

1 ENGROSSED HOUSE  
2 BILL NO. 2153

By: Hall of the House

3 and

4 Guthrie of the Senate

5  
6 An Act relating to charter schools; amending 70 O.S.  
7 2021, Section 3-140, as amended by Section 10,  
8 Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2024, Section  
9 3-140), which relates to transfers; authorizing  
10 enrollment preference for siblings of current  
11 students; clarifying order of enrollment preferences;  
12 providing an effective date; and declaring an  
13 emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-140, as  
16 amended by Section 10, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2024,  
17 Section 3-140), is amended to read as follows:

18 Section 3-140. A. A charter school with a brick-and-mortar  
19 school site or sites shall enroll those students whose legal  
20 residence is within the boundaries of the school district in which  
21 the charter school is located and who submit a timely application,  
22 or those students who transfer to the charter school in accordance  
23 with the Education Open Transfer Act, unless the number of  
24 applications exceeds the capacity of a program, class, grade level,  
or building. Students who reside in a school district where a  
charter school is located shall not be required to obtain a transfer

1 in order to attend a charter school in the school district of  
2 residence. If capacity is insufficient to enroll all eligible  
3 students, the charter school shall select students through a lottery  
4 selection process. A charter school shall give enrollment  
5 preference to eligible students who reside within the boundaries of  
6 the school district in which the charter school is located and who  
7 attend a school site that has been identified as in need of  
8 improvement by the State Board of Education pursuant to the  
9 Elementary and Secondary Education Act of 1965, as amended or  
10 reauthorized. A charter school may give enrollment preference to  
11 eligible students with a sibling who is currently enrolled at the  
12 charter school. Such sibling enrollment preference may supersede  
13 all other enrollment preferences, including other enrollment  
14 preferences described in this subsection. A charter school may  
15 limit admission to students within a given age group or grade level.  
16 A charter school sponsored by the Statewide Charter School Board  
17 when the applicant of the charter school is the Office of Juvenile  
18 Affairs shall limit admission to youth that are in the custody or  
19 supervision of the Office of Juvenile Affairs.

20 B. A brick-and-mortar charter school shall admit students who  
21 reside in the attendance area of a school or in a school district  
22 that is under a court order of desegregation or that is a party to  
23 an agreement with the United States Department of Education Office  
24 for Civil Rights directed towards mediating alleged or proven racial

1 discrimination unless notice is received from the resident school  
2 district that admission of the student would violate the court order  
3 or agreement.

4 C. A brick-and-mortar charter school may designate a specific  
5 geographic area within the school district in which the charter  
6 school is located as an academic enterprise zone and may limit  
7 admissions to students who reside within that area. An academic  
8 enterprise zone shall be a geographic area in which sixty percent  
9 (60%) or more of the children who reside in the area qualify for the  
10 free or reduced school lunch program.

11 D. Except as provided in subsections B and C of this section, a  
12 charter school or virtual charter school shall not limit admission  
13 based on ethnicity, national origin, gender, income level, disabling  
14 condition, proficiency in the English language, measures of  
15 achievement, aptitude, or athletic ability.

16 E. A sponsor of a charter school shall not restrict the number  
17 of students a charter school may enroll, and the Statewide Charter  
18 School Board shall not restrict the number of students a virtual  
19 charter school or charter school may enroll. The capacity of a  
20 charter school or virtual charter school shall be determined  
21 quarterly by the governing board of the charter school or virtual  
22 charter school pursuant to the provisions of the Education Open  
23 Transfer Act.

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1 F. Beginning July 1, 2024, each statewide virtual charter  
2 school which has been approved and sponsored by the Statewide  
3 Charter School Board or any virtual charter school for which the  
4 Board has assumed sponsorship as provided for in Section 1 of this  
5 act shall be considered a statewide virtual charter school and the  
6 geographic boundaries of each statewide virtual charter school shall  
7 be the borders of the state.

8 ~~H.~~ G. Beginning July 1, 2024, students enrolled full-time in a  
9 statewide virtual charter school sponsored by the Statewide Charter  
10 School Board shall not be authorized to participate in any  
11 activities administered by the Oklahoma Secondary School Activities  
12 Association. However, the students may participate in intramural  
13 activities sponsored by a statewide virtual charter school, an  
14 online provider for the charter school, or any other outside  
15 organization.

16 ~~H.~~ H. 1. Beginning July 1, 2024, a public school student who  
17 wishes to enroll in a virtual charter school shall be considered a  
18 transfer student from his or her resident school district. A  
19 virtual charter school shall pre-enroll any public school student  
20 whose parent or legal guardian expresses intent to enroll in the  
21 virtual charter school. Upon pre-enrollment, the State Department  
22 of Education shall initiate a transfer on a form to be completed by  
23 the receiving virtual charter school. Upon approval of the  
24 receiving virtual charter school, the student may begin

1 instructional activities. Upon notice that a public school student  
2 has transferred to a virtual charter school, the resident school  
3 district shall transmit the student's records within three (3)  
4 school days.

5 2. The State Department of Education shall notify the  
6 Legislature and Governor if it determines that the information  
7 technology infrastructure necessary to process the transfer of  
8 students to a virtual charter school is inadequate and additional  
9 time is needed for implementation.

10 3. A public school student may transfer to one statewide  
11 virtual charter school at any time during a school year. For  
12 purposes of this subsection, "school year" shall mean July 1 through  
13 the following June 30. After one statewide virtual charter school  
14 transfer during a school year, no public school student shall be  
15 permitted to transfer to any other statewide virtual charter school  
16 without the concurrence of both the resident school district and the  
17 receiving virtual charter school. A student shall have a grace  
18 period of fifteen (15) school days from the first day of enrollment  
19 in a statewide virtual charter school to withdraw without academic  
20 penalty and shall continue to have the option of one virtual charter  
21 school transfer without the concurrence of both the resident school  
22 district and the receiving virtual charter school during that same  
23 school year. A statewide virtual charter school student that has  
24 utilized the allowable one transfer pursuant to this subsection

1 shall not be permitted to transfer to another school district or  
2 another statewide virtual charter school without first notifying his  
3 or her resident district and initiating a new transfer. Upon  
4 cancellation of a transfer, the virtual charter school shall  
5 transmit the student's records to the student's new school district  
6 within three (3) school days. Students enrolled in a statewide  
7 virtual charter school shall not be required to submit a virtual  
8 charter transfer for consecutive years of enrollment. Any student  
9 enrolled in a statewide virtual charter school the year prior to the  
10 implementation of this section shall not be required to submit a  
11 transfer in order to remain enrolled.

12 ~~¶~~ I. 1. Beginning July 1, 2024, a student shall be eligible  
13 to enroll in a statewide virtual charter school sponsored by the  
14 Statewide Charter School Board pursuant to Section 1 of this act if  
15 he or she is a student whose parent or legal guardian is transferred  
16 or is pending transfer to a military installation within this state  
17 while on active military duty pursuant to an official military  
18 order.

19 2. A statewide virtual charter school shall accept applications  
20 by electronic means for enrollment and course registration for  
21 students described in paragraph 1 of this subsection.

22 3. The parent or legal guardian of a student described in  
23 paragraph 1 of this subsection shall provide proof of residence in  
24 this state within ten (10) days after the published arrival date

1 provided on official documentation. A parent or legal guardian may  
2 use the following addresses as proof of residence:

- 3 a. a temporary on-base billeting facility,
- 4 b. a purchased or leased home or apartment, or
- 5 c. federal government or public-private venture off-base  
6 military housing.

7 4. The provisions of paragraph 3 of subsection H of this  
8 section shall apply to students described in paragraph 1 of this  
9 subsection.

10 5. For purposes of this subsection:

- 11 a. "active military duty" means full-time military duty  
12 status in the active uniformed service of the United  
13 States including members of the National Guard and  
14 Military Reserve on active duty orders, and
- 15 b. "military installation" means a base, camp, post,  
16 station, yard, center, homeport facility for any ship,  
17 or other installation under the jurisdiction of the  
18 Department of Defense or the United States Coast  
19 Guard.

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

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

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Passed the House of Representatives the 11th day of March, 2025.

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Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2025.

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Presiding Officer of the Senate