

STATE OF OKLAHOMA

2nd Session of the 60th Legislature (2026)

SENATE BILL 2070

By: Pugh

AS INTRODUCED

An Act relating to charter schools; amending 70 O.S. 2021, Sections 3-134, as last amended by Section 6, Chapter 323, O.S.L. 2023, and 3-137, as amended by Section 8, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2025, Sections 3-134 and 3-137), which relate to the Oklahoma Charter Schools Act; adding requirements to charter school application; requiring certain review to be provided to certain governing board and posted on certain sponsor's website; providing contents of annual oversight and performance review; requiring a sponsor's performance report to include certain information; allowing the Statewide Charter School Board to suspend certain sponsor authority if a sponsor fails to take certain actions; requiring certain determination to identify certain deficiencies; updating statutory language; 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 3-134, as last amended by Section 6, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2025, Section 3-134), is amended to read as follows:

Section 3-134. A. For written applications filed after July 1, 2024, prior to submission of the application to a proposed sponsor seeking to establish a charter school or to the Statewide Charter

1 School Board to establish a virtual charter school, the applicant
2 shall be required to complete training which shall not exceed ten
3 (10) hours provided by the Statewide Charter School Board on the
4 process and requirements for establishing a charter school or
5 virtual charter school. The sponsor of a charter school that enters
6 into a new or renewed sponsorship contract on or after July 1, 2024,
7 shall be required to complete training provided by the Statewide
8 Charter School Board or an organization approved by the Statewide
9 Charter School Board on the oversight duties of the sponsor. The
10 Board shall develop and implement the training and publish a list of
11 organizations approved to provide training by July 1, 2024. The
12 Board and organizations approved by the Board may provide the
13 training in any format and manner determined to be efficient and
14 effective including, but not limited to, web-based training.

15 B. Except as otherwise provided for in Section 3-137 of this
16 title, an applicant seeking to establish a virtual charter school
17 shall submit a written application to the Statewide Charter School
18 Board, and an applicant seeking to establish a charter school shall
19 submit a written application to the proposed sponsor as provided for
20 in subsection E of this section. The application shall include:

21 1. A mission statement for the charter school or virtual
22 charter school;
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1 2. A description including, but not limited to, background
2 information of the organizational structure and the governing board
3 of the charter school or virtual charter school;

4 3. A financial plan for the first five (5) years of operation
5 of the charter school or virtual charter school and a description of
6 the treasurer or other officers or persons who shall have primary
7 responsibility for the finances of the charter school or virtual
8 charter school. Such person shall have demonstrated experience in
9 school finance or the equivalent thereof;

10 4. A description of the hiring policy of the charter school or
11 virtual charter school;

12 5. The name of the applicant or applicants and requested
13 sponsor;

14 6. A description of the facility and location of the charter
15 school;

16 7. A description of the grades being served;

17 8. An outline of criteria designed to measure the effectiveness
18 of the charter school or virtual charter school;

19 9. Documentation that the applicants completed training as set
20 forth in subsection A of this section;

21 10. A description of the minimum and maximum enrollment planned
22 per year for each term of the charter contract;

23 11. The proposed calendar for the charter school or virtual
24 charter school and sample daily schedule;

1 12. Unless otherwise authorized by law or regulation, a
2 description of the academic program aligned with state standards;

3 13. A description of the instructional design of the charter
4 school or virtual charter school including the type of learning
5 environment, class size and structure, curriculum overview, and
6 teaching methods;

7 14. The plan for using internal and external assessments to
8 measure and report student progress on the performance framework
9 developed by the applicant in accordance with Section 3-136 of this
10 title;

11 15. The plans for identifying and successfully serving students
12 with disabilities, students who are English language learners, and
13 students who are academically behind;

14 16. A description of cocurricular or extracurricular programs
15 and how they will be funded and delivered;

16 17. Plans and ~~time lines~~ timelines for student recruitment and
17 enrollment including lottery procedures;

18 18. The student discipline policies for the charter school or
19 virtual charter school including those for ~~special education~~
20 students with disabilities;

21 19. An organizational chart that clearly presents the
22 organizational structure of the charter school or virtual charter
23 school, including lines of authority and reporting between the
24 governing board, staff, any related bodies such as advisory bodies
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1 or parent and teacher councils, and any external organizations that
2 will play a role in managing the school;

3 20. A clear description of the roles and responsibilities for
4 the governing board, the leadership and management team for the
5 charter school or virtual charter school, and any other entities
6 shown in the organizational chart;

7 21. The leadership and teacher employment policies for the
8 charter school or virtual charter school;

9 22. Proposed governing bylaws;

10 23. Explanations of any partnerships or contractual
11 partnerships central to the operations or mission of the charter
12 school or virtual charter school;

13 24. The plans for providing transportation, food service, and
14 all other significant operational or ancillary services;

15 25. Opportunities and expectations for parental involvement;

16 26. A detailed school start-up plan that identifies tasks, ~~time~~
17 ~~lines~~ timelines, and responsible individuals;

18 27. A description of the financial plan and policies for the
19 charter school or virtual charter school including financial
20 controls and audit requirements;

21 28. A description of the insurance coverage the charter school
22 or virtual charter school will obtain;

23 29. Start-up and five-year budgets with clearly stated
24 assumptions;

1 30. Start-up and first-year cash-flow projections with clearly
2 stated assumptions;

3 31. Evidence of anticipated fundraising contributions, if
4 claimed in the application;

5 32. A sound facilities plan including backup or contingency
6 plans if appropriate;

7 33. A requirement that the charter school or virtual charter
8 school governing board meet no fewer than ten (10) months of the
9 year in the state and that for those charter schools outside of
10 counties with a population of five hundred thousand (500,000) or
11 more, that a minimum of two ~~(2)~~ members are residents within the
12 geographic boundary of the charter school;

13 34. A requirement that the charter school or virtual charter
14 school follow the requirements of the Oklahoma Open Meeting Act and
15 Oklahoma Open Records Act. Additionally, a charter school or
16 virtual charter school shall:

- 17 a. include a designated public comment period during
18 every regular meeting of the charter school or virtual
19 charter school governing board,
20 b. post on its website procedures for how the charter
21 school or virtual charter school responds to requests
22 under the Oklahoma Open Records Act, and
23 c. submit an annual report to its sponsor regarding
24 compliance with the provisions of this paragraph; and
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1 35. A copy of any proposed contract between the governing board
2 of a charter school or virtual charter school and an educational
3 management organization, as defined by Section 5-200 of this title,
4 which meets the requirements of the Oklahoma Charter Schools Act.

5 C. A board of education of a public school district, public
6 body, public or private college or university, private person, or
7 private organization may contract with a sponsor to establish a
8 charter school or virtual charter school. A private school shall
9 not be eligible to contract for a charter school or virtual charter
10 school under the provisions of the Oklahoma Charter Schools Act.

11 D. The sponsor of a charter school is the board of education of
12 a school district, a higher education institution, a private
13 institution of higher learning accredited pursuant to Section 4103
14 of this title, a federally recognized Indian tribe which meets the
15 criteria established in Section 3-132 of this title, or beginning
16 July 1, 2024, the Statewide Charter School Board. Any sponsor
17 authorized pursuant to subsection A of Section 3-132 of this title
18 may sponsor one or more charter schools. The physical location of a
19 charter school sponsored by a board of education of a school
20 district shall be within the boundaries of the sponsoring school
21 district. The physical location of a charter school sponsored by
22 the Statewide Charter School Board pursuant to paragraph 6 of
23 subsection A of Section 3-132 of this title shall be in the school
24 district in which the application originated.

1 E. 1. Beginning July 1, 2024, any application seeking to
2 establish a charter school in this state shall be submitted first to
3 the school district in which the proposed charter school is to be
4 located. The school district board of education shall approve or
5 deny the application within sixty (60) days of receipt of the
6 application. If the charter school application is denied, nothing
7 shall prohibit an applicant from submitting a revised application to
8 the school district board of education, which shall approve or deny
9 the revised application within sixty (60) days of receipt of the
10 application.

11 2. An applicant for a charter school that has been denied
12 pursuant to paragraph 1 of this subsection may submit an application
13 to a proposed sponsor listed in paragraphs 2 through 6 of subsection
14 A of Section 3-132 of this title, which shall either accept or
15 reject sponsorship of the charter school within ninety (90) days of
16 receipt of the application. If the proposed sponsor rejects the
17 application, it shall notify the applicant in writing of the reasons
18 for the rejection. The applicant may submit a revised application
19 for reconsideration to the proposed sponsor within thirty (30) days
20 after receiving notification of the rejection. The proposed sponsor
21 shall accept or reject the revised application within thirty (30)
22 days of its receipt.

23 3. Beginning July 1, 2024, an applicant for a virtual charter
24 school shall submit an application to the Statewide Charter School
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1 Board, which shall either accept or reject sponsorship of the
2 virtual charter school within ninety (90) days of receipt of the
3 application. If the application is rejected, the Statewide Charter
4 School Board shall notify the applicant in writing of the reasons
5 for the rejection. The applicant may submit a revised application
6 for reconsideration to the Statewide Charter ~~school~~ School Board
7 within thirty (30) days after receiving notification of the
8 rejection. The Statewide Charter School Board shall accept or
9 reject the revised application within thirty (30) days of its
10 receipt.

11 F. A board of education of a school district, a higher
12 education institution, a private institution of higher learning
13 accredited pursuant to Section 4103 of this title, or a federally
14 recognized Indian tribe shall notify the State Board of Education
15 and the Statewide Charter School Board when it accepts sponsorship
16 of a charter school. The notification shall include a copy of the
17 charter of the charter school.

18 G. Applicants for charter schools and virtual charter schools
19 proposed to be sponsored by the Statewide Charter School Board may,
20 upon rejection of a revised application, proceed to binding
21 arbitration under the commercial rules of the American Arbitration
22 Association with costs of the arbitration to be borne by the
23 applicant.
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1 H. If a board of education of a school district, a higher
2 education institution, a private institution of higher learning
3 accredited pursuant to Section 4103 of this title, or a federally
4 recognized Indian tribe accepts sponsorship of a charter school, the
5 administrative, fiscal, and oversight responsibilities of the school
6 district, the higher education institution, the private institution
7 of higher learning accredited pursuant to Section 4103 of this
8 title, or the federally recognized Indian tribe shall be listed in
9 the contract. No administrative, fiscal, or oversight
10 responsibilities of a charter school shall be delegated to a school
11 district unless the school district agrees to enter into a contract
12 to assume the responsibilities.

13 I. A sponsor of a public charter school shall have the
14 following powers and duties over charter schools it sponsors, and
15 the Statewide Charter School Board shall have the following powers
16 and duties over the charter schools and virtual charter schools it
17 sponsors:

18 1. Provide services and oversight of the operations of charter
19 schools or virtual charter schools in the state through annual
20 oversight and performance reviews and reauthorization. The results
21 of the annual oversight and performance review of a charter school
22 or virtual charter school shall be provided to its governing board
23 and posted on the sponsor's website. The annual oversight and
24 performance review shall include:

- a. an evaluation of the charter school's or virtual charter school's academic, operational, and financial performance,
- b. an annual performance evaluation of the charter school or virtual charter school superintendent or administrator, and
- c. administration of an anonymous annual climate and satisfaction survey of parents and legal guardians of students enrolled in the charter school or virtual charter school;

2. Solicit and evaluate charter applications;

3. Approve quality charter applications that meet identified educational needs and promote a diversity of educational choices;

4. Decline to approve weak or inadequate charter applications;

5. Negotiate and execute sound charter contracts with each approved public charter school or virtual charter school;

6. Approve or deny proposed contracts between the governing board of a charter school or virtual charter school and an educational management organization, as defined by ~~section~~ Section 5-200 of this title;

7. Monitor, in accordance with charter contract terms, the performance and legal compliance of charter schools and virtual charter schools; and

1 8. Determine whether each charter contract merits renewal,
2 nonrenewal, or revocation.

3 J. Sponsors shall establish a procedure for accepting,
4 approving, and disapproving charter school applications in
5 accordance with subsection E of this section. The Statewide Charter
6 School Board shall post its application, application process, and
7 application time frames on the Board's website.

8 K. Sponsors including the Statewide Charter School Board shall
9 develop and maintain chartering policies and practices consistent
10 with recognized principles and standards for quality charter
11 sponsoring in all major areas of sponsoring responsibility including
12 organizational capacity and infrastructure, soliciting and
13 evaluating charter school and virtual charter school applications,
14 performance contracting, ongoing charter school and virtual charter
15 school oversight and evaluation, and charter contract renewal
16 decision-making.

17 L. Sponsors acting in their official capacity shall be immune
18 from civil and criminal liability with respect to all activities
19 related to a charter school with which they contract.

20 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-137, as
21 amended by Section 8, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2025,
22 Section 3-137), is amended to read as follows:

23 Section 3-137. A. An initial contract between a charter school
24 or virtual charter school and its sponsor approved on or after July
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1 1, 2024, shall be effective for five (5) years from the first day of
2 operation. After completing an initial five-year term, a charter
3 contract may be renewed for up to ten-year terms of duration,
4 although the sponsor may vary the term based on the performance,
5 demonstrated capacities, and particular circumstances of each
6 charter school or virtual charter school. A sponsor may grant
7 renewal with specific conditions for necessary improvements to a
8 charter school or virtual charter school.

9 B. Prior to the beginning of the final year of the contract
10 term of a charter school or virtual charter school, the sponsor
11 shall issue a performance report and charter renewal application
12 guidance to the charter school and its governing board or the
13 virtual charter school and its governing board. The performance
14 report shall summarize the performance record to date of the charter
15 school or virtual charter school based on the data required by the
16 Oklahoma Charter Schools Act, the annual performance framework
17 evaluation, the annual oversight and performance review conducted
18 pursuant to paragraph 1 of subsection I of Section 3-134 of this
19 title, a review of the contract with an educational management
20 organization if the charter school or virtual charter school
21 contracts with an educational management organization, and a review
22 of the charter contract including the charter school's or virtual
23 charter school's compliance with the Oklahoma Open Meeting Act, the
24 Oklahoma Open Records Act, and other requirements of paragraph 34 of

1 subsection B of Section 3-134 of this title. The performance review
2 shall take into consideration the percentage of at-risk students
3 enrolled in the charter school or virtual charter school. The
4 performance report shall provide notice of any weaknesses, concerns,
5 violations, or deficiencies perceived by the sponsor concerning the
6 charter school or virtual charter school that may jeopardize its
7 position in seeking renewal if not timely rectified. If there are
8 weaknesses, concerns, violations, or deficiencies the sponsor may
9 require a charter school or virtual charter school to develop a
10 corrective action plan and corresponding timeline to remedy any
11 weaknesses, concerns, violations, or deficiencies. If the sponsor
12 requires a corrective action plan, the charter school or virtual
13 charter school shall have forty-five (45) days to respond to the
14 performance report and submit any corrections or clarifications for
15 the report. If the charter school or virtual charter school does
16 not substantially complete the corrective action plan, the sponsor
17 may choose to revoke or not renew the charter contract pursuant to
18 the requirements of this section.

19 C. 1. Prior to the beginning of the final year of a charter
20 contract term, the charter school or virtual charter school may
21 apply for renewal of the contract with the sponsor including the
22 Statewide Charter School Board. The renewal application guidance
23 shall, at a minimum, provide an opportunity for the charter school
24 or virtual charter school to:

- a. present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal,
- b. describe improvements undertaken or planned for the school, and
- c. detail the plan for the next charter term for the school.

2. The renewal application guidance shall include or refer explicitly to the criteria that will guide the renewal decisions of the sponsor, which shall be based on the performance framework set forth in the charter contract and consistent with the Oklahoma Charter Schools Act.

D. The sponsor may deny the request for renewal if it determines the charter school or virtual charter school has failed to complete the obligations of the contract or comply with the provisions of the Oklahoma Charter Schools Act. A sponsor shall give written notice of its intent to deny the request for renewal at least eight (8) months prior to expiration of the contract. In making charter renewal decisions, a sponsor shall:

1. Ground decisions on evidence of the performance of the charter school or virtual charter school over the term of the charter contract in accordance with the performance framework set forth in the charter contract and shall take into consideration the percentage of at-risk students enrolled in the school;

1 2. Grant renewal to charter schools or virtual charter schools
2 that have achieved the standards, targets, and performance
3 expectations as stated in the charter contract and are
4 organizationally and fiscally viable and have been faithful to the
5 terms of the contract and applicable law;

6 3. Ensure that data used in making renewal decisions are
7 available to the school and the public; and

8 4. Provide a public report summarizing the evidence used as the
9 basis for each decision.

10 E. If the Statewide Charter School Board denies a request for
11 renewal, the Board may, if requested by the charter school or
12 virtual charter school, proceed to binding arbitration as provided
13 for in subsection G of Section 3-134 of this title.

14 F. A sponsor may terminate a contract during the term of the
15 contract for failure to meet the requirements for student
16 performance contained in the contract and performance framework,
17 failure to meet the standards of fiscal management, violations of
18 the law, or other good cause. The sponsor shall give at least
19 ninety (90) days' written notice to the governing board of the
20 charter school or virtual charter school prior to terminating the
21 contract. The governing board may request, in writing, an informal
22 hearing before the sponsor within fourteen (14) days of receiving
23 notice. The sponsor shall conduct an informal hearing before taking
24 action.

1 G. Beginning July 1, 2024, and subject to the provisions of
2 this section, a charter school sponsor authorized by subsection A of
3 Section 3-132 of this title with a charter contract that includes
4 more than one charter school site may terminate or not renew a
5 charter school contract for a specific charter school site.

6 H. 1. Beginning in the 2016-2017 school year, the State Board
7 of Education shall identify charter schools and virtual charter
8 schools in the state that are ranked in the bottom five percent (5%)
9 of all public schools as determined pursuant to Section 1210.545 of
10 this title.

11 2. At the time of its charter renewal, based on an average of
12 the current year and the two (2) prior operating years, a sponsor
13 may close a charter school site or virtual charter school identified
14 as being among the bottom five percent (5%) of public schools in the
15 state. The average of the current year and two (2) prior operating
16 years shall be calculated by using the percentage ranking for each
17 year divided by three, as determined by this subsection.

18 3. If there is a change to the calculation described in Section
19 1210.545 of this title that results in a charter school site or
20 virtual charter school that was not ranked in the bottom five
21 percent (5%) being ranked in the bottom five percent (5%), then the
22 sponsor shall use the higher of the two rankings to calculate the
23 ranking of the charter school site or virtual charter school.
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1 4. A charter school or virtual charter school that is closed by
2 its sponsor pursuant to this subsection shall not be granted a
3 subsequent charter contract.

4 5. The requirements of this subsection shall not apply to a
5 charter school or virtual charter school that has been designated by
6 the State Department of Education as implementing an alternative
7 education program.

8 6. In making a charter school site or virtual charter school
9 closure decision, the sponsor shall consider the following:

- 10 a. enrollment of students with special challenges such as
11 drug or alcohol addiction, prior withdrawal from
12 school, prior incarceration, or other special
13 circumstances,
- 14 b. high mobility of the student population resulting from
15 the specific purpose of the charter school or virtual
16 charter school,
- 17 c. annual improvement in the performance of students
18 enrolled in the charter school or virtual charter
19 school compared with the performance of students
20 enrolled in the charter school or virtual charter
21 school in the immediately preceding school year, and
- 22 d. whether a majority of students attending the charter
23 school or virtual charter school under consideration
24 for closure would likely revert to attending public

1 schools with lower academic achievement, as
2 demonstrated pursuant to Section 1210.545 of this
3 title.

4 7. If at least twenty-five percent (25%) of the charter schools
5 chartered by one sponsor are closed within a five-year period
6 pursuant to this subsection, the authority of the sponsor to sponsor
7 new charter schools may be suspended by the Statewide Charter School
8 Board until the Board approves the sponsor to sponsor new charter
9 schools. A determination made pursuant to this paragraph shall
10 identify the deficiencies that, if corrected, will result in the
11 approval of the sponsor to sponsor new charter schools.

12 I. If a sponsor fails to conduct the annual oversight and
13 performance review pursuant to paragraph 1 of subsection I of
14 Section 3-134 of this title or fails to review a charter school's
15 compliance with the Oklahoma Open Meeting Act, the Oklahoma Open
16 Records Act, and other requirements of paragraph 34 of subsection B
17 of Section 3-134 of this title, the authority of the sponsor to
18 sponsor new charter schools may be suspended by the Statewide
19 Charter School Board until the Board approves the sponsor to sponsor
20 new charter schools. A determination made pursuant to this
21 subsection shall identify the deficiencies that, if corrected, will
22 result in the approval of the sponsor to sponsor new charter
23 schools.

1 J. If a sponsor terminates a contract or the charter school or
2 virtual charter school is closed, the closure shall be conducted in
3 accordance with the following protocol:

4 1. Within two (2) calendar weeks of a final closure
5 determination, the sponsor shall meet with the governing board and
6 leadership of the charter school or virtual charter school to
7 establish a transition team composed of school staff, applicant
8 staff, and others designated by the applicant that will attend to
9 the closure including the transfer of students, student records, and
10 school funds;

11 2. The sponsor and transition team shall communicate regularly
12 and effectively with families of students enrolled in the charter
13 school or virtual charter school, as well as with school staff and
14 other stakeholders, to keep them apprised of key information
15 regarding the closure of the school and their options and risks;

16 3. The sponsor and transition team shall ensure that current
17 instruction of students enrolled in the charter school or virtual
18 charter school continues per the charter contract for the remainder
19 of the school year;

20 4. The sponsor and transition team shall ensure that all
21 necessary and prudent notifications are issued to agencies,
22 employees, insurers, contractors, creditors, debtors, and management
23 organizations; and
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1 5. The governing board of the charter school or virtual charter
2 school shall continue to meet as necessary to take actions needed to
3 wind down school operations, manage school finances, allocate
4 resources, and facilitate all aspects of closure.

5 ~~J.~~ K. A sponsor including the Statewide Charter School Board
6 shall develop revocation and nonrenewal processes that are
7 consistent with the Oklahoma Charter Schools Act and that:

8 1. Provide the charter school or virtual charter school with a
9 timely notification of the prospect of revocation or nonrenewal and
10 of the reasons for possible closure;

11 2. Allow the charter school or virtual charter school a
12 reasonable amount of time in which to prepare a response;

13 3. Provide the charter school or virtual charter school with an
14 opportunity to submit documents and give testimony in a public
15 hearing challenging the rationale for closure and in support of the
16 continuation of the school at an orderly proceeding held for that
17 purpose and prior to taking any final nonrenewal or revocation
18 decision related to the school;

19 4. Allow the charter school or virtual charter school access to
20 representation by counsel to call witnesses on its behalf;

21 5. Permit the recording of the proceedings; and

22 6. After a reasonable period for deliberation, require a final
23 determination be made and conveyed in writing to the charter school
24 or virtual charter school.

1 ~~K.~~ L. If a sponsor revokes or does not renew a charter
2 contract, the sponsor shall clearly state in a resolution the
3 reasons for the revocation or nonrenewal. If a charter is revoked
4 or nonrenewed, the charter school or virtual charter school shall
5 disclose the revocation or nonrenewal in any subsequent application.

6 ~~L.~~ M. If a charter contract is not renewed, the governing board
7 of the charter school may submit an application to a proposed new
8 sponsor as provided for in Section 3-134 of this title.

9 ~~M.~~ N. If a charter contract is not renewed or is terminated
10 according to this section, a student who attended the charter school
11 or virtual charter school may enroll in the resident school district
12 of the student or may apply for a transfer in accordance with the
13 Education Open Transfer Act.

14 SECTION 3. This act shall become effective July 1, 2026.

15 SECTION 4. It being immediately necessary for the preservation
16 of the public peace, health, or safety, an emergency is hereby
17 declared to exist, by reason whereof this act shall take effect and
18 be in full force from and after its passage and approval.

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