

CHARTER SCHOOL APPLICATION AND CONTRACT RENEWAL PROCESS

Applications submitted for charter school status should be submitted to the office of the superintendent. Upon receipt of the application, it is ~~expected~~ required by law that the application will be reviewed and acted upon by the senior staff, the superintendent, and the Gore Board of Education within ~~20 business~~ sixty (60) days of receipt of the application. ~~The board of education may convert all or any part of a traditional public school site into a charter school which may be operated by the board of education or by an independent operating board elected by and accountable to the board of education.~~ The physical location of any charter school sponsored or operated by board of education shall be within the geographical boundaries of the school district. If the charter school application is denied, the applicant may submit a revised application to the school district board of education, which shall approve or deny the revised application within sixty (60) days of receipt of the revised application.

Board approval of a charter school application will allow the board's legal counsel and senior staff to prepare a charter school contract with the applicant. The contract will contain all of the legal requirements set forth by 70 O.S. § 3-~~135~~134. The contract will need to be approved by the board of education and executed in accordance with district policy.

Approved charter schools will be given a school year budget equivalent to the district's prior school year audited expenditure per student multiplied by the charter school's projected enrollment. The charter school's budget will be adjusted in January, based on actual enrollment at the end of the first nine weeks of school. Budget deductions will be made for use of district services.

The charter school may participate in any federal or state grant program for which it is eligible. Any such funding received will be in addition to the school's budget. The school will make all expenditures in compliance with all applicable local board policies, and state regulations and statutes.

The board of education will accept written proposals from any legally authorized entity wishing to establish a charter school. At a minimum, the proposal must contain the following:

1. A mission statement for the character school;
2. A description including, but not limited to, background information of the organizational structure and the governing body of the charter school.
3. A financial plan for the first five (5) years of operation of the charger school and a description of the treasurer or other officers or persons who shall have primary responsibilities for the finances of the charter school. Such person shall have demonstrated experience in school finance of the equivalent thereof;
4. A description of the hiring policy of the charter school;
5. The name of the applicant or applicants and the required sponsor;
6. A description of the facility and location of the charter school;
7. A description of the grades being served;
8. An outline of criteria designed to measure the effectiveness of the charter school;
9. Documentation that the applicants completed training as set forth in 70 O.S. Section 3-134(A);

CHARTER SCHOOL, APPLICATION PROCESS (Cont.)

1. A description of the minimum and maximum enrollment planned per year for each term of the charter contract;
2. The proposed calendar for the charter school and sample daily schedule;
3. Unless otherwise authorized by law or regulation, a description of the academic program aligned with state standards;
4. A description of the instructional design of the charter school, including the type of learning environment, class size and structure, curriculum overview and teaching methods;
5. The plan for using internal and external assessments to measure and report student progress on the performance framework developed by the applicant in accordance with 70 O.S. § 3-135;
6. The plans for identifying and successfully serving students with disabilities, students who are English language learners and students who are academically behind;
7. A description of cocurricular or extracurricular programs and how they will be funded and delivered;
8. Plans and timelines for student recruitment and enrollment including lottery procedures;
9. The student discipline policies for the charter school including those for special education students;
10. An organizational charter that clearly presents the organizational structure of the charter school, including lines of authority and reporting between the governing board, staff, any related bodies such as advisory bodies or parent and teacher councils, and any external organizations that will play a role in managing the staff;
11. A clear description of the roles and responsibilities for the governing board, the leadership and management team for the charter school, and any other entities shown in the organizational chart;
12. The leadership and teacher employment practices for the charter school;
13. Proposed governing bylaws;
14. Explanations of any partnerships or contractual partnerships central to the operations or mission of the charter school;
15. Plans for providing transportation, food service and all other significant operational or ancillary services;
16. Opportunities and expectations for parental involvement;
17. A detailed school start-up plan that identifies tasks, timelines and responsible individuals;
18. A description of the financial plan and policies for the charter school, including financial controls and audit requirements;
19. A description of the insurance coverage the charter school will obtain;

CHARTER SCHOOL, APPLICATION PROCESS (Cont.)

10. Start-up and five-year budgets with clearly stated assumptions;
11. Start-up and first-year cash-flow projections with clearly stated assumptions;
12. Evidence of anticipated fundraising contributions, if claimed in the application;
13. A sound facilities plan, including backup or contingency plans if appropriate;
14. A requirement that the charter school governing board meet no fewer than ten (10) months of the year in the state and that for those charter schools outside of counties with a population of five hundred thousand (500,000) or more, that a minimum of two (2) members are residents within the geographic boundary of the charter school;
15. A requirement that the charter school follow the requirements of the Open Meeting Act and Oklahoma Open Records Act; and
16. A copy of any proposed contract between the governing board of a charter school and an educational management organization, as defined by 70 O.S. Section 5-200, which meets the requirements of the Oklahoma Charter Schools Act.

The applicant should be informed by the board of education that the applicant will assume any and all liability associated with the operation of the proposed charter school.

After the proposal is received by the board of education, the board will accept or reject the proposal ~~within ninety (90) days~~ at a lawfully convened meeting of the board of education. Written notification of the acceptance or rejection, and the reasons therefor, will be mailed to the applicants by certified mail, return receipt requested. If the proposal is accepted, the board shall notify the State Board of Education of the sponsorship and shall include in such notice a copy of the charter of the charter school. If the proposal is rejected, the applicants may resubmit a revised application for reconsideration within thirty (30) days of the rejection, and the board will respond to the revised application within ~~sixty (60) thirty (30) days~~ of receipt of the revised application.

~~If rejected, the applicant may appeal the decision to the State Board of Education with the revised application for review. The State Board of Education shall hear the appeal no later than sixty (60) days from the date received by the board. In order to authorize a charter school that has been rejected by the local school district board of education, the State Board of Education shall find evidence of all of the following:~~

- ~~a. A thorough and high quality application from the applicant based upon the authorizing standards set forth in 70 O.S. § 3-134;~~
- ~~b. A clear demonstration of community support for the charter school, and~~
- ~~c. The grounds and basis of objection by the school district denying the operation of the charter are not supported by the greater weight of evidence and the strength of the application.~~

If the proposal is accepted, the charter school cannot begin serving students until such time as a charter contract is executed and approved in an open meeting of the board of education. The school district board of education may establish reasonable preopening requirements or conditions to monitor the start-up process of the charter school and to

CHARTER SCHOOL, APPLICATION PROCESS (Cont.)

ensure that the charter school meets all building, health, safety, insurance and other legal requirements for the opening of a school. The charter school will be required to submit performance data to the State Department of Education as required by law.

Approved contracts shall be effective for five (5) years from the first day of operation. A charter contract may be renewed for successive ~~five-ten-~~year terms of duration. The school district may grant renewal with specific conditions for necessary improvements to a charter school.

Prior to the beginning of the ~~final fourth~~ year of ~~the contract term operation~~ of a charter school, the school administration shall issue a charter school performance report and charter renewal application guidance to the school board and to the charter school board. The performance report shall summarize the performance record to date of the charter school, based on the data required by the Oklahoma Charter Schools Act, the annual performance framework evaluation, a review of the contract with an educational management organization if the charter school contracts with an educational management organization, and the charter contract. ~~The performance review report~~ shall take into consideration the percentage of at-risk students enrolled in the charter school. ~~and shall~~ The performance report shall provide notice of any weaknesses, or concerns, violations or deficiencies perceived by the sponsor that may jeopardize its position in seeking renewal if not timely rectified. If there are weaknesses, concerns, violations of deficiencies the sponsor may require a charter school to develop a corrective action plan and corresponding timeline to remedy the weaknesses, concerns, violations of deficiencies. The charter school shall have forty-five (45) days to respond to the performance report and submit any corrections or clarification for the report. If the charter school does not substantially complete the corrective action plan, the sponsor may choose to revoke or not renew the charter contract.

Prior to the beginning of the ~~fifth final~~ year of operation, the charter school may apply for renewal of the contract with the school district. The renewal application guidance shall, at a minimum, provide an opportunity for the charter school to:

- a. Present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal,
- b. Describe the improvements undertaken or planned for the school, and
- c. Detail the plan for the next charter school term for the school.

The school district may deny the request for renewal of sponsorship of the charter school if it is determined that the charter school has failed to complete the obligations of the contract and performance framework or to comply with the provisions of the Oklahoma Charter School Act. The school district must give written notice of its intent to deny the request for renewal at least eight (8) months prior to expiration of the contract in accordance with 70 O.S. § 3-137.

At the time of charter renewal, the school district board of education may close a charter school for performance issues as set forth in 70 O.S. § 3-137. ~~If a school district board fails to close a charter school for performance issues, the school district administration shall appear before the State Board of Education to provide support for the decision not to close the charter school. The State Board of Education may, by majority vote, uphold or overturn the decision of the school district board of education.~~

The school district may terminate a contract during the term of the contract for failure to meet the requirements for student performance contained in the contract, failure to meet the standards of fiscal management, violations of the law, or other good cause.

CHARTER SCHOOL, APPLICATION PROCESS (Cont.)

Prior to official action to deny renewal or to terminate a contract, the school district will give at least ninety (90) days' written notice to the governing board prior to terminating the contract. The written notice will include the prospect of revocation or nonrenewal and of the reasons for the possible closure. The charter school governing board may request, in writing, an informal hearing before the school district board of education within fourteen (14) days of receiving notice. If a hearing is requested, a special meeting of the school district board of education will be called. The school district shall conduct an informal hearing before taking action. At the informal hearing, the charter school will be given an opportunity to submit documents and give testimony challenging the rationale for closure and in support of the continuing of the school. The charter school may be represented by legal counsel. The informal hearing may be recorded, and official minutes of the meeting shall be maintained in accordance with the Oklahoma Open Records Act. After a reasonable period of deliberation, a final determination will be made by the board of education and a formal resolution adopted which clearly states the reason for the revocation or nonrenewal.

~~If a school district decides to terminate a contract for performance issues, the governing board of the school district may, if requested by the charter school, proceed to binding arbitration as set forth in 70 O.S. § 3-134.~~

Within two (2) calendar weeks of a final closure determination, the administration of the school district shall meet with the governing board and leadership of the charter school to establish a transition team composed of school staff, applicant staff, and others designated by the applicant that will attend to the closure including the transfer of students, student records, and school funds in accordance with 70 O.S. § 3-137. The governing board of the charter school shall continue to meet as necessary to wind down school operations, manage school finances, allocate resources, and facilitate all aspects of closures.

REFERENCE: 70 O.S. §3-134 et seq.

REVIEW NOTE: The list of items required in the application has been reworked to reflect the order as listed in the current statute at 70 O.S. Section 3-134. It was too complicated to track changes, so we replaced the entire list.

There are no geographical limitations to where an applicant may file a request for a charter school, as a result, we would recommend all common education school districts consider adopting this policy.