

1 STATE OF OKLAHOMA

2 1st Session of the 60th Legislature (2025)

3 SENATE BILL 366

By: Hines

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5
6 AS INTRODUCED

7 An Act relating to charter schools; amending 70 O.S.
8 2021, Section 3-134, as last amended by Section 6,
9 Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2024, Section
10 3-134), which relates to charter school applications;
11 removing language requiring a charter school
12 application to be first submitted to certain school
13 district; requiring charter school applications to be
14 submitted to a proposed sponsor beginning on certain
15 date; updating statutory language; providing an
16 effective date; and declaring an emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-134, as
19 last amended by Section 6, Chapter 323, O.S.L. 2023 (70 O.S. Supp.
20 2024, Section 3-134), is amended to read as follows:

21 Section 3-134. A. For written applications filed after July 1,
22 2024, prior to submission of the application to a proposed sponsor
23 seeking to establish a charter school or to the Statewide Charter
24 School Board to establish a virtual charter school, the applicant
shall be required to complete training which shall not exceed ten
(10) hours provided by the Statewide Charter School Board on the
process and requirements for establishing a charter school or

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

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

17 1. A mission statement for the charter school or virtual
18 charter school;

19 2. A description including, but not limited to, background
20 information of the organizational structure and the governing board
21 of the charter school or virtual charter school;

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

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

6 5. The name of the applicant or applicants and requested
7 sponsor;

8 6. A description of the facility and location of the charter
9 school;

10 7. A description of the grades being served;

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

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

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

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

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

21 13. A description of the instructional design of the charter
22 school or virtual charter school including the type of learning
23 environment, class size and structure, curriculum overview, and
24 teaching methods;

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

5 15. The plans for identifying and successfully serving students
6 with disabilities, students who are English language learners, and
7 students who are academically behind;

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

10 17. Plans and time lines for student recruitment and enrollment
11 including lottery procedures;

12 18. The student discipline policies for the charter school or
13 virtual charter school including those for special education
14 students;

15 19. An organizational chart that clearly presents the
16 organizational structure of the charter school or virtual charter
17 school, including lines of authority and reporting between the
18 governing board, staff, any related bodies such as advisory bodies
19 or parent and teacher councils, and any external organizations that
20 will play a role in managing the school;

21 20. A clear description of the roles and responsibilities for
22 the governing board, the leadership and management team for the
23 charter school or virtual charter school, and any other entities
24 shown in the organizational chart;

- 1 21. The leadership and teacher employment policies for the
2 charter school or virtual charter school;
- 3 22. Proposed governing bylaws;
- 4 23. Explanations of any partnerships or contractual
5 partnerships central to the operations or mission of the charter
6 school or virtual charter school;
- 7 24. The plans for providing transportation, food service, and
8 all other significant operational or ancillary services;
- 9 25. Opportunities and expectations for parental involvement;
- 10 26. A detailed school start-up plan that identifies tasks, time
11 lines, and responsible individuals;
- 12 27. A description of the financial plan and policies for the
13 charter school or virtual charter school including financial
14 controls and audit requirements;
- 15 28. A description of the insurance coverage the charter school
16 or virtual charter school will obtain;
- 17 29. Start-up and five-year budgets with clearly stated
18 assumptions;
- 19 30. Start-up and first-year cash-flow projections with clearly
20 stated assumptions;
- 21 31. Evidence of anticipated fundraising contributions, if
22 claimed in the application;
- 23 32. A sound facilities plan including backup or contingency
24 plans if appropriate;

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

7 34. A requirement that the charter school or virtual charter
8 school follow the requirements of the Oklahoma Open Meeting Act and
9 Oklahoma Open Records Act; and

10 35. A copy of any proposed contract between the governing board
11 of a charter school or virtual charter school and an educational
12 management organization, as defined by Section 5-200 of this title,
13 which meets the requirements of the Oklahoma Charter Schools Act.

14 C. A board of education of a public school district, public
15 body, public or private college or university, private person, or
16 private organization may contract with a sponsor to establish a
17 charter school or virtual charter school. A private school shall
18 not be eligible to contract for a charter school or virtual charter
19 school under the provisions of the Oklahoma Charter Schools Act.

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

10 E. 1. Beginning July 1, ~~2024~~ 2025, any application seeking to
11 establish a charter school in this state shall be submitted ~~first to~~
12 ~~the school district in which the proposed charter school is to be~~
13 ~~located. The school district board of education shall approve or~~
14 ~~deny the application within sixty (60) days of receipt of the~~
15 ~~application. If the charter school application is denied, nothing~~
16 ~~shall prohibit an applicant from submitting a revised application to~~
17 ~~the school district board of education, which shall approve or deny~~
18 ~~the revised application within sixty (60) days of receipt of the~~
19 ~~application.~~

20 ~~2. An applicant for a charter school that has been denied~~
21 ~~pursuant to paragraph 1 of this subsection may submit an application~~
22 ~~to a proposed sponsor listed in paragraphs 2 through 6 of subsection~~
23 ~~A of Section 3-132 of this title, which shall either accept or~~
24 ~~reject sponsorship of the charter school within ninety (90) days of~~

1 receipt of the application. If the proposed sponsor rejects the
2 application, it shall notify the applicant in writing of the reasons
3 for the rejection. The applicant may submit a revised application
4 for reconsideration to the proposed sponsor within thirty (30) days
5 after receiving notification of the rejection. The proposed sponsor
6 shall accept or reject the revised application within thirty (30)
7 days of its receipt.

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

19 F. A board of education of a school district, a higher
20 education institution, a private institution of higher learning
21 accredited pursuant to Section 4103 of this title, or a federally
22 recognized Indian tribe shall notify the State Board of Education
23 and the Statewide Charter School Board when it accepts sponsorship
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1 of a charter school. The notification shall include a copy of the
2 charter of the charter school.

3 G. Applicants for charter schools and virtual charter schools
4 proposed to be sponsored by the Statewide Charter School Board may,
5 upon rejection of a revised application, proceed to binding
6 arbitration under the commercial rules of the American Arbitration
7 Association with costs of the arbitration to be borne by the
8 applicant.

9 H. If a board of education of a school district, a higher
10 education institution, a private institution of higher learning
11 accredited pursuant to Section 4103 of this title, or a federally
12 recognized Indian tribe accepts sponsorship of a charter school, the
13 administrative, fiscal, and oversight responsibilities of the school
14 district, the higher education institution, the private institution
15 of higher learning accredited pursuant to Section 4103 of this
16 title, or the federally recognized Indian tribe shall be listed in
17 the contract. No administrative, fiscal, or oversight
18 responsibilities of a charter school shall be delegated to a school
19 district unless the school district agrees to enter into a contract
20 to assume the responsibilities.

21 I. A sponsor of a public charter school shall have the
22 following powers and duties over charter schools it sponsors, and
23 the Statewide Charter School Board shall have the following powers
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1 and duties over the charter schools and virtual charter schools it
2 sponsors:

3 1. Provide services and oversight of the operations of charter
4 schools or virtual charter schools in the state through annual
5 performance reviews and reauthorization;

6 2. Solicit and evaluate charter applications;

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

9 4. Decline to approve weak or inadequate charter applications;

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

12 6. Approve or deny proposed contracts between the governing
13 board of a charter school or virtual charter school and an
14 educational management organization, as defined by ~~section~~ Section
15 5-200 of this title;

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

19 8. Determine whether each charter contract merits renewal,
20 nonrenewal, or revocation.

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

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

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

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

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