

(F)(2) Ensuring successful conditions for high-performing charter schools and other innovative schools (40 points)

The extent to which—

- (i) The State has a charter school law that does not prohibit or effectively inhibit increasing the number of high-performing charter schools (as defined in this notice) in the State, measured (as set forth in Appendix B) by the percentage of total schools in the State that are allowed to be charter schools or otherwise restrict student enrollment in charter schools;
- (ii) The State has laws, statutes, regulations, or guidelines regarding how charter school authorizers approve, monitor, hold accountable, reauthorize, and close charter schools; in particular, whether authorizers require that student achievement (as defined in this notice) be one significant factor, among others, in authorization or renewal; encourage charter schools that serve student populations that are similar to local district student populations, especially relative to high-need students (as defined in this notice); and have closed or not renewed ineffective charter schools;
- (iii) The State's charter schools receive (as set forth in Appendix B) equitable funding compared to traditional public schools, and a commensurate share of local, State, and Federal revenues;
- (iv) The State provides charter schools with funding for facilities (for leasing facilities, purchasing facilities, or making tenant improvements), assistance with facilities acquisition, access to public facilities, the ability to share in bonds and mill levies, or other supports; and the extent to which the State does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools; and
- (v) The State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

In the text box below, the State shall describe its current status in meeting the criterion. The narrative or attachments shall also include, at a minimum, the evidence listed below, and how each piece of evidence demonstrates the State's success in meeting the criterion. The narrative and attachments may also include any additional information the State believes will be helpful to peer reviewers. For attachments included in the Appendix, note in the narrative the location where the attachments can be found.

Evidence for (F)(2)(i):

- A description of the State's applicable laws, statutes, regulations, or other relevant legal documents.
- The number of charter schools allowed under State law and the percentage this represents of the total number of schools in the State.
- The number and types of charter schools currently operating in the State.

Evidence for (F)(2)(ii):

- A description of the State's approach to charter school accountability and authorization, and a description of the State's applicable laws, statutes, regulations, or other relevant legal documents.
- For each of the last five years:
 - The number of charter school applications made in the State.
 - The number of charter school applications approved.
 - The number of charter school applications denied and reasons for the denials (academic, financial, low enrollment, other).
 - The number of charter schools closed (including charter schools that were not reauthorized to operate).

Evidence for (F)(2)(iii):

- A description of the State's applicable statutes, regulations, or other relevant legal documents.
- A description of the State's approach to charter school funding, the amount of funding passed through to charter schools per student, and how those amounts compare with traditional public school per-student funding allocations.

Evidence for (F)(2)(iv):

- A description of the State's applicable statutes, regulations, or other relevant legal documents.
- A description of the statewide facilities supports provided to charter schools, if any.

Evidence for (F)(2)(v):

- A description of how the State enables LEAs to operate innovative, autonomous public schools (as defined in this notice) other than charter schools.

Recommended maximum response length: Six pages

(F)(2)(i) and (ii)

Ensuring Successful Conditions for High Performing Charter Schools and Other Innovative Schools

Oklahoma's Charter Schools Act, OKLA. STAT. tit. 70, § 3-130 et seq. (See Appendix F2-1, OK. STAT. tit. 70 § 3-130) does not "prohibit the increase in the number of high-performing charter schools by the percentage of total schools in the state that are allowed to be charter schools." Moreover, there is no maximum allowable number of charter schools in the state—i.e., there is no absolute cap. A board of education of a public school district, a public body, a public or private college or university, a private person, or a private organization may establish a charter school.

The limitations in the Oklahoma Charter Schools Act regarding the formation of charter schools are as follows. First, an entire school district may not become a charter school site. Second, no more than three new charter schools may be established per fiscal year in one county (allowing for a 33% annual growth in charter schools per fiscal year). Third, eligible sponsors of charter schools are school districts, technology centers and institutions of the Oklahoma State System of Higher Education located in a school district that has an average daily membership of 5,000 or more and located in a county with at least 500,000 residents. (Institutes of higher education must also have a teacher education program accredited by the Oklahoma Commission for Teacher Preparation.) Fourth, state law requires applicants to complete a ten hour training developed by the Oklahoma State Department of Education on the process and requirements for establishing a charter school.

Because of the demographic constraints outlined above, charter schools may be authorized in Tulsa and Oklahoma counties—the most populous counties of the state and the counties with the highest percentages of low-income students as measured by students qualifying for free/reduced lunch (85.49% and 76.92% respectively). These two counties also have the highest percentages of minority students. Under these parameters, twelve LEAs, and five technology centers and 4 institutions of higher education may be sponsors of a charter school in Oklahoma. At this date, 2 LEAs—Oklahoma City Public Schools and Tulsa Public

Schools—now sponsor a charter school (a combined total of 18 charter schools). (Tulsa Public Schools also has a Knowledge is Power Program (KIPP) school, operating under a “contract,” as opposed to a charter school arrangement.) Two institutes of higher education sponsor 4 charter schools. As part of the state’s education reform agenda, Oklahoma intends to **lift the cap** limiting the growth of charter schools (the condition that there be no more than three charter schools established per fiscal year).

Oklahoma’s laws, regulations and guidance support the creation and long-term success of charter schools, especially in high need areas. The stated purpose of the Charter Schools Act is to:

1. Improve student learning;
2. Increase learning opportunities for students;
3. Encourage the use of different and innovative teaching methods;
4. Provide additional academic choices for parents and students;
5. Require the measurement of student learning and create different and innovative forms of measuring student learning;
6. Establish new forms of accountability for schools; and
7. Create new professional opportunities for teachers and administrators including the opportunity to be responsible for the learning program at the school site.

Moreover, pursuant to OKLA. STAT. tit. 70, § 1210.544 (See Appendix E1-2, OKLA. STAT. tit. 70, § 1210.544) , the charter school governance arrangement is one of the five turnaround options available to the governing LEA for a school which has been identified for school improvement by the Oklahoma State Board of Education for four consecutive years. The effectiveness of the charter schools themselves is also subject to review because a sponsor may terminate its agreement with a charter school (subject to due process procedures) for failure to meet the student performance standards contained in the agreement. Charter schools exercise increased autonomy in return for this accountability. Charter school contracts can be approved for no longer than five years at a

time, and must include criteria by which effectiveness of the school will be measured. Sponsors must give written notice and explanation of their intent to deny requests for renewal at least 8 months prior to expiration of contracts. However, if a charter school fails to meet the standards outlined in its contract, its sponsor may give only 90 days written notice of intent to terminate. Charter schools are accountable for both academic results and fiscal practices to several groups—their sponsor, the parents who choose them and the public that funds them. The governance of a charter school is with its specific Board of Directors and not with the sponsoring organization. The management of the charter school is “site-based” and is the responsibility of the Chief Executive Officer.

Like any public school, charter schools receive state funding through the State Aid funding formula, set by law. The funding per student is the same amount as in the state funding formula, less up to five percent which may be retained by the sponsoring district as a fee for administrative services rendered. In addition, public school districts receive local, county, and state dedicated revenue which is considered part of the state formula when determining the amount of state funding the district will generate. Charter Schools, on the other hand, do not receive any local, county, or state dedicated revenue, so these schools receive full state funding through the state formula. Finally, charter schools are specifically allowed to receive money from any other source, including grants and donations, which they may reserve for future use. The Charter Schools Incentive Fund assists those interested in establishing charter schools. Applicants are eligible for up to \$50,000 for start-up costs. The state does not impose any facility-related requirements on charter schools that are stricter than those applied to traditional public schools. Charter schools will be included in Tulsa and Oklahoma City plans.

Oklahoma will continue supporting LEAs in their efforts to operate innovative public schools by encouraging districts to allow schools increased autonomy over their budgets, human resources, and curriculum in exchange for greater accountability for results. This includes promoting the contract school model that currently is being used in Tulsa with KIPP. At the state level, Oklahoma will provide districts with more autonomy in exchange for increased accountability for results. The state will do this by

expanding its waiver program, through which LEAs can apply for waivers from state regulations.

Additional Data Regarding Charter Schools, as Requested:

Applications Filed in last 5 years	Presented 14 applications to 10 sponsors
Applications Approved in last 5 years	2005: 2 schools; 2006: 1 school; 2007: 0 schools; 2008: 1 school; 2009: 2 schools (Sante Fe South, Dove (Tulsa and Oklahoma City), Astec)
Applications Denied in last five years	9
Charters Closed in last 5 years	0 (One charter voluntarily terminated its sponsorship with Tulsa Public Schools and is now sponsored by Langston University.)