

April 25, 2019

Mr. William Hickman
Hickman Law Group
119 North Robinson, Suite 300
Oklahoma City, OK 73102

Re: Western Gateway Elementary School Application submitted April 19, 2019

Dear Mr. Hickman,

We are in receipt of your April 19, 2019 amended charter application for Western Gateway Elementary School (WGES) for consideration by OKCPS Board of Education. The OKCPS Board Charter School Committee directed the charter application review committee to reinstate our due diligence review and to treat this as a new application. We will restart the ninety (90) day review period from the submission date of April 19, 2019.

To memorialize our path thus far, we present the following:

- Our review team identified legal concerns within the application, which without remedy, would fail to be in compliance with state and federal law and would require automatic denial.
- Most notably, the application hinged on student admission for the school based upon language spoken and language proficiency in English or Spanish.
- Further, the application, based upon the ad hoc committee recommendation, indicated a requirement for amendment to the Oklahoma Charter School Act to obtain a 50/50 student ratio of English/Spanish speaking students for dual immersion success. No such amendment of the Oklahoma Charter School Act was accomplished.
- It is unforeseeable that such an amendment or the 50/50 student admissions practice would be legally viable as it violates Title VI of the Civil Rights act of 1964 which prohibits discrimination for proficiency of English language, race, and national origin. Selection of students based upon language proficiency is language discrimination.
- While WGES feedback responses addressed some of those concerns, the drastic deviation from the original application terms necessitated our request for one clear amended application for consideration.
- OKCPS received the amended application from WGES on April 19, 2019, and we will now reconvene our review team.

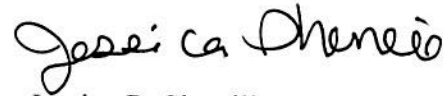
Accordingly, OKCPS deems it necessary to restart the ninety (90) day review period from the new submission date of April 19, 2019 in accordance with Oklahoma Charter School Act provisions (70 O.S. § 3-134(E)). We realize this restart will adjust your planning timeline.

Legal Services

(405) 587-0350 | www.okcps.org

We will schedule the capacity interview by the end of May and anticipate board action at the July 13, 2019 board meeting, if not sooner.

Sincerely,



Jessica R. Sherrill
General Counsel