

## **CHAPTER 10. STATEWIDE CHARTER SCHOOLS AND STATEWIDE VIRTUAL CHARTER SCHOOLS**

### **SUBCHAPTER 1. GENERAL PROVISIONS**

#### **777:10-1-2. Definitions**

The following words and terms, when used in this Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

**"Act"** means the Oklahoma Charter Schools Act.

**"Charter school"** means any school sponsored by the Statewide Charter School Board in accordance with the requirements of the Oklahoma Charter Schools Act for the purpose of providing full-time public school courses of instruction for pre-kindergarten through twelfth (12th) grade students whose legal residence is located within the boundaries of the school district.

**"Charter school site"** or **"school site"** or **"virtual charter school site"** means the physical location of any facility or structure, leased or owned by the school, other than the legal residence of a student or the parent/legal guardian of a student, for use by a charter school or virtual charter school to provide face-to-face or virtual instruction to students enrolled in the charter school or virtual charter school per 70 O.S. § 3-132.2(c)(1-2).

**"Educational Management Organization"** or **"EMO"** means a for-profit or nonprofit organization that receives public funds to provide administration and management services for a charter school, virtual charter school, or traditional public school.

**"Face-to-face instruction"** means any in-person tutoring, educational instruction, or any other activity provided by the charter school or virtual charter school to an enrolled student for which the student's physical presence and/or participation is used by the charter school or virtual charter school to earn credit for a virtual course, meet the instructional requirements of 70 O.S. § 1-111 and/or be counted toward the student's compulsory attendance requirements set forth at Art. 13, § 4 of the Oklahoma Constitution, 70 O.S. § 10-105, and/or accompanying regulations of the State Department of Education relating to student attendance.

**"OCAS"** means the Oklahoma Cost Accounting System.

**"SCSB"** or **"Board"** means the Statewide Charter School Board.

**"Statewide virtual charter school"** means any charter school sponsored by the Statewide Charter School Board in accordance with the requirements of the Oklahoma Charter Schools Act for the purpose of providing full-time virtual public school courses of instruction for Pre-K through twelfth (12th) grade students whose legal residence is located within the State of Oklahoma.

#### **777:10-1-3. School establishment requirements**

**(a) Information Technology Systems and Facilities.** By July 1 of the first year of operation, the school shall have in place the following:

- (1) Purchased and implemented a state-approved school finance system; Every approved charter school or virtual charter school must utilize a state-approved school finance system aligned with the Oklahoma Cost Accounting System (OCAS). The school must notify the Board of the name of the system being utilized by July 1 prior to the start of school.
- (2) Purchased and implemented a state-approved student information system; Every approved charter school or virtual charter school must utilize a state-approved student information system. The school must notify the Board of the name of the system being utilized by July 1 prior to the start of school.
- (3) Established secure connectivity to state reporting systems; Every approved charter school or virtual charter school must verify connections to state-reporting systems that meet federal and state requirements for student data, student privacy, and applicable laws and statutes. The school must notify the Board of the name of the system being utilized by July 1 prior to the start of school.
- (4) Secured and occupied a public school administration facility located within the boundaries of the State of Oklahoma. Every approved charter school or virtual charter school must have a public site that allows the public to have access to the main office of the school. The school must notify the Board of the location, address, contact information of the facility by July 1 prior to the start of the school, and during the year if the location of the site changes.

**(b) Authorizer Access to Information and Reporting Systems.** The charter school or virtual charter school shall grant the Statewide Charter School Board read-only access to all state and school reporting systems, including, but not limited to, Single-Sign On, OCAS, the student information system, and the WAVE.

**(c) Governing Boards.**

**(1)** Upon the approval of the charter school application by the Statewide Charter School Board, the school governing board shall follow all rules and regulations of a public school governing board, including but not limited to adhering to the Open Meeting Act.

**(2)** Charter schools and virtual charter schools authorized by the Statewide Charter School Board shall be governed by a board with a majority of members separate and distinct from any/all other school governing boards.

**(3)** Any board member serving on two (2) governing boards shall abstain from voting on shared services between the charter school or virtual charter school and any other school on which they serve as a board member.

- (4) School governing boards are required to have a minimum of five (5) members, at least one (1) of which shall be a parent, grandparent, or guardian of currently or previously enrolled student(s).
- (5) School governing board bylaws shall include specific terms of service for board members and methods for selection and re-appointment.
- (6) Charter schools and virtual charter schools authorized by the Statewide Charter School Board shall provide online access and recording for public viewing of all governing board meetings.

#### 777:10-1-4. Educational Management Organizations

Any charter school or virtual charter school that contracts with or otherwise utilizes an educational management organization shall abide by the following:

- (1) The relationship of the charter school and an educational management organization is that of a customer and vendor. As such, the charter school or virtual charter school and the educational management organization shall be separate entities in all aspects.
- (2) The name of the educational management organization shall not be the same or similar to the name of the charter school.
- (3) All funds utilized to operate the charter school or virtual charter school, including, but not limited to, paying employees, providing curriculum, technology, supplies, and/or extra-curricular activities to students shall be maintained in public charter school accounts and controlled by charter school employees.
- (4) All payments to educational management organizations shall be supported by documentation on file including, but not limited to, purchase orders, invoices, OCAS coding details, staff approvals, and board approvals. Prior to payments from the school to educational management organizations, all funds shall be maintained in public school accounts, subject to open records requests and audits.
- (5) All products and services provided as well as all management fees charged by the educational management organization shall be specifically listed and explained in the management contract. Any amendments to the contract shall be provided to the sponsor within five (5) business days of approval by the school's governing body.
- (6) School governing boards shall evaluate their educational management organization annually and submit the evaluation to the SCSB.
- (7) An owner of an educational management organization shall not serve as superintendent of the charter school or virtual charter school.
- (8) Educational management organization contracts or agreements shall be coterminous with the term of the charter contract.

### SUBCHAPTER 3. CHARTER SCHOOL AND VIRTUAL CHARTER SCHOOL SPONSORSHIP

#### 777:10-3-3. Applications to sponsor charter schools and virtual charter schools; renewal and termination of contracts for sponsorship of charter schools and virtual charter schools

(a) **Sponsorship application cycle and timelines.** To ensure that timely processing, review, and consideration of initial applications for sponsorship occurs within the time periods specified by 70 O.S. § 3-134, and to ensure that the application process is completed with sufficient time for new schools to organize and comply with all statutory reporting requirements for the beginning of the initial school year, the timeline for the application cycle for the following school year is as follows:

- (1) Completion of charter school training required by 70 O.S. § 3-134(A) prior to submission of letter of intent to submit an application;
- (2) Charter school training must be completed within the last two (2) years by an individual directly associated with the applicant proposed school and within the last three (3) years;
- (3) A letter of intent to submit an application for sponsorship must be provided to the Statewide Charter School Board. The letter of intent shall include, but is not limited to the proposed school's vision and mission, educational model, community engagement efforts, and governing board. Upon receipt of the letter of intent, guidance for application submission will be provided;
- (4) All applications for sponsorship shall be submitted by the governing board of the proposed school to the SCSB;
- (5) In reviewing an application for sponsorship of a charter school or virtual charter school, the SCSB shall determine whether the applicant's proposal for sponsorship complies with the provisions of the Oklahoma Charter Schools Act and the SCSB's administrative rules in Title 777 of the Oklahoma Administrative Code.
- (6) An application for proposed school sponsorship shall be submitted to the Board as follows:
  - (A) For statewide virtual charter school sponsorship, an application shall be submitted in January, at least eighteen (18) months but not more than twenty-four (24) months prior to July of the expected school opening year; or
  - (B) For charter school sponsorship, an application shall be submitted at least eighteen (18) months prior to July of the expected school opening year.
- (7) In reviewing an application for sponsorship of a proposed school, the SCSB shall determine whether the applicant's proposal for sponsorship complies with the provisions of the Act and the Board's administrative rules in this chapter. A

public presentation of the application for sponsorship will be conducted at the next subsequent Board meeting; (8) Regardless of the date submitted, the Board will not consider an application received by a proposed school if agency staff finds that the application is inconsistent with standards adopted by the Board including, but not limited to the following:

- (A) The application lacks merit based upon the result of a quality review process;
- (B) The application violates any provision of law; or
- (C) The application facially appears to be the product of plagiarism.

(9) If within thirty (30) days of submission the application is found to meet the standards adopted by the Board as determined by agency staff, then the receipt date will be the date notification is provided to the applicant. Conversely, if submitted applications do not meet the standards adopted by the Board as determined by agency staff, then the applicant will be notified within thirty (30) days of submisison.

(10) Upon meeting aforementioned standards, the application is considered received, and the following provisions will be executed:

- (6)(A) A review of the application will consider all aspects of the application process including, but not limited to, the written application, supporting documents, presentation, and capacity interviews;
- (7)(B) The Board will render a decision on the application for sponsorship at a subsequent Board meeting;
- (8)(C) If approved, negotiation and execution of a contract for sponsorship will begin;
- (9)(D) If rejected, the applicant may submit an amended application within thirty (30) calendar days of receipt of notification of rejection;
- (10)(E) A Board decision on amended application, if applicable, will be rendered within thirty (30) calendar days of receipt of the amended application;
- (11)(F) If approved, negotiation and execution of a contract for sponsorship will begin; and
- (12)(G) If rejected, the application may proceed according to statute.

(b) **Initial application requirements for sponsorship.** In addition to meeting the requirements of title 70, section 3-134 of the Oklahoma Statutes and any requirements imposed by the authorizer, applications for sponsorship of a charter school or virtual charter school submitted to the Board must include the following information. To ensure only high-quality applications are approved, the Statewide Charter School Board prioritizes the following criteria:

- (1) Evidence of the proposed school team's experience and history with establishing academically successful schools and education programs;
- (2) Sound, research-based foundation for the proposed school's educational model;
- (3) Demonstration of the community needs and the support for proposed school;
- (4) Complete and attainable plans for the execution of the proposed school's implementation process; and
- (5) For initial consideration for sponsorship, the applicant must provide information and documents related to the proposed school model, its governing board and founding team, community, educational model, and execution plan. The following information must be included in the written application: organizational, academic, and financial capacity of the charter school or virtual charter school. If approved, the application shall be incorporated into the terms of the contract for sponsorship;

(2)(A) Basic application information including Proposed School Information:

- (A)(i) Name of proposed school,
- (B)(ii) Name of applicant,
- (C)(iii) Name of contact, contact's title, address, email, and phone number,
- (iv) School district within which the proposed school will reside,
- (D)(v) The grade level(s) to be served, and

(E) Proposed minimum and maximum enrollment for each year for the duration of a five-year contract term, and  
(F)(vi) Date the applicaiton was approved by the proposed school's governing board;

(B) Evidence of charter school training completed within the past two (2) years and specific role in the organization of the person named on the certificate;

(C) For charter schools only, evidence of denial by the local school district, including but not limited to:

- (i) Board meeting minutes of the local school district governing board where action was taken on the application,
- (ii) Correspondence from the local school ditrict governing board indicating denial or refusal to take formal action on the application, or
- (iii) Documentation of application submission to the local school district governing board and the board meeting minutes of the local district governing board meeting over the sixty (60) day period following submission as evidence that the distict took no action on the application.

(D) An executive summary that fully describes:

- (i) Vision and mission statement,
- (ii) Overview of the educational model, and
- (iii) Description of the community to be served.

(E) Information related to the proposed school's governing board and founding team:

(i) The relevant knowledge, skills, and abilities of the governing board and founding team to lead the proposed school in academic, financial, and organizational considerations and to ensure key elements are upheld, and

(ii) Biographies and resumes of each member of the governing board and founding team, including agreement to code of ethics and conflict of interest statements.

(F) Information related to the proposed school's community, including the importance of the educational model to the community and its support;

(G) A full description of the proposed school's educational model, including clearly stated key design elements of the model;

(H) A complete description of the proposed school's implementation plan, including financial and operational aspects that will support the educational model:

(i) The budget is realistic, viable, and aligned with the educational model;

(ii) The financial plan includes the resources, fiscal planning, and expertise necessary to carry out effective budgeting, financial management, and oversight, and achieve the school's mission and intended outcomes;

(iii) The contingency plan ensures and includes services to all students consistent with the school's mission and key design elements, and

(iv) The organizational design supports the fulfillment of the commitments and responsibilities of a public school, implementation of the key design elements, oversight of school finances, and achievement of the school's mission.

(I) Signed and notarized Statement of Assurance from each governing board member demonstrating agreement to fully comply as an Oklahoma public charter school or virtual charter school with all statutes, regulations, and requirements of the United States of America, State of Oklahoma, Statewide Charter School Board, and Department of Education; citing agreement to abide by the Oklahoma Open Meeting Act, guaranteeing access to education and equity for all eligible students regardless of race, ethnicity, economic status, academic ability or other factors as established by law, acknowledging the performance criteria designed to measure the effectiveness of the proposed school, guaranteeing to meet no fewer than ten (10) months of the year in the state, and guaranteeing to establish the components necessary to begin school operations in the State of Oklahoma on July 1 of the first year, including a public administration facility, state-approved school financial system, state-approved student information system, and a secured applicable connections to state reporting systems.

(3) A cover letter not to exceed three (3) pages that includes an overview of the proposed school and community it would serve;

(4) Vision and mission statements and related information;

(5) Completed charter school training information;

(c) **Ready-to-Open application process phase.** If approved and a charter contract is executed, the applicant will begin phase two (2) or the Ready-to-Open phase of the application process. The applicant shall provide information and documentation related to the academic, financial, and organizational readiness of the school. The Ready-to-Open requirements must be fulfilled to attain final approval for school opening.

(6)(1) Academic Program:

(A) Establish the proposed school's instructional design including the type of learning environment that will be created, class size and structure, curriculum guides for each core academic area aligned with the Oklahoma Academic Standards overview, and teaching methods, and professional development;

(B) Develop and implement the plan for using internal and external assessments to measure and report student achievement including how the proposed school will use formative and summative assessments to measure program effectiveness and modify instruction to meet student needs;

(C) Develop and implement the plan for identifying and successfully serving students with disabilities, students who are English language learners, students who are academically behind, and students who are gifted and/or talented;

(D) Approve the policies that will determine the requirements for student grade placement, promotion, and retention;

(E) For high schools, approve a graduation requirements policy that meets or exceeds and highlight any expectations that will go above or beyond the state requirements;

(F) Develop and implement the plan for offering co-curricular and extracurricular programs and how the offered programs will be funded and delivered; and

(G) Develop and implement a system for gathering and reporting data on academic indicators, measures, and goals, including mission-specific (or school-specific) goals; and

(G)(H) Develop and implement plans to support all learners including systems to identify students' strengths and needs for academic, behavioral, and social emotional development, ensuring students across all subgroups have access to appropriate supports, interventions, and resources to achieve, grow, and advance. Curriculum guides for each core academic area aligned with the Oklahoma Academic Standards or in the absence of curriculum guides,

submit a narrative detailing the curriculum development process and timeline to achieve this goal prior to the school opening;

(7)(2) Financial Capacity:

- (A) A narrative describing how financial decisions will be made which support the school's vision and mission and the academic program;
- (B) Approve financial ~~plan~~policies, for the first five (5) years of operation and including but not limited to a description of the treasurer, encumbrance clerk, and other financial officers or persons who have primary responsibility for the finances of the proposed school, including a description of financial controls and audit requirements;;
- (C) Evidence of anticipated fundraising contributions, if applicable;
- (D) Plans to acquire start-up funding through agreements, donations, loans, and/or long-term debt;
- (E) (B) A description of the Secure adequate insurance required of public schools in Oklahoma coverage the proposed school will obtain;
- (F) (C) Approve annual Start-up and five-year budgets with clearly stated assumptions;
- (G) (D) Start-up and first-year cash-flow projections with clearly stated assumptions;
- (H) (D) Submit Any proposed contract between the proposed school's governing board and an educational management organization to the SCSB for approval; and
- (E) Approve any proposed contract between the school's governing board and an educational management organization; and
- (F) VerifiableProvide proof of secured funds for each source of revenue and documentation to support any agreement, donation, loan, or long-term debt that supports the budget;;

(8)(3) Organizational Capacity:

- (A) A narrative describing the proposed school's governing board's capacity to achieve this expectation, Recruit and hire a qualified school leader, consistent with the school's mission and the charter contract;
- (B) Develop and implement a plan for evaluating the school leader and the contracted educational management organization (if applicable), in accordance with a written board policy;
- (C) Develop and approveThe proposed school's plans for providing transportation, food service, and all other significant operational or ancillary services;;
- (D) Approve The leadership and teacher employment and hiring policies expected for the proposed school;;
- (E) Develop and implement a teacher and staff evaluation system consistent with the school's mission and key design elements, including performance evaluation, onboarding, performance improvement, and coaching support;
- (F) Execute Any partnerships or contractual partnerships into which the proposed school plans to enter, and submit executed contracts to the SCSB;
- (G) Develop The proposed school's facilities plan including backup or contingency plans if appropriate location of the proposed school with a site inspection by the SCSB at least forty-five (45) days prior to expected school opening;
- (H) The plans and timelines for student recruitment and enrollment including lottery procedures;
- (I) A description of parent expectations and the plan for parental involvement;
- (J) A detailed school start-up plan that identifies tasks, timelines, and responsible individuals;
- (K) Develop An organizational chart that clearly presents the organizational structure of the proposed school including lines of authority and any external organizations expected to play a role in managing the proposed school and including a description of the roles and responsibilities of each entity;
- (L) Roster of governing board members and contact information;
- (M) Develop and approve Proposed governing board's bylaws;;
- (N) Signed and notarized Statement of Assurance from each governing board member demonstrating agreement to fully comply as an Oklahoma public charter school or virtual charter school with all statutes, regulations, and requirements of the United States of America, State of Oklahoma, Statewide Charter School Board, and Department of Education, citing agreement to abide by the Oklahoma Open Meeting Act and the Oklahoma Open Records Act, guaranteeing access to education and equity for all eligible students regardless of race, ethnicity, economic status, academic ability or other factors as established by law, acknowledging the performance criteria designed to measure the effectiveness of the proposed school, guaranteeing to meet no fewer than ten (10) months of the year in the state, and guaranteeing to establish the components necessary to begin school operations in the State of Oklahoma on July 1 of the first year, including a public administration facility, state-approved school financial system, state-approved student information system, and secured applicable connections to state reporting systems;
- (O) Proposed Educational Management Organization Contract, if applicable;
- (P) Develop and approve the Proposed school calendar;
- (Q) Sample daily schedule including bell schedule, class size, instructional staff to student ratio, subjects (and average time on task), recess/free time, and meals and for high schools including access to advanced placement, dual enrollment, and career and technical education, and

- (P)(K) Develop and approve the Proposed discipline policy, including special education students;;
- (L) Develop and approve policies including but not limited to enrollment and lottery, complaints/grievances, Family Educational Rights and Privacy Act (FERPA), Open Meeting Act, Open Records Act, parent participation and volunteering, course requirements, promotion, retention, and graduation, and family engagement; and
- (M) Develop and approve policies that protect employee rights, such as those relating to the Family Medical Leave Act (FMLA), the Americans with Disabilities Act (ADA), and employee contracts.

**(c) Initial application submission, review process, criteria, acceptance or denial, reconsideration, and or appeal.**

- (1) **Submission.** All applications for sponsorship shall be submitted by the governing board of the prospective charter school or virtual charter school to the SCSB.
- (2) **Application review criteria.** In reviewing an application for sponsorship of a charter school or virtual charter school, the SCSB shall determine whether the applicant's proposal for sponsorship complies with the provisions of the Oklahoma Charter School's Act and the SCSB's administrative rules in title 777 of the Oklahoma Administrative Code. Additionally, the Board may consider other factors demonstrating the applicant's capacity to successfully comply with the goals set forth in its vision and mission statements and applicable state, federal, tribal, and/or local statutes and regulations. Such factors may include, but are not limited to the following:
  - (A) Demonstrating experience in operation of one or more successful charter school(s) or virtual charter school(s);
  - (B) Providing evidence demonstrating financial stability in the pre-launch and operational years of the proposed school;
  - (C) Providing the criteria designed to measure the effectiveness of the charter school proposed by the applicant is reasonably calculated to provide accurate benchmarks for evaluation of teacher effectiveness and student learning, and
  - (D) Providing adequate human resources, facilities, systems, and structures in place as necessary to evaluate the needs of and provide effective services to all students including those with disabilities, English Language Learners, and gifted and talented students.

**(d) Application for renewal of contracts for sponsorship of charter schools or virtual charter schools.** Renewal of a contract for sponsorship by the Board shall be conducted in accordance with the requirements of the Oklahoma Charter Schools Act.

- (1) **Application requests for renewal of contract for sponsorship.** Requests for renewal of the contract for sponsorship shall be submitted by the governing board of the charter school or virtual charter school in accordance with the following procedures:

- (A) At least one (1) year prior to expiration of the initial contract term but no earlier than eighteen (18) months prior to the date of expiration, the governing board of the charter school or virtual charter school board must submit a letter of intent to apply for renewal of the charter contract. Upon receipt of the letter of intent, guidance for application submission will be provided.
- (B) The Board shall schedule the request at a subsequent meeting. The Board shall timely submit notice of the date, time, and location of the meeting at which the proposal for renewal will be considered.
- (C) The Board shall review the proposal and take action on the request of renewal no later than eight (8) months prior to the date of expiration of the contract.
- (D) The Board will issue a school performance report in accordance with State statute. The school shall have forty-five (45) calendar days to respond to the performance report and submit any correspondence or clarifications for the report. In evaluating a school's renewal request, the Board may consider the application, performance report, results of a site visit, and evidence provided in the school's presentation to the Board.
- (E) The Board may accept or reject the application, may request the applicant consider application revisions, or may proceed with renewal with conditions.
- (F) The SCSB may base its decision to deny the school governing board's request for renewal upon any grounds for nonrenewal or termination set forth in title 70, section 3-137 of the Oklahoma Statutes.

- (2) **Format for application for renewal.** The renewal application shall include the following:

- (A) School information:
  - (i) Name of school,
  - (ii) School phone number,
  - (iii) Address of school,
  - (iv) School website address,
  - (v) Contact information: name, title, phone number, and email address,
  - (vi) Governing board president contact information: name, phone number, and email address,
  - (vii) Names of other governing board members,
  - (viii) Current authorizer,
  - (ix) Grade level(s) served,
  - (x) Current enrollment,
  - (xi) Year school was established,
  - (xii) Year school was last renewed, and
  - (xiii) Date application for renewal was approved by the governing board in an open meeting;

- (B) A cover letter no more than three (3) pages providing a brief overview of the school's vision and mission, school performance, and major accomplishments and challenges;
- (C) A narrative that describes improvements currently undertaken or planned for the school;
- (D) A narrative describing the school's detailed plan for the next charter contract term for the school, including how the plan is aligned to its vision and mission;
- (E) The school's current strategic plan; and
- (F) A signed and notarized statement from the Head of School and all governing board members demonstrating their consideration and approval of the renewal and reauthorization application and agreement to fully comply as an Oklahoma public charter school with all statutes, regulations, and requirements of the United States of America, State of Oklahoma, the Board, the Oklahoma Department of Education, and agree to abide by the Oklahoma Open Meeting Act and the Oklahoma Open Records Act, and to guarantee access to education and equity for all eligible students regardless of their race, ethnicity, economic status, academic ability, or other factors.

**(3) Additional information required for charter schools or virtual charter schools sponsored by an Oklahoma authorizer other than the Board seeking renewal from the Board.**

- (A) Current charter contract;
- (B) Annual Performance Frameworks and Performance Report for the school's current charter contract term;
- (C) Organizational Chart;
- (D) Current enrollment by grade level;
- (E) Percentage of returning students in the current school year;
- (F) Oklahoma School Testing Program (OSTP) data for the past two (2) years;
- (G) School Report Cards for the past two (2) years;
- (H) Annual financial audits and related documents for the past two (2) years;
- (I) Current school budget including a year-to-date comparison of budgeted versus actual revenues and expenditures;
- (J) Loan and long-term debt documents;
- (K) Quarterly financial statements for the past four (4) quarters;
- (L) Current statement of financial position (balance sheet) with assets, liabilities, and fund balances;
- (M) Current Oklahoma State Department of Education accreditation status including all applicable documents;
- (N) All shared services agreements; and
- (O) Educational Management Organization contract, if applicable.

**(4) Performance report and site visit.** The Board will issue a school performance report in accordance with State statute. The school shall have forty-five (45) calendar days to respond to the performance report and submit any corrections or clarifications for the report. In evaluating a school's renewal request, the Board may consider the application, performance report, results of a site visit, and evidence provided in the school's presentation to the Board.

**(5) Notice of intent of non-renewal of contract for sponsorship.** The Board may elect to not renew a contract for sponsorship in accordance with the following procedures:

- (A) No later than eight (8) months prior to the date of expiration of the contract. The Board shall submit written notice of its intent of non-renewal via certified mail, return receipt requested to the governing body of the charter school at the address of record set forth in the contract. The notice shall include:
  - (i) A statement of any and all factual and legal grounds upon which the Board's intent to non-renew the contract is based, and
  - (ii) A statement of the date, time, and location of the meeting at which the Board intends to take action on the proposed non-renewal, which shall be held no earlier than thirty (30) calendar days from the date of the notice of intent to non-renew the contract is sent to the charter school.
- (B) The Board may base its decision to non-renew the contract for sponsorship upon any of the grounds for nonrenewal or termination set forth in 70 O.S. § 3-137 and/or this Section.
- (C) If the Board denies a request for renewal, the charter school or virtual charter school may proceed as provided for in the Oklahoma Charter Schools Act.

**(e) Termination of contracts for sponsorship of charter schools and virtual charter schools.** The Board may terminate a contract with a charter school or virtual charter school in accordance with the following procedures:

- (1) Grounds for termination of a contract for sponsorship. At any time during the term of the contract, the Board may terminate the contract for one or more of the following grounds:
  - (A) Failure to meet the requirements for student performance set forth in the terms of the contract;
  - (B) Failure to meet the standards of fiscal accounting and management set forth in the terms of the contract;
  - (C) Violations of applicable state, federal, tribal, or local laws, statutes, and/or regulations; and
  - (D) Other good cause as established by the Board, which may include but shall not be limited to:
    - (i) Failure by the governing body of the charter school, its charter school administrators, charter school personnel, and/or charter school contractors to meet reporting deadlines necessary for compliance with state or federal statutes or regulations,

- (ii) Failure by the governing body of the charter school, its charter school administrators, charter school personnel, and/or charter school contractors to accurately report student enrollment counts,
- (iii) Failure by the governing body of the charter school, its charter school administrators, charter school personnel, and/or charter school contractors to accurately report and/or classify student accountability data,
- (iv) Identification and/or designation of the charter school by the State Board of Education as consistently in need of improvement in accordance with subsection (g)(6) of Section 1003 of Title I of the Elementary and Secondary Education Act of 1965 (ESEA), pursuant to 70 O.S. § 1210.544,
- (v) Any material breach of the terms set forth in the contract for sponsorship, and
- (vi) Any action or failure to act by the governing body of the charter school, its charter school administrators, charter school personnel, and/or charter school contractors that presents or results in an immediate and serious danger to the health, safety, and welfare of its students.

(2) Notice of intent to terminate contract. At least ninety (90) calendar days prior to termination of a contract for sponsorship of a charter school or virtual charter school, the Board shall submit written notice of its intent to terminate the contract via certified mail, return receipt requested to the governing board of the charter school at the address of record set forth in the contract for sponsorship. The notice shall include:

- (A) A statement of any and all factual and legal grounds upon which the Board's intent to terminate the contract is based,
- (B) A statement of the date, time, and location of the meeting at which the Board intends to take final action on the proposed termination, which shall be held no earlier than forty-five (45) calendar days from the date that the notice of intent to terminate is mailed to the charter school, and
- (C) A statement that the governing board of the school may request a hearing before the Board to present oral argument and evidence in opposition to the proposed termination by delivering a written request to the Board within fourteen (14) calendar days of receipt of notice of the intent to terminate the contract that includes:
  - (i) A response to the factual and legal grounds for termination set forth in the notice; and
  - (ii) A summary of evidence that the school intends to submit in support of its response.
- (D) Within ten (10) calendar days of the date of receipt of the request for hearing, the Board shall schedule a hearing and submit written notice of the date, time, and location of the hearing by regular mail to the charter school's address of record set forth in the contract for sponsorship. The Board may send a courtesy copy of the notice by facsimile, and/or email.

(3) **Hearing on termination.** In the event that a hearing is requested, the Board shall promptly schedule a hearing at which the charter school or virtual charter school may present argument and evidence in opposition to the proposed termination. The Board shall prescribe the time allotted for oral argument and presentation of evidence. Upon completion of the hearing, the Board may consider the merits of the argument and presentation of evidence and take action on the proposed termination, or it may schedule action on the proposed termination at a subsequent board meeting to provide the board with further opportunity for deliberation.

(4) **Appeal of termination.** The procedures for filing appeals may be made in accordance with the Oklahoma Charter Schools Act.

(f) **Negotiation and execution of contracts for sponsorship.** To facilitate and/or expedite negotiations for new contracts for sponsorship, the Board may adopt a model contract for sponsorship of a charter school or virtual charter school for use by the Board and potential charter schools or virtual charter schools sponsored by the Board. Adoption of a model contract shall not prohibit the Board from further negotiation of contract terms or addition of terms to the contract for sponsorship prior to execution of the contract so long as such terms are in compliance with applicable state, federal, local, and/or tribal law and the provisions of this Section.

(g) **Execution of the contract.** The final contract for sponsorship shall not be executed until approved by the Board at a meeting. The Board may delegate authority to the Chairman to execute the approved contract for sponsorship on behalf of the Board.

#### **777:10-3-4. Oversight and evaluation of charter schools and virtual charter schools by the Statewide Charter School Board**

(a) **Tiered school oversight process.** The performance framework sets forth the performance indicators for authorization of charter schools and virtual charter schools in the State. Schools shall meet or show evidence of significant progress toward meeting the required standard accountability indicators as a condition of continued authorization.

- (1) The Board provides a tiered school oversight process that includes a system of monitoring and oversight functions to ensure the school's compliance with all applicable laws, regulations, rules, and terms of the charter contract.
- (2) The tiered school oversight process shall provide for review, notices, warnings, probation, and closure of schools that fail to meet the standard accountability indicators. If a school does not take action to comply, the Board may proceed with steps at an appropriate level of concern.
- (3) The tiered school oversight process is designed to allow the Board to take appropriate action at any level based on each unique situation that may be identified through the performance framework or identified through another process.
  - (A) The Board shall perform an annual review and evaluation of the performance of charter schools and virtual charter schools. The performance framework includes the indicators assessed and required in statute, rules, and the charter contract. The performance framework is presented annually to the Statewide Charter School Board

and the school's governing board in an open meeting. These indicators may identify potential concerns for further review and research.

(B) Using the results of the performance framework, SCSB staff reviews and researches identified potential concerns to determine the nature and severity of the concern and possible corrective actions. The school is expected to take action to remedy identified deficiency(ies).

(C) Unresolved deficiency(ies) identified in the review and research stage of the tiered school oversight process will generate a notice of concern, issued by the Statewide Charter School Board staff and sent to members of the Statewide Charter School Board and the school's governing board. Terms and timeline to resolve deficiency(ies) will be included in the notice of concern. The Statewide Charter School Board may offer support and resources.

(D) A formal warning action to address unresolved deficiency(ies) or other serious concern(s) may be taken by the Statewide Charter School Board in an open meeting. The warning shall include deficiency(ies), terms and timeline for resolution and requires the school to take action. Support and resources may be made available and/or required.

(E) Probation is a formal action taken by the Board in an open meeting and as a final opportunity for a school to resolve a deficiency(ies). A final plan from the charter school or virtual charter school is required.

(F) Closure is a formal action taken by the Board in open meeting on a school who fails to resolve a deficiency(ies). It is a final action and requires the SCSB's and the school's governing board to follow the closure plan.

(b) **Oversight and annual performance review.** The Board will provide ongoing oversight of the charter schools and virtual charter schools through data and evidence collection, site visits, classroom observations, audits, attendance of governing board meetings, compliance checks, and school performance reviews. Schools will be subject to an annual performance review of the immediately preceding school year. The review will consist of a compilation of performance ratings and findings based on the performance framework standards. Results will be shared with key stakeholders. The charter school or virtual charter school will have forty-five (45) calendar days to respond to the annual performance review in writing and such response will become part of the public record.

(c) **Performance framework.** The performance framework for designated charter schools and virtual charter schools establishes accountability criteria and assesses schools in the areas of academic, financial, and organizational capacities. In addition to required state accountability indicators, the Board may approve up to three mission-specific performance measures for a school. These must be evidence-based, valid, reliable, and aligned with the school's mission. Mission-specific measures may account for up to ten percent (10%) of the academic weighting of the Performance Framework Index. Schools must propose such measures during the initial application process or renewal process, and performance against the measures will be reviewed annually.

(1) Oklahoma performance measures will be used to assess the school's academic performance, including overall achievement, overall growth, subgroup achievement, subgroup growth, and post-secondary readiness. Academic performance accountability indicators and measurements are listed below. Sub-group measures will only be applicable if the school has a minimum of ten (10) students in the sub-group.

(A) Are students achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency; or
- (ii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or
- (iii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term.~~

(B) Are students achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

- (i) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency; or
- (ii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or
- (iii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term.~~

(C) Are students enrolled in the school for three (3) or more consecutive academic years achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency; or
- (ii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary

of the charter school; or

(iii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(D) Are students enrolled in the school for three (3) or more consecutive academic years achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

(i) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency; or

(ii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or

(iii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(E) Are students in the special education subgroup achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessment is equal to or above the state level of proficiency; or

(ii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or

(iii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(F) Are students in the special education subgroup achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

(i) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessment is equal to or above the state level of proficiency; or

(ii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or

(iii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(G) Are students in the special education subgroup enrolled for three (3) or more consecutive academic years achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessment is equal to or above the state level of proficiency; or

(ii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or

(iii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(H) Are students in the special education subgroup enrolled for three (3) or more consecutive academic years achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

(i) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessment is equal to or above the state level of proficiency; or

(ii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or

(iii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(I) Are students in the economically disadvantaged subgroup achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The percentage of students in the economically disadvantaged subgroup scoring proficient or above at each grade level on the OSTP state assessment is equal to or above the state level of proficiency; or

(ii) The percentage of students in the economically disadvantaged subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency

of the district within the geographic boundary of the charter school; or

(iii) The percentage of students in the economically disadvantaged education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(J) Are students in the economically disadvantaged subgroup achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

- (i) The percentage of students in the economically disadvantaged subgroup scoring proficient or above at each grade level on the OSTP state assessment is equal to or above the state level of proficiency; or
- (ii) The percentage of students in the economically disadvantaged education subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or
- (iii) The percentage of students in the economically disadvantaged education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(K) Are students in the economically disadvantaged subgroup enrolled for two (2) or more consecutive academic years achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The percentage of students in the economically disadvantaged subgroup scoring proficient or above at each grade level on the OSTP state assessment is equal to or above the state level of proficiency; or
- (ii) The percentage of students in the economically disadvantaged education subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or
- (iii) The percentage of students in the economically disadvantaged education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(L) Are students in the economically disadvantaged subgroup enrolled for three (3) or more consecutive academic years achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

- (i) The percentage of students in the economically disadvantaged subgroup scoring proficient or above at each grade level on the OSTP state assessment is equal to or above the state level of proficiency; or
- (ii) The percentage of students in the economically disadvantaged education subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the level of proficiency of the district within the geographic boundary of the charter school; or
- (iii) The percentage of students in the economically disadvantaged education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(M) Are students in the English language learner subgroup achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency; or
- (ii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency of the district within the geographic boundary of the charter school; or
- (iii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(N) Are students in the English language learner subgroup achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

- (i) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency; or
- (ii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency of the district within the geographic boundary of the charter school; or
- (iii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(O) Are students in the English language learner subgroup enrolled for three (3) or more consecutive academic years achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency; or

(ii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency of the district within the geographic boundary of the charter school; or

(iii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year of the charter contract term.

(P) Are students in the English language learner subgroup enrolled for three (3) or more consecutive academic years achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

(i) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency; or

(ii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the state level of proficiency of the district within the geographic boundary of the charter school; or

(iii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year of the charter contract term.

(Q)(M) Are students achieving growth on research-based nationally-normed internal assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The percentage of students in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year of the charter contract term.

(R)(N) Are students achieving growth on research-based nationally-normed internal assessments in mathematics? Meets standard accountability indicator(s):

(i) The percentage of students in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year of the charter contract term.

(S)(Q) Are students in the special education subgroup achieving growth on research-based nationally-normed internal assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The percentage of students in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students in the special education subgroup achieving growth at each grade level on research-based nationally-normed internal assessments is improved by (5%) or greater compared to the prior school year of the charter contract term.

(T)(P) Are students in the special education subgroup achieving growth on research-based nationally-normed internal assessments in mathematics? Meets standard accountability indicator(s):

(i) The percentage of students in the special education subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students in the special education subgroup achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year of the charter contract term.

(U)(Q) Are students in the economically disadvantaged subgroup achieving growth on research-based nationally-normed internal assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The percentage of students in the economically disadvantaged subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students in the economically disadvantaged subgroup achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year of the charter contract term.

(V)(R) Are students in the economically disadvantaged subgroup achieving growth on research-based nationally-normed internal assessments in mathematics? Meets standard accountability indicator(s):

(i) The percentage of students in the economically disadvantaged subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students in the economically disadvantaged subgroup achieving growth or above at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year of the charter contract term.

(W) Are students in the English language learner subgroup achieving growth on research-based nationally-normed internal assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The percentage of students in the English language learner subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students in the English language learner subgroup achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year of the charter contract term.

(X) Are students in the English language learner subgroup achieving growth on research-based nationally-normed internal assessments in mathematics? Meets standard accountability indicator(s):

(i) The percentage of students in the English language learner subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students in the English learner language subgroup achieving growth or above at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year of the charter contract term.

(S) Are students in early childhood schools achieving growth on research-based, nationally-normed internal assessments in early literacy? Meets standard accountability indicator(s):

(i) The percentage of early childhood students in pre-kindergarten and kindergarten achieving proficiency or greater, as determined by the assessment on the end-of-year assessment given in May each year, as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of early childhood students in pre-kindergarten and kindergarten achieving growth at each grade level on a research-based nationally-normed assessment is improved by five percent (5%) or greater compared to the prior school year.

(T) Are students in early childhood schools achieving growth on research-based, nationally-normed internal assessment in early numeracy? Meets standard accountability indicator(s):

(i) The percentage of early childhood students in pre-kindergarten and kindergarten achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of early childhood students in pre-kindergarten and kindergarten achieving growth at each grade level on a research-based nationally-normed assessment is improved by five percent (5%) or greater compared to the prior school year.

(U) Are early childhood school students in the economically disadvantaged subgroup achieving growth on research-based, nationally-normed internal assessments in early literacy? Meets standard accountability indicator(s):

(i) The percentage of early childhood students in economically disadvantaged subgroup in pre-kindergarten and kindergarten achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students in the economically disadvantaged subgroup in pre-kindergarten and kindergarten achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year.

(V) Are early childhood school students in the economically disadvantaged subgroup achieving growth on research-based, nationally-normed internal assessments in early numeracy? Meets standard accountability indicator(s):

(i) The percentage of early childhood students in the economically disadvantaged subgroup in pre-kindergarten and kindergarten achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or

(ii) The percentage of students in the economically disadvantaged subgroup in pre-kindergarten and kindergarten achieving growth at each grade level on research-based, nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year.

(Y)(W) Based on state expectations for student graduation within four years, does the school meet the expectations for student graduation? Meets standard accountability indicator(s):

- (i) The school's most recent graduation rate is equal to or greater than the most recent graduation rate for the State of Oklahoma;
- (ii) The school's most recent graduation rate is equal to or greater than the most recent graduation rate for the district within the geographic boundary of the charter school;
- (iii) The school's most recent graduation rate as reported by the State Department of Education, increased twenty percent (20%) or more of the difference between the graduation rate from the baseline year; or
- (iv) The school's most recent graduation rate increased five percent (5%) or greater compared to the prior school year ~~of the current contract term~~.

(Z)(X) Based on the extended-year adjusted graduation rate, does the school meet the expectations for student graduation? Meets standard accountability indicator(s): Evidence supports a majority of extended-year students graduating.

(A)(Y) Did the school meet the expectation for graduating eligible seniors (students within six (6) credits of graduation) during the most recent year? Meets standard accountability indicator(s):

- (i) The percentage of eligible seniors, students within six (6) credits of graduation, enrolled on the first day of the school year and graduating in the current school year is equal to or greater than the current graduation rate for the State of Oklahoma; or
- (ii) The percentage of eligible seniors, students within six (6) credits of graduation, enrolled on the first day of the school year and graduating in the current school year is equal to or greater than the current graduation rate for the district within the geographic boundary of the charter school.

(B)(Z) Do the school's students demonstrate College and Career Readiness? Meets standard accountability indicator(s):

- (i) College: Achieved minimum required test score for entry without taking remediation:
  - (I) High School Transcript of a 2.0 (C average) or higher; or
  - (II) American College Testing (ACT); or
  - (III) Scholastic Aptitude Test (SAT); or
  - (IV) Other recognized college entrance exams such as Accuplacer or the Classical Learning Test; and
  - (V) College Board Advanced Placement exam score(s) of 3 or greater; or
- (ii) Acceptance to a college or university; or successful completion and submission of a college FAFSA form; and
- (iii) Career
  - (I) Accepted to the Military; or
  - (II) Evidence of sustainable employment; or
  - (III) Completed an authorizer or state approved Career and Technical Education Certificate.

(2) Oklahoma performance measures will be used to assess the school's fiscal viability. Financial performance accountability indicators and measurements in each category are listed below.

(A) Did the school's annual financial statement audit have findings? Meets standard accountability indicator(s): There were no instances of significant deficiencies, material noncompliance, or known fraud identified on the school's independent financial audit.

(B) Was the auditor's opinion on the school's annual financial statement audit modified or qualified? Meets standard accountability indicator(s): The audit opinion on the school's annual financial statement audit was unmodified/unqualified.

(C) Did the auditor's opinion letter contain a paragraph indicating any exception to the financial statements being presented fairly on the annual financial statement audit? Meets standard accountability indicator(s): The auditor's opinion letter did not contain a paragraph indicating any exception to the financial statements being presented fairly on the annual financial statement audit.

(D) Did the annual financial auditor issue a disclaimer of opinion on the annual financial statement audit? Meets standard accountability indicator: The auditor did not issue a disclaimer of opinion on the annual financial statement audit.

(E) Did the annual report on internal control over financial reporting disclose any material weakness(es) or significant deficiency? Meets standard accountability indicator(s): There were no findings of significant deficiencies, material weaknesses, or noncompliance on the annual report on internal control over financial reporting.

(F) Did the school consistently submit appropriate quarterly financial reports to the Statewide Charter School Board? Meets standard accountability indicator(s): Appropriate reports were submitted in the Oklahoma Cost Accounting System (OCAS) format, verified by the school treasurer, on time, and indicating financial stability of the school.

- (G) Was the school subject to an audit by the State Auditor and Inspector and, if so, were there any findings? Meets standard accountability indicator(s): There were no findings of significant ~~deficiencies~~, material noncompliance, or known fraud on the school's audit by the State Auditor and Inspector.
- (H) Did the school consistently meet financial reporting expectations as required by the State Department of Education and confirmed by the Office of Financial Accounting, Oklahoma Cost Accounting System (OCAS), and/or Single- Sign-On? Meets standards accountability indicator(s): Evidence confirms financial reporting expectations were fulfilled.
- (I) Was the school's OCAS data submitted to the State Department of Education, properly certified by the school leader, and accepted by the State Department of Education? Meets standard accountability indicator(s): Evidence confirms that the school submitted OCAS data to the State Department of Education, certified by the school leader, and accepted State Department of Education.
- (J) Did the school timely submit the annual financial statement audit to the State Department of Education? Meets standard accountability indicator(s): Evidence confirms that the school timely submitted the annual financial statement audit to the State Department of Education.
- (K) Did the State Department of Education require a corrective action plan as part of their follow-up to the annual financial statement audit submission? Meet standard accountability indicator(s): No corrective action plan was required by the State Department of Education in the response to the school.
- (L) If a corrective action plan was required by the State Department of Education, did the plan sufficiently address the issues and was the plan accepted by the State Department of Education? Meets standard accountability indicator(s): The corrective action plan required by the State Department of Education sufficiently addressed the issues and was accepted by the State Department of Education.
- (M) If a corrective action plan was required by the State Department of Education for the prior fiscal year, can it be confirmed that the corrective action measures were followed in the most recent fiscal year? Meets standard accountability indicator(s): The corrective action plan required by the State Department of Education for the prior fiscal year was followed by the school in the most recent fiscal year.
- (N) Did the school have a negative general fund balance at the end of the most recent fiscal year? Meets standard accountability indicator(s): The school did not have a negative general fund balance at the end of the prior fiscal year.
- (O) Did the Days Cash on Hand ratio fall below thirty (30) days during the fiscal year? Meets standard accountability indicator(s): Evidence supports that the school maintained a Days Cash on Hand ratio of thirty (30) days or more at the end of each fiscal quarter.
- (P) Did the school fail to pay any commitments, warrants, or debts? Meets standard accountability indicator(s): Evidence supports the school paid all commitments, warrants, and debts.
- (Q) Did the school maintain a general fund balance of greater than ten percent (10%) of the prior fiscal year's total expenditures? Meets standard accountability indicator(s): Evidence supports that the school maintained a general fund balance greater than ten percent (10%) of the prior fiscal year's total expenditures measured at the end of each fiscal quarter.
- (R) Did the school maintain positive fund balances in all other fund types? Meets standard accountability indicator(s): Evidence supports that the school maintained a positive fund balance in all fund types.
- (S) Is the school's enrollment (average daily membership) for the first nine (9) weeks greater than or equal to eighty-five percent (85%) of last year's enrollment? Meets standard accountability indicator(s): The first quarter statistical report indicates enrollment did not decline by more than fifteen percent (15%) in comparison to the end-of-year enrollment documented by the annual statistical report.
- (T) Does the school's governing board review periodic financial statements including a statement of financial position (balance sheet), statement of activities (income statement), and statement of cash flows? Meets standard accountability indicator(s): Evidence supports that the governing board reviews the school's periodic financial statements at the public governing board meetings.
- (U) Does the school's governing board review and approve changes to the budget as significant changes to revenues and expenditures occur? Meets standard accountability indicator(s): Evidence supports that the school's governing board reviews and approves changes to the budget at the public governing board meetings throughout the year as revenues and expenditures change significantly.
- (V) Does the school's governing board review financial forecasting models prior to annual budget adoption? Meets standard accountability indicator(s): Evidence supports that the school's governing board participates in annual review of financial forecasting prior to budget adoption during a public governing board meeting.
- (W) Does the school's governing board review the audited financial statements and address all findings? Meets standard accountability indicator(s): Evidence supports that the school's governing board reviews the audited financial statements and addresses all findings in a public governing board meeting.
- (X) Does the school properly report its facilities' carrying values and applicable depreciation on its annual financial statements? Meets standard accountability indicator(s): The annual financial statements indicate proper values for facilities are represented.

(Y) Does the school maintain documentation of property and facility leases and purchases at fair market value? Meets standard accountability indicator(s): The school maintains documentation of leases and purchases at fair market value.

(3) Oklahoma performance measures will be used to assess the school's organizational performance including organizational structure, governance, record of compliance, attendance, recurrent enrollment, accreditation, and student support. Organizational performance accountability indicators and measurements in each category are listed below.

(A) Do the school's decisions align with its vision and mission? Meets standard accountability indicator(s): Evidence supports the school's decisions align with its vision and mission.

(B) Does the school follow appropriate procedures to ensure all students have equitable access to services and opportunities for success? Meets standard accountability indicator(s): Data confirms appropriate procedures to ensure student access and equity.

(C) Does the school have approved and appropriate policies and procedures that ensure student and staff safety and success, and does the school communicate those policies and procedures to students/families and staff? Meets standard accountability indicator(s): Evidence supports approved and appropriate policies and procedures are implemented and communicated.

(D) Does the school adhere to applicable laws and regulations? Meets standard accountability indicator(s): Evidence supports the school adheres to laws and regulations.

(E) Does the school adhere to the terms of the charter contract? Meets standard accountability indicator(s): Evidence supports the school adheres to the charter contract.

(F) Does a stable governing board exist? Meets standard accountability indicator(s): Evidence supports history of board stability exists.

(G) Does the governing board recruit, select, orient, and train members with skills and expertise to enable them to govern the school appropriately? Meets standard accountability indicator(s): Board agendas, and minutes, training records, and other documents support board member activities.

(H) Does the charter school comply with the Open Meeting Act and Open Records Act? Meets standard accountability indicator(s): Evidence supports the charter school consistently complies with requirements of the Open Meeting Act and Open Records Act.

(I) Does the charter school provide transparency through Statewide Charter School Board access to school records? Meets standard accountability indicator(s): The charter school has provided the Statewide Charter School Board with all requested school records.

(J) Does the educational management organization provide transparency through Statewide Charter School Board access to school records? Meets standard accountability indicator(s): The educational management organization has provided the Statewide Charter School Board with all requested school records.

(K) Did the school consistently meet the reporting expectations as required by the State Department of Education? Meets standard accountability indicator(s): Evidence ~~The State Department of Education~~ confirms reporting expectations were fulfilled.

(L) Did the school consistently meet the reporting expectations as required by the Statewide Charter School Board? Meets standard accountability indicator(s): The school reported and submitted documentation on time on-time and accurately.

(M) Did the school receive accreditation from the State Department of Education? Meets standard accountability indicator(s): The school received accreditation with no unresolved deficiencies following Tiered School Oversight Tier II Investigation (777:10-3-4. Oversight and evaluation of charter schools and virtual charter schools as noted from the Statewide Charter School Board).

(N) Does the school meet the expectations for student attendance? Meets standard accountability indicator(s): Evidence supports the school met State expectations for student attendance.

(i) For charter schools, the attendance rate reported by the State Department of Education is equal or greater than the attendance rate of the local school district in which the charter school is located; or

(ii) For virtual charter schools, the attendance rate reported by the State Department of Education is equal or greater than the attendance rate reported by the attendance rate for the state of Oklahoma; or

(iii) The school's attendance rate reported by the State Department of Education increased five percent (5%) or greater compared to the prior school year.

(O) Does recurrent enrollment of students meet expectations? Meets standard accountability indicator(s): The school's student recurrent enrollment rate meets the expectations indicated by the methodology used for public schools in Oklahoma.

(P) Does the school provide support structures for students and families that are accessible such as teacher support, individualized learning plans, individualized career academic planning (ICAP), guidance/counseling program, online tutoring, and technical support? Meets standard accountability indicator(s): Students and families have access to multiple support structures.

(Q) Does the school and governing board engage in strategic planning that results in establishment of school goals and verifiable school improvement? Meets standard accountability indicator(s): Evidence supports that the

school and governing board engage in strategic planning resulting in establishment of school goals and verifiable school improvement.

(4) Performance Framework Index will be calculated based on the following categories:

- (A) Academic (A) Calculation - (Score) \* (Weight) = A with a weight of 4060%.
- (B) Financial (F) Calculation - (Score) \* (Weight) = F with a weight of 3520%.
- (C) Organizational (O) Calculation - (Score) \* (Weight) = O with a weight of 2520%.

(D) As set forth in 70 O.S. § 3-137, Performance Framework scores will guide reauthorization procedures.

(i) A Performance Framework Index (PFI) score of 75% or higher calculated over the course of the charter contract term will result in renewal of authorization for a five (5) year term should the governing board of the charter school choose to submit a letter requesting reauthorization.

(ii) A Performance Framework Index (PFI) score of 60-74% or higher calculated over the course of the charter contract term is expected. However, an application for renewal of authorization is required for consideration by the Statewide Virtual Charter School Board.

(iii) A Performance Framework Index (PFI) score of less than 60% calculated over the course of the charter contract term places the charter school at risk of non-approval of the renewal for authorization.

An application for reauthorization is required for consideration by the Statewide Charter School Board.

(E) In the event data is not available, the Statewide Charter School Board will designate corresponding score with "Not Available." In the event data is not applicable, the Statewide Charter School Board will designate corresponding score with "Not Applicable."

(F) Schools with a score that does not meet or exceed the academic standards of the Performance Framework or present the Board substantial financial or legal concerns shall develop, implement, and complete a plan for improvement comprised of action items that reflect clear progress benchmarks to track performance over time with phased indicators to guide development

(i) The plan for improvement shall include, but is not limited to a needs assessment, measurable goals, evidence-based practices and interventions, an implementation plan that includes task(s), person(s) responsible, and timeline(s), and the regular collection and analysis of data to track progress toward the set goals;

(ii) If the school cannot provide evidence of improvement or shows a multi-year decline in student proficiency, financial, or organizational stability, then it shall be subject to a continuous plan of improvement subject to escalation through the tiered school oversight process; and

(iii) In the event a school does not comply with a required plan of improvement, the Board reserves the right to pursue school closure according to the provisions of this chapter when the Board's judgment concludes the school has not met progress goals.

(d) **Performance framework for designated alternative education sites.** The performance framework for charter school and virtual charter school alternative education sites establishes accountability criteria and assesses schools in the areas of academic, financial, and organizational capacities. Designated alternative education sites are those that conform to the program requirements set forth in 70 O.S. § 1210-568 and are designated as alternative education sites by the State Board of Education.

(1) Oklahoma performance measures will be used to assess the school's academic performance, including overall achievement, overall growth, subgroup achievement, subgroup growth, and post-secondary readiness. Academic performance accountability indicators and measurements in each category and grade level are listed below. Sub-group measures will only be applicable if the school has a minimum of ten (10) students in the sub-group.

(A) Are students achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(B) Are students achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(C) Are students enrolled in the school for two (2) or more consecutive academic years achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above

at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(D) Are students enrolled in the school for two (2) or more consecutive academic years achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(E) Are students in the special education subgroup achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(F) Are students in the special education subgroup achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(G) Are students in the special education subgroup enrolled for two (2) or more consecutive academic years achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(H) Are students in the special education subgroup enrolled for two (2) or more consecutive academic years achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students in the special education subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(I) Are students in the economically disadvantaged subgroup achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students in the economically disadvantaged subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(J) Are students in the economically disadvantaged subgroup achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

(i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or

(ii) The percentage of students in the economically disadvantaged subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(K) Are students in the economically disadvantaged subgroup enrolled for two (2) or more consecutive academic years achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or
- (ii) The percentage of students in the economically disadvantaged subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(L) Are students in the economically disadvantaged subgroup enrolled for two (2) or more consecutive academic years achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

- (i) The OSTP score of all schools designed as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or
- (ii) The percentage of students in the economically disadvantaged subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(M) Are students in the English language learner subgroup achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The OSTP score of all schools designated as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or
- (ii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(N) Are students in the English language learner subgroup achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

- (i) The OSTP score of all schools designated as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or
- (ii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(O) Are students in the English language learner subgroup enrolled for two (2) or more consecutive academic years achieving proficiency on statewide assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The OSTP score of all schools designated as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or
- (ii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(P) Are students in the English language learner subgroup enrolled for two (2) or more consecutive academic years achieving proficiency on statewide assessments in mathematics? Meets standard accountability indicator(s):

- (i) The OSTP score of all schools designated as alternative education sites will be averaged to determine the baseline percentage for comparison. The school's percentage of students scoring proficient or above at each grade level on the OSTP state assessments is equal to or above the baseline; or
- (ii) The percentage of students in the English language learner subgroup scoring proficient or above at each grade level on the OSTP state assessments is improved five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(Q)(M) Are students achieving growth on research-based nationally-normed internal assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The percentage of students in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given at each grade level; on or before September 15th of each year; or
- (ii) The percentage of students achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(R)(N) Are students achieving growth on research-based nationally-normed internal assessments in mathematics? Meets standard accountability indicator(s):

- (i) The percentage of students in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or
- (i) The percentage of students achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(S)(Q) Are students in the special education subgroup achieving growth on research-based nationally-normed internal assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The percentage of students in the special education subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or
- (ii) The percentage of students in the special education subgroup achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(T)(P) Are students in the special education subgroup achieving growth on research-based nationally-normed internal assessments in mathematics? Meets standard accountability indicator(s):

- (i) The percentage of students in the special education subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or
- (ii) The percentage of students in the special education subgroup achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(U)(Q) Are students in the economically disadvantaged subgroup achieving growth on research-based nationally-normed internal assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The percentage of students in the economically disadvantaged subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or
- (ii) The percentage of students in the economically disadvantaged subgroup achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(V)(R) Are students in the economically disadvantaged subgroup achieving growth on research-based nationally-normed internal assessments in mathematics? Meets standard accountability indicator(s):

- (i) The percentage of students in the economically disadvantaged subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or
- (ii) The percentage of students in the economically disadvantaged subgroup achieving growth or above at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(W) Are students in the English language learner subgroup achieving growth on research-based nationally-normed internal assessments in reading/English language arts? Meets standard accountability indicator(s):

- (i) The percentage of students in the English language learner subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or
- (ii) The percentage of students in the English language learner subgroup achieving growth at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(X) Are students in the English language learner subgroup achieving growth on research-based nationally-normed internal assessments in mathematics? Meets standard accountability indicator(s):

- (i) The percentage of students in the English language learner subgroup in state-mandated assessment grade levels achieving proficiency or greater as determined by the assessment on the end-of-year assessment given in May each year as compared to the initial assessment given on or before September 15th of each year; or
- (ii) The percentage of students in the English language learner subgroup achieving growth or above at each grade level on research-based nationally-normed internal assessment is improved by five percent (5%) or greater compared to the prior school year ~~of the charter contract term~~.

(Y)(S) Based on state expectations for student graduation within four years, does the school meet the expectations for student graduation? Meets standard accountability indicator(s):

- (i) The school's most recent graduation rate is equal to or greater than the most recent graduation rate for the State of Oklahoma; or
- (ii) The school's most recent graduation rate is equal to or greater than the most recent graduation rate for Oklahoma alternative schools;
- (iii) The school's most recent graduation rate as reported by the State Department of Education, increased twenty percent (20%) or more from the baseline year; or
- (iv) The school's most recent graduation rate increased five percent (5%) or greater compared to the prior school year ~~or the current contract term~~.

(Z)(T) Based on the extended-year adjusted graduation rate, does the school meet the expectations for student graduation? Meets standard accountability indicator(s): Evidence supports a majority of extended-year students graduating.

(AA)(U) Did the school meet the expectation for graduating eligible seniors (students within six (6) credits of graduation) during the most recent year? Meets standard accountability indicator(s):

- (i) The percent of eligible seniors, students within six (6) credits of graduation, enrolled on the first day of the school year and graduating in the current school year is equal to or greater than the current graduation rate for the State of Oklahoma; or
- (ii) ~~The current graduation rate of alternative schools in Oklahoma; or~~
- (iii) ~~(ii) The percentage of eligible seniors, students within six (6) credits of graduation, enrolled on the first day of the school year and graduating in the current school year is equal to or greater than the current graduation rate for the district within the geographic boundary of the charter alternative schools in Oklahoma.~~

(BB)(V) Do the school's students demonstrate College and Career Readiness? Meets standard accountability indicator(s):

- (i) College: Achieved minimum required test score for entry without taking remediation:
  - (I) High School Transcript of a 2.0 (C average) or higher; or
  - (II) American College Testing (ACT); or
  - (III) Scholastic Aptitude Test (SAT); or
  - (IV) Other recognized college entrance exams such as Accuplacer or the Classical Learning Test; and
  - (V) College Board Advanced Placement exam score(s) of 3 or greater; and
- (ii) Acceptance to a college or university or successful completion and submission of a college FAFSA form; and
- (iii) Career:
  - (I) Accepted to the Military; or
  - (II) Evidence of sustainable employment; or
  - (III) Completed an authorizer or state approved Career and Technical Education Certificate.

(CC)(W) Are students completing courses required for grade advancement each year? Meets standard accountability indicator(s): The percentage of students earning at least six (6) credits per year is equal to or greater than forty percent (40%).

(DD)(X) Are students benefiting from postsecondary and workforce readiness activities, testing, and enrollment? Meets standard accountability indicator(s): Evidence supports that the percentage of students participating in one or more postsecondary and/or workforce readiness activity, testing, and/or enrollment is equal to or greater than forty percent (40%).

(EE)(Y) Are students demonstrating growth on nationally recognized social emotional standards? Meets standard accountability indicator(s): Evidence supports that the percentage of students demonstrating growth on nationally recognized social emotional standards is equal to or greater than forty percent (40%).

(FF)(Z) Are students attending individual, small group, and/or guidance counseling sessions? Meets standard accountability indicator(s): Evidence supports that the percentage of students participating in counseling session is equal to or greater than forty percent (40%).

(GG)(AA) Are students participating in displaying, creating, and/or publishing art opportunities? Meets standard accountability indicator(s): Evidence supports that the percentage of students participating, creating, and/or publishing art opportunities is equal to or greater than forty percent (40%).

(HH)(BB) Are students participating in extracurricular activities, work study, and/or service learning? Meets standard accountability indicator(s): Evidence supports that the percentage of students participating in extracurricular activities, work study, and/or service learning is equal to or greater than forty percent (40%).

(II)(CC) Are students completing required individual career academic plan activities? Meets standard accountability indicator(s): Evidence supports that the percentage of students completing required individual career academic plan ICAP activities is equal to or greater than forty percent (40%).

(H)(DD) Are students participating in life skill activities that extend beyond the curriculum, put relevant life skills into practice, and promote healthy living? Meets standard accountability indicator(s): Evidence supports that the percentage of students participating in life skills activities is equal to or greater than forty percent (40%).

(2) Oklahoma performance measures will be used to assess the school's fiscal viability. Financial performance accountability indicators and measurements in each category are listed below.

(A) Did the school's most recent annual financial statement audit have findings? Meets standard accountability indicator(s): There were no findings of significant deficiencies, material noncompliance, or known fraud on the school's most recent independent financial audit.

(B) Was the auditor's opinion on the school's annual financial statement audit modified or qualified? Meets standard accountability indicator(s): The audit opinion on the school's annual financial statement audit was unmodified/unqualified.

(C) Did the auditor's opinion letter contain a paragraph indicating any exception to the financial statements being presented fairly on the annual financial statement audit? Meets standard accountability indicator(s): The auditor's opinion letter did not contain a paragraph indicating any exception to the financial statements being presented fairly on the annual financial statement audit.

(D) Did the annual financial auditor issue a disclaimer of opinion on the annual financial statement audit? Meets standard accountability indicators: The auditor did not issue a disclaimer of opinion on the annual financial statement audit.

(E) Did the annual report on internal control over financial reporting disclose any material weakness(es) or significant deficiencies? Meets standard accountability indicator(s): There were no findings of significant deficiencies, material weaknesses or noncompliance on the annual report on internal control over financial reporting.

(F) Did the school consistently submit appropriate quarterly financial reports to the Board? Meets standard accountability indicator(s): Appropriate reports were submitted in the Oklahoma Cost Accounting System (OCAS) format, verified by the school treasurer, on time, and indicating financial stability of the school.

(G) Was the school subject to an audit by the State Auditor and Inspector and, if so, were there any findings? Meets standard accountability indicator(s): There were no findings of significant deficiencies, material noncompliance, or known fraud on the school's most recent audit by the State Auditor and Inspector.

(H) Did the school consistently meet financial reporting expectations as required by the State Department of Education and confirmed by the Office of Financial Accounting, Oklahoma Cost Accounting System (OCAS), and/or Single-Sign-On? Meets standard accountability indicator(s): Evidence confirms financial reporting expectations were fulfilled.

(I) Was the school's most recent fiscal year OCAS data submitted to the State Department of Education, properly certified by the school leader, and accepted by the State Department of Education? Meets standard accountability indicator(s): Evidence confirms the school submitted OCAS to the State Department of Education, certified by the school leader, and accepted by the State Department of Education.

(J) Did the school submit timely the annual financial statement audit to the State Department of Education? Meets standard accountability indicator(s): The school submitted timely the annual financial statement audit to the State Department of Education.

(K) Did the State Department of Education require a corrective action plan as part of their follow-up to the annual financial statement audit submission? Meets standard accountability indicator(s): No corrective action plan was required by the State Department of Education in the response to the school.

(L) If a corrective action plan was required by the State Department of Education, did the plan sufficiently address the issues and was the plan accepted? Meets standard accountability indicator(s): The corrective action plan required by the State Department of Education sufficiently addressed the issues and was accepted.

(M) If a corrective action plan was required by the State Department of Education for the prior fiscal year, can it be confirmed that the corrective action measures were followed? Meets standard accountability indicator(s): The corrective action plan required by the State Department of Education for the prior fiscal year was followed by the school.

(N) Did the school have a negative fund balance at the end of the fiscal year? Meets standard accountability indicator(s): The school did not have a negative general fund balance as of the end of the fiscal year.

(O) Did the Days Cash on Hand ratio fall below thirty (30) days during the fiscal year? Meets standard accountability indicator(s): Evidence supports that the school maintained a Days Cash on Hand ratio of thirty (30) days or more at the end of each fiscal quarter.

(P) Did the school fail to pay any commitments, warrants, or debts? Meets standard accountability indicator(s): Evidence supports the school paid all commitments, warrants, and debts.

(Q) Did the school maintain a fund balance of greater than ten percent (10%) of the prior fiscal year's total expenditures? Meets standard accountability indicator(s): Evidence supports that the school maintained a fund balance greater than ten percent (10%) of the prior fiscal year's total expenditures measured at the end of each fiscal quarter.

- (R) Did the school maintain positive fund balances in all other fund types? Meets standard accountability indicator(s): Evidence supports that the school maintained a positive fund balance in all fund types.
- (S) Is the school's enrollment (average daily membership) for the first nine (9) weeks greater than or equal to eighty-five percent (85%) of last year's enrollment? Meets standard accountability indicator(s): The first quarter statistical report indicates enrollment did not decline by more than fifteen percent (15%) in comparison to the end of year enrollment documented by the annual statistical report.
- (T) Does the school's governing board review periodic financial statements including a statement of financial position (balance sheet), statement of activities (income statement), and statement of cash flows? Meets standard accountability indicator(s): Evidence supports that the governing board reviews the school's periodic financial statements at the public governing board meetings.
- (U) Does the school's governing board review and approve changes to the budget as significant changes to revenues and expenditures occur? Meets standard accountability indicator(s): Evidence supports that the school's governing board reviews and approves changes to the budget at the public governing board meetings throughout the year as revenues and expenditures change significantly.
- (V) Does the school's governing board review financial forecasting models prior to annual budget adoption? Meets standard accountability indicator(s): Evidence supports that the school's governing board participates in annual review of financial forecasting prior to budget adoption during a public governing board meeting.
- (W) Does the school's governing board review the audited financial statements and address all findings? Meets standard accountability indicator(s): Evidence supports that the school's governing board reviews the audited financial statements and addresses all findings in a public governing board meeting.
- (X) Does the school properly report ~~their~~ facilities' carrying values and applicable depreciation on ~~their~~ annual financial statements? Meets standard accountability indicator(s): The annual financial statements indicate proper values for facilities are represented.
- (Y) Does the school maintain documentation of property and facilities leases and purchases at fair market value? Meets standard accountability indicator(s): The school maintains documentation of leases and purchases at fair market value.
- (3) Oklahoma performance measures will be used to assess the school's organizational performance including organizational structure, governance, record of compliance, attendance, recurrent enrollment, accreditation, and student support. Organizational performance accountability indicators and measurements in each category are listed below.
- (A) Do the school's decisions align with its vision and mission? Meets standard accountability indicator(s): Evidence supports the school's decisions align with its vision and mission.
- (B) Does the school follow appropriate procedures to ensure all students have equitable access to services and opportunities for success? Meets standard accountability indicator(s): Data confirms appropriate procedures to ensure student access and equity.
- (C) Does the school have approved and appropriate policies and procedures that ensure student and staff safety and success, and does the school communicate those policies and procedures to students/families and staff? Meets standard accountability indicator(s): Evidence supports approved and appropriate policies and procedures are implemented and communicated.
- (D) Does the school adhere to applicable state and federal laws and regulations? Meets standard accountability indicator(s): Evidence supports the school adheres to state and federal laws and regulations.
- (E) Does the school adhere to the terms of the charter contract? Meets standard accountability indicator(s): Evidence supports the school adheres to the charter contract.
- (F) Does a stable governing board exist? Meets standard accountability indicator(s): Evidence supports history of board stability exists.
- (G) Does the governing board recruit, select, orient, and train members with skills and expertise to enable them to govern the school appropriately? Meets standard accountability indicator(s): Board agendas, minutes, training records, and other documents support board member activities.
- (H) Does the charter school comply with the Open Meeting Act and Open Records Act? Meets standard accountability indicator(s): Evidence supports the charter school consistently complies with requirements of the Open Meeting Act and Open Records Act.
- (I) Does the charter school provide transparency through SCSB access to school records? Meets standard accountability indicator(s): The charter school has provided the Board with all requested school records.
- (J) Does the educational management organization provide transparency through SCSB access to school records? Meets standard accountability indicator(s): The educational management organization has provided Board with all requested school records.
- (K) Did the school consistently meet the reporting expectations as required by the State Department of Education? Meets standard accountability indicator(s): Evidence confirms reporting expectations were fulfilled.
- (L) Did the school consistently meet the reporting expectations as required by the Statewide Charter School Board? Meets standard accountability indicator(s): The school reported and submitted documentation on time and accurately.

(M) Did the school receive accreditation from the State Department of Education? Meets standard accountability indicator(s): The school received accreditation with no unresolved deficiencies following Tiered School Oversight Tier II Investigation (777:10-3-4. Oversight and evaluation of charter schools and virtual charter schools noted from the Statewide Charter School Board).

(N) Does the school meet the expectations for student attendance? Meets standard accountability indicator(s):

- (i) For charter schools, the attendance rate reported by the State Department of Education is equal to or greater than the attendance rate of the local school district in which the charter school is located; or
- (ii) For virtual charter schools, the attendance rate reported by the State Department of Education is equal to or greater than the attendance rate reported by the attendance rate for the state of Oklahoma; or
- (iii) The school's attendance rate reported by the State Department of Education increased five percent (5%) or greater compared to the prior school year.

(O) Does recurrent enrollment of students meet expectations? Meets standard accountability indicator(s): The school's student recurrent enrollment rate meets the expectations indicated by the methodology used for public schools in Oklahoma.

(P) Does the school provide support structures for students, such as teacher support, individualized learning plans, individualized career academic planning, guidance/counseling program, online tutoring, and technical support? Meets standard accountability indicator(s): Students have access to multiple support structures.

(Q) Does the school and governing board engage in strategic planning that results in establishment of school goals and verifiable school improvement? Meets standard accountability indicator(s): Evidence supports that the school and governing board engage in strategic planning resulting in establishment of school goals and verifiable school improvement.

(4) A Performance Framework Index will be calculated based on the following categories:

(A) Academic (A) Calculation - (Score) \* (Weight) = A with a weight of ~~40~~<sup>60</sup>0%.

(B) Financial (F) Calculation - (Score) \* (Weight) = F with a weight of ~~35~~<sup>20</sup>0%.

(C) Organizational (O) Calculation - (Score) \* (Weight) = O with a weight of ~~25~~<sup>20</sup>0%.

(D) According to title 70, section 3-137 of the Oklahoma Statutes, Performance Framework scores will guide reauthorization procedures.

(i) A Performance Framework Index (PFI) score of 75% or higher calculated over the course of the charter contract term will result in renewal of authorization for a five (5) year term should the governing board of the charter school choose to submit a letter requesting reauthorization.

(ii) A Performance Framework Index (PFI) score of 60-74% or higher calculated over the course of the charter contract term is expected. However, an application for renewal of authorization is required for consideration by the Statewide Charter School Board.

(iii) A Performance Framework Index (PFI) score of less than 60% calculated over the course of the charter contract term places the charter school at risk of non-approval of the renewal for authorization. An application for reauthorization is required for consideration by the Statewide Charter School Board.

(E) In the event data is not available, the Statewide Charter School Board will designate corresponding score with "Not Available." In the event data is not applicable, the Statewide Charter School Board will designate corresponding score with "Not Applicable."

(F) Schools with a score that does not meet or exceed the academic standards of the Performance Framework or present the Board substantial financial or legal concerns shall develop, implement, and complete a plan for improvement comprised of action items that reflect clear progress benchmarks to track performance over time with phased indicators to guide development.

(i) The plan for improvement shall include, but is not limited to a needs assessment, measurable goals, evidence-based practices and interventions, an implementation plan that includes task(s), person(s) responsible, and timeline(s), and the regular collection and analysis of data to track progress toward the set goals;

(ii) If the school cannot provide evidence of improvement or shows a multi-year decline in student proficiency, financial, or organizational stability, then it shall be subject to a continuous plan of improvement subject to escalation through the tiered school oversight process; and

(iii) In the event a school does not comply with a required plan of improvement, the Board reserves the right to pursue school closure according to the provisions of this chapter when the Board's judgement concludes the school has not met progress goals.

(e) **Submission of school data.** The Board will obtain documentation and evidence to assess whether the schools are meeting the expectations of the performance framework. In addition to site visits and read-only access to reporting systems, schools are required to submit annual school data to the Board through an online data collection system.

(1) Schools must submit the requested documentation according to the instructions for the submission by the due date indicated in the online data collection system:

- (A) Educational Management contracts and amendments;
- (B) Lease/purchase agreements;
- (C) Annual budget;

- (D) Audit documents (audit, response, corrective action);
- (E) Annual evaluation of educational management organization(s) contracted with the governing body or school;
- (F) Current inventory report;
- (G) Quarterly financial statements;
- (H) School calendar;
- (I) Internal assessment plan;
- (J) Current governing board rosters, including personal contact information;
- (K) Enrollment counts;
- (L) Accreditation documents including application, checklist, responses, and status letter;
- (M) Annual and First Quarter Statistical Report summaries;
- (N) Board meeting calendar;
- (O) Board meeting agendas and all supporting board meeting documents submitted prior to the board meeting;
- (P) Four (4) year cohort and extended-year graduation rate documents;
- (Q) Estimate of Needs and Supplemental Estimate of Needs (if applicable);
- (R) School, governing board, and/or educational management organization litigation documents;
- (S) School organizational chart;
- (T) School District Budgeting Act (SDBA) Budget Summary, public hearing documentation, published notice, and Budget Message (if applicable);
- (U) Shared Services Agreements (if applicable);
- (V) School governing board meeting recordings; and
- (W) Other school documents as needed for effective school oversight.

- (2) In the event submission through the online system is not possible, the school must hand-deliver documentation to the Board by the due date.
- (3) Failure to submit the documentation is grounds for termination of the contract if not cured within thirty (30) calendar days of the deadline.
- (4) Receipt of document submissions does not necessarily indicate approval of the content of the data.

(f) **School website compliance.** In order to aid in transparency, charter schools and virtual charter schools sponsored by the Statewide Charter School Board will be subject to website compliance checks at any time. Each school shall maintain a website in compliance with 70 O.S. § 5-135.4 and 74 O.S. § 24-3106.2 with the following information available:

- (1) Governing board members (board member information, and office held if any);
- (2) Schedule of governing board meetings as submitted to the school district's County Clerk;
- (3) Board meeting agendas;
- (4) Board meeting approved minutes;
- (5) School accountability reports;
- (6) Financial documents or a link to the Oklahoma Cost Accounting System (OCAS), in compliance with Oklahoma statute;
- (7) Total compensation package of the superintendent;
- (8) Attendance Policy, in compliance with Oklahoma law;
- (9) Most recent audit in compliance with Oklahoma law; and
- (10) Enrollment capacity.

(g) **School orientation.** Each charter school or virtual charter school shall develop a student orientation program that must be completed by each student prior to final enrollment in the school. The school shall maintain a record of completion of orientation by each student. The orientation shall contain, at a minimum, the following components:

- (1) Enrollment requirements;
- (2) Daily schedule and work expectations;
- (3) School policies, including student engagement and attendance requirements;
- (4) Student and Family Handbooks;
- (5) Communication streams (website, school and teacher connection, school administration and governing board contact);
- (6) Academic expectations;
- (7) Assessment requirements;
- (8) Social expectations;
- (9) Technology management;
- (10) Academic program management;
- (11) Student support programs and services; and
- (12) Programs specific to the school.

(h) **Annual audits.** Charter schools and virtual charter schools shall change audit firms, at a minimum, every five (5) years.

(i) **Compliance audits.** In addition to the annual financial audits, the charter schools and virtual charter schools authorized by the Board shall be subject to compliance audits conducted by the Board at any time during the charter contract term.