatives, one of whom shall be a resident and elector of the
3 Second Congressional District and one of whom shall be a resident
4 and elector of the Fourth Congressional District;

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

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

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

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

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

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

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

3 D. Vacancies shall be filled by the appointing authority.

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

8 SECTION 18. AMENDATORY Section 5, Chapter 367, O.S.L.
9 2012 (70 O.S. Supp. 2012, Section 3-145.3), is amended to read as
10 follows:

11 Section 3-145.3. A. Subject to limitations provided by the
12 State Board of Education and subject to the requirements of the
13 Oklahoma Charter Schools Act, the Statewide Virtual Charter School
14 Board shall:

15 1. Be the governing body of the statewide virtual charter
16 school;

17 2. Provide oversight of the operations of the statewide virtual
18 charter school;

19 3. Negotiate and enter into contracts with providers of virtual
20 education to provide academic content and with providers for the
21 management and administration of the statewide virtual charter
22 school;

1 4. Establish, prior to July 1, 2014, policies and procedures
2 for student admissions eligibility, student transfers, approval of
3 online courses, and student enrollment;

4 5. Submit annually, by November 1 of each year, to the
5 Governor, President Pro Tempore of the Senate, and Speaker of the
6 House of Representatives a report on each provider which has entered
7 into a contract with the Board and each provider which has entered
8 into a contract with a local school district to provide full-time
9 virtual instruction to students who do not reside within the school
10 district boundaries, that has detailed data on the performance of
11 students enrolled with the provider through the statewide virtual
12 charter school or school district offering full-time virtual
13 education to students who do not reside within the school district.
14 The report shall be posted on the State Department of Education
15 website.

16 B. The Statewide Virtual Charter School Board shall have
17 authority to issue a diploma to students enrolled in the statewide
18 virtual charter school full-time who have completed the curriculum
19 requirements for graduation as provided in Section 1210.523 of Title
20 70 of the Oklahoma Statutes and as determined by the Board.

21 C. Each provider approved by the statewide virtual charter
22 school governed by the Statewide Virtual Charter School Board shall
23 be eligible to receive federal funds generated by students enrolled
24 in the charter school for the applicable year. Each provider shall

1 be considered a separate school site for purposes of reporting and
2 accountability.

3 D. As calculated as provided for in Section 3-142 of Title 70
4 of the Oklahoma Statutes, the Statewide Virtual Charter School Board
5 shall receive the state aid allocation and any other state-
6 appropriated revenue generated by students enrolled in the full-time
7 statewide virtual charter school for the applicable year, less up to
8 five percent (5%) of the state aid allocation, which may be retained
9 by the State Board of Education for administrative expenses, all
10 other funds shall be passed along to the providers. The statewide
11 virtual charter school shall be eligible for any other funding any
12 other charter school is eligible for as provided for in Section 3-
13 142 of Title 70 of the Oklahoma Statutes. Each provider shall be
14 considered a separate school site for purposes of reporting and
15 accountability.

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

23 SECTION 19. REPEALER 70 O.S. 2011, Sections 3-132, as
24 amended by Section 1, Chapter 367, O.S.L. 2012, 3-134, 3-135, 3-136,

1 3-137, 3-139, 3-140, as amended by Section 2, Chapter 367, O.S.L.
2 2012, 3-142 and 3-143 (70 O.S. Supp. 2012, Sections 3-132 and 3-
3 140), are hereby repealed.

4 SECTION 20. Sections 1 through 18 of this act shall become
5 effective November 1, 2013.

6 SECTION 21. Section 19 of this act shall become effective July
7 1, 2014.

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