

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

POLICY COMMITTEE  
RECOMMENDATION

FOR

HOUSE BILL NO. 1940

By: Sterling

POLICY COMMITTEE RECOMMENDATION

An Act relating to charter schools; amending 70 O.S. 2021, Section 3-132, as last amended by Section 5, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2024, Section 3-132), which relates to sponsorship of charter schools; adding county to certain sponsor; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-132, as last amended by Section 5, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2024, Section 3-132), is amended to read as follows:

Section 3-132. A. The Oklahoma Charter Schools Act shall apply only to charter schools formed and operated under the provisions of the act. Charter schools shall be sponsored only as follows:

1        1. By any school district located in this state, provided such  
2 charter school shall only be located within the geographical  
3 boundaries of the sponsoring district and subject to the  
4 restrictions of Section 3-145.6 of this title;

5        2. By an accredited comprehensive, regional, or two-year  
6 institution that is a member of The Oklahoma State System of Higher  
7 Education or by a private institution of higher learning located  
8 within this state that is accredited pursuant to Section 4103 of  
9 this title;

10       3. By a federally recognized Indian tribe, operating a high  
11 school under the authority of the Bureau of Indian Affairs as of  
12 November 1, 2010, if the charter school is for the purpose of  
13 demonstrating native language immersion instruction, and is located  
14 within its former reservation or treaty area boundaries. For  
15 purposes of this paragraph, native language immersion instruction  
16 shall require that educational instruction and other activities  
17 conducted at the school site are primarily conducted in the native  
18 language;

19       4. Until June 30, 2023, by the State Board of Education and  
20 beginning July 1, 2024, by the Statewide Charter School Board when  
21 the applicant of the charter school is the Office of Juvenile  
22 Affairs or the applicant has a contract with the Office of Juvenile  
23 Affairs and the charter school is for the purpose of providing  
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1 education services to youth in the custody or supervision of the  
2 state or county;

3 5. By a federally recognized Indian tribe only when the charter  
4 school is located within the former reservation or treaty area  
5 boundaries of the tribe on property held in trust by the Bureau of  
6 Indian Affairs of the United States Department of the Interior for  
7 the benefit of the tribe; or

8 6. By the Statewide Charter School Board. In counties with a  
9 population of fewer than five hundred thousand (500,000), according  
10 to the latest Federal Decennial Census, the Statewide Charter School  
11 Board shall not sponsor more than five new charter schools each  
12 year. Existing charter schools sponsored by the Statewide Charter  
13 School Board shall not apply to the limits prescribed by this  
14 paragraph.

15 B. An eligible non-school-district sponsor shall give priority  
16 to opening charter schools that serve at-risk student populations or  
17 students from low-performing traditional public schools.

18 C. An eligible non-school-district sponsor shall give priority  
19 to applicants that have demonstrated a record of operating at least  
20 one school or similar program that demonstrates academic success and  
21 organizational viability and serves student populations similar to  
22 those the proposed charter school seeks to serve. In assessing the  
23 potential for quality replication of a charter school, a sponsor  
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1 shall consider the following factors before approving a new site or  
2 school:

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

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

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

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

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

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

21 SECTION 2. This act shall become effective July 1, 2025.

22 SECTION 3. It being immediately necessary for the preservation  
23 of the public peace, health or safety, an emergency is hereby  
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1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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