

**COMMITTEE AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1489 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Ronny Johns \_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

1 STATE OF OKLAHOMA

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

3 PROPOSED POLICY  
4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL 1489

By: Johns

7  
8 PROPOSED POLICY COMMITTEE SUBSTITUTE

9 An Act relating to education; amending 70 O.S. 2021,  
10 Section 3-132, as last amended by Section 5, Chapter  
11 323, O.S.L. 2023 (70 O.S. Supp. 2024, Section 3-132),  
12 which relates to establishment of charter schools;  
13 requiring consideration of community support for a  
14 proposed charter school; amending 70 O.S. 2021,  
15 Section 3-134, as last amended by Section 6, Chapter  
16 323, O.S.L. 2023 (70 O.S. Supp. 2024, Section 3-134),  
17 which relates to charter school applications;  
18 requiring demonstration of school district support  
19 for the charter school; providing an effective date;  
20 and declaring an emergency.

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

22 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-132, as  
23 last amended by Section 5, Chapter 323, O.S.L. 2023 (70 O.S. Supp.  
24 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  
24

1 education services to youth in the custody or supervision of the  
2 state;

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  
24

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; and

21 7. A clear demonstration of community support by members of the  
22 community within the geographical boundaries of the proposed charter  
23 school for the charter school.

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1 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-134, as  
2 last amended by Section 6, Chapter 323, O.S.L. 2023 (70 O.S. Supp.  
3 2024, Section 3-134), is amended to read as follows:

4 Section 3-134. A. For written applications filed after July 1,  
5 2024, prior to submission of the application to a proposed sponsor  
6 seeking to establish a charter school or to the Statewide Charter  
7 School Board to establish a virtual charter school, the applicant  
8 shall be required to complete training which shall not exceed ten  
9 (10) hours provided by the Statewide Charter School Board on the  
10 process and requirements for establishing a charter school or  
11 virtual charter school. The sponsor of a charter school that enters  
12 into a new or renewed sponsorship contract on or after July 1, 2024,  
13 shall be required to complete training provided by the Statewide  
14 Charter School Board or an organization approved by the Statewide  
15 Charter School Board on the oversight duties of the sponsor. The  
16 Board shall develop and implement the training and publish a list of  
17 organizations approved to provide training by July 1, 2024. The  
18 Board and organizations approved by the Board may provide the  
19 training in any format and manner determined to be efficient and  
20 effective including, but not limited to, web-based training.

21 B. Except as otherwise provided for in Section 3-137 of this  
22 title, an applicant seeking to establish a virtual charter school  
23 shall submit a written application to the Statewide Charter School  
24 Board, and an applicant seeking to establish a charter school shall

1 submit a written application to the proposed sponsor as provided for  
2 in subsection E of this section. The application shall include:

- 3 1. A mission statement for the charter school or virtual  
4 charter school;
- 5 2. A description including, but not limited to, background  
6 information of the organizational structure and the governing board  
7 of the charter school or virtual charter school;
- 8 3. A financial plan for the first five (5) years of operation  
9 of the charter school or virtual charter school and a description of  
10 the treasurer or other officers or persons who shall have primary  
11 responsibility for the finances of the charter school or virtual  
12 charter school. Such person shall have demonstrated experience in  
13 school finance or the equivalent thereof;
- 14 4. A description of the hiring policy of the charter school or  
15 virtual charter school;
- 16 5. The name of the applicant or applicants and requested  
17 sponsor;
- 18 6. A description of the facility and location of the charter  
19 school;
- 20 7. A description of the grades being served;
- 21 8. An outline of criteria designed to measure the effectiveness  
22 of the charter school or virtual charter school;
- 23 9. Documentation that the applicants completed training as set  
24 forth in subsection A of this section;

- 1        10. A description of the minimum and maximum enrollment planned  
2 per year for each term of the charter contract;
- 3        11. The proposed calendar for the charter school or virtual  
4 charter school and sample daily schedule;
- 5        12. Unless otherwise authorized by law or regulation, a  
6 description of the academic program aligned with state standards;
- 7        13. A description of the instructional design of the charter  
8 school or virtual charter school including the type of learning  
9 environment, class size and structure, curriculum overview, and  
10 teaching methods;
- 11       14. The plan for using internal and external assessments to  
12 measure and report student progress on the performance framework  
13 developed by the applicant in accordance with Section 3-136 of this  
14 title;
- 15       15. The plans for identifying and successfully serving students  
16 with disabilities, students who are English language learners, and  
17 students who are academically behind;
- 18       16. A description of cocurricular or extracurricular programs  
19 and how they will be funded and delivered;
- 20       17. Plans and time lines for student recruitment and enrollment  
21 including lottery procedures;
- 22       18. The student discipline policies for the charter school or  
23 virtual charter school including those for special education  
24 students;



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

7        20. A clear description of the roles and responsibilities for  
8 the governing board, the leadership and management team for the  
9 charter school or virtual charter school, and any other entities  
10 shown in the organizational chart;

11       21. The leadership and teacher employment policies for the  
12 charter school or virtual charter school;

13       22. Proposed governing bylaws;

14       23. Explanations of any partnerships or contractual  
15 partnerships central to the operations or mission of the charter  
16 school or virtual charter school;

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

19       25. Opportunities and expectations for parental involvement;

20       26. A detailed school start-up plan that identifies tasks, time  
21 lines, and responsible individuals;

22       27. A description of the financial plan and policies for the  
23 charter school or virtual charter school including financial  
24 controls and audit requirements;

1        28. A description of the insurance coverage the charter school  
2 or virtual charter school will obtain;

3        29. Start-up and five-year budgets with clearly stated  
4 assumptions;

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

7        31. Evidence of anticipated fundraising contributions, if  
8 claimed in the application;

9        32. A sound facilities plan including backup or contingency  
10 plans if appropriate;

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

17       34. A requirement that the charter school or virtual charter  
18 school follow the requirements of the Oklahoma Open Meeting Act and  
19 Oklahoma Open Records Act; ~~and~~

20       35. A copy of any proposed contract between the governing board  
21 of a charter school or virtual charter school and an educational  
22 management organization, as defined by Section 5-200 of this title,  
23 which meets the requirements of the Oklahoma Charter Schools Act;  
24 and

1       36. A demonstration of support for the charter school from  
2 residents of the school district which may include, but is not  
3 limited to, a survey of the school district residents or a petition  
4 signed by the residents of the school district.

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

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 Board within  
7 thirty (30) days after receiving notification of the rejection. The  
8 Statewide Charter School Board shall accept or reject the revised  
9 application within thirty (30) days of its receipt.

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

17 G. Applicants for charter schools and virtual charter schools  
18 proposed to be sponsored by the Statewide Charter School Board may,  
19 upon rejection of a revised application, proceed to binding  
20 arbitration under the commercial rules of the American Arbitration  
21 Association with costs of the arbitration to be borne by the  
22 applicant.

23 H. If a board of education of a school district, a higher  
24 education institution, a private institution of higher learning

1 accredited pursuant to Section 4103 of this title, or a federally  
2 recognized Indian tribe accepts sponsorship of a charter school, the  
3 administrative, fiscal, and oversight responsibilities of the school  
4 district, the higher education institution, the private institution  
5 of higher learning accredited pursuant to Section 4103 of this  
6 title, or the federally recognized Indian tribe shall be listed in  
7 the contract. No administrative, fiscal, or oversight  
8 responsibilities of a charter school shall be delegated to a school  
9 district unless the school district agrees to enter into a contract  
10 to assume the responsibilities.

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

16 1. Provide services and oversight of the operations of charter  
17 schools or virtual charter schools in the state through annual  
18 performance reviews and reauthorization;

19 2. Solicit and evaluate charter applications;

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

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

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

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

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

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

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

15       K. Sponsors including the Statewide Charter School Board shall  
16 develop and maintain chartering policies and practices consistent  
17 with recognized principles and standards for quality charter  
18 sponsoring in all major areas of sponsoring responsibility including  
19 organizational capacity and infrastructure, soliciting and  
20 evaluating charter school and virtual charter school applications,  
21 performance contracting, ongoing charter school and virtual charter  
22 school oversight and evaluation, and charter contract renewal  
23 decision-making.

24

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

4 SECTION 3. This act shall become effective July 1, 2025.

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

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