

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1226

By: West (Kevin)

4  
5  
6 AS INTRODUCED

7 An Act relating to charter schools; amending Section  
8 2, Chapter 323, O.S.L. 2023, and 70 O.S. 2021,  
9 Sections 3-134, as last amended by Section 6, Chapter  
10 323, O.S.L. 2023, and 3-136, as amended by Section 7,  
11 Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2024,  
12 Sections 3-132.2, 3-134, and 3-136), which relate to  
the Oklahoma Charter Schools Act; modifying  
13 definitions; specifying who may contract with a  
14 sponsor to operate a charter school; eliminating  
15 provisions related to sectarian and religious  
16 prohibitions; and providing an effective date.

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

18 SECTION 1. AMENDATORY Section 2, Chapter 323, O.S.L.  
19 2023 (70 O.S. Supp. 2024, Section 3-132.2), is amended to read as  
20 follows:

21 Section 3-132.2. A. Beginning July 1, 2024, and subject to the  
22 requirements of the Oklahoma Charter Schools Act, the Statewide  
23 Charter School Board shall:

24 1. Provide supervision, services, and oversight of the  
operations of statewide virtual charter schools in this state and  
charter schools for which the Statewide Charter School Board is the

1 sponsor, recommend legislation pertaining to charter schools to the  
2 Legislature, and promulgate rules and policies that the Board deems  
3 necessary to accomplish the purposes prescribed in this section;

4 2. Ensure compliance with state laws and training requirements  
5 for all charter schools, virtual charter schools, and sponsors;

6 3. Establish a procedure for accepting, approving, and  
7 disapproving charter school and statewide virtual charter school  
8 applications and a process for renewal or revocation of approved  
9 charter contracts which meet the procedures set forth in the  
10 Oklahoma Charter Schools Act;

11 4. Hire an Executive Director and other staff for its  
12 operation;

13 5. Prepare a budget for expenditures necessary for the proper  
14 maintenance of the Board and accomplishment of its purpose;

15 6. Comply with the requirements of the Oklahoma Open Meeting  
16 Act and Oklahoma Open Records Act; and

17 7. Give priority to opening charter schools and virtual charter  
18 schools that serve at-risk student populations or students from low-  
19 performing traditional public schools.

20 B. The State Board of Education shall be responsible for  
21 accreditation of charter schools and virtual charter schools and  
22 ensure compliance with special education laws and federal laws and  
23 programs administered by the State Board of Education.

24

1 C. 1. For purposes of the Oklahoma Charter Schools Act,  
2 "charter school" means:

3 a. prior to July 1, 2024, a public school established by  
4 contract with a school district board of education, a  
5 technology center school district, a higher education  
6 institution, a federally recognized Indian tribe, or  
7 the State Board of Education, and

8 b. on July 1, 2024, and after, a ~~public~~ school  
9 established by a public or private contractor  
10 operating under contract with a school district board  
11 of education, a higher education institution, an  
12 institution of higher learning accredited pursuant to  
13 Section 4103 of Title 70 of the Oklahoma Statutes, a  
14 federally recognized Indian tribe, or the Statewide  
15 Charter School Board,

16 to provide learning that will improve student achievement and as  
17 defined in the Elementary and Secondary Education Act of 1965, as  
18 reauthorized by P.L. No. 114-95, also known as the Every Student  
19 Succeeds Act.

20 2. A charter school may consist of a new school site, new  
21 school sites, or all or any portion of an existing school site. An  
22 entire school district may not become a charter school site.

23 D. 1. For the purposes of the Oklahoma Charter Schools Act,  
24 "conversion school" means a school created by converting all or any

1 part of a traditional public school in order to access any or all  
2 flexibilities afforded to a charter school; provided, however, all  
3 or any part of a traditional public school shall not be converted to  
4 a virtual charter school.

5 2. Prior to the board of education of a school district  
6 converting all or any part of a traditional public school to a  
7 conversion school, the board shall prepare a conversion plan. The  
8 conversion plan shall include documentation that demonstrates and  
9 complies with paragraphs 1, 2, 6, 7, 8, 9, 10, 13, 14, 15, 16, 17,  
10 19, 20, 21, 22, 23, 24, 34, and 35 of subsection B of Section 3-134  
11 of Title 70 of the Oklahoma Statutes. The conversion plan and all  
12 documents shall be in writing and shall be available to the public  
13 pursuant to the requirements of the Oklahoma Open Records Act. All  
14 votes by the board of education of a school district to approve a  
15 conversion plan shall be held in an open public session. If the  
16 board of education of a school district votes to approve a  
17 conversion plan, the board shall notify the State Board of Education  
18 within sixty (60) days after the vote. The notification shall  
19 include a copy of the minutes for the board meeting at which the  
20 conversion plan was approved.

21 3. A conversion school shall comply with all the same  
22 accountability measures as are required of a charter school as  
23 defined in subsection C of this section. The provisions of Sections  
24 3-140 and 3-142 of Title 70 of the Oklahoma Statutes shall not apply

1 to a conversion school. Conversion schools shall comply with the  
2 same laws and State Board of Education rules relating to student  
3 enrollment which apply to traditional public schools. Conversion  
4 schools shall be funded by the board of education of the school  
5 district as a school site within the school district and funding  
6 shall not be affected by the conversion of the school.

7 4. The board of education of a school district may vote to  
8 revert a conversion school back to a traditional public school at  
9 any time; provided, the change shall only occur during a break  
10 between school years.

11 5. Unless otherwise provided for in this subsection, a  
12 conversion school shall retain the characteristics of a traditional  
13 public school.

14 E. 1. Beginning July 1, 2024, the Statewide Charter School  
15 Board shall make publicly available a list of supplemental online  
16 courses which have been reviewed and certified by the Board to  
17 ensure that the courses are high-quality options and are aligned  
18 with the subject matter standards adopted by the State Board of  
19 Education pursuant to Section 11-103.6 of Title 70 of the Oklahoma  
20 Statutes. The Statewide Charter School Board shall give special  
21 emphasis on listing supplemental online courses in science,  
22 technology, engineering, and math (STEM), foreign language, and  
23 advanced placement courses. School districts shall not be limited  
24 to selecting supplemental online courses that have been reviewed and

1 certified by the Statewide Charter School Board and listed as  
2 provided for in this paragraph.

3 2. In conjunction with the Office of Management and Enterprise  
4 Services, the Board shall negotiate and enter into contracts with  
5 supplemental online course providers to offer a state rate price to  
6 school districts for supplemental online courses that have been  
7 reviewed and certified by the Statewide Charter School Board and  
8 listed as provided for in this subsection.

9 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-134, as  
10 last amended by Section 6, Chapter 323, O.S.L. 2023 (70 O.S. Supp.  
11 2024, Section 3-134), is amended to read as follows:

12 Section 3-134. A. For written applications filed after July 1,  
13 2024, prior to submission of the application to a proposed sponsor  
14 seeking to establish a charter school or to the Statewide Charter  
15 School Board to establish a virtual charter school, the applicant  
16 shall be required to complete training which shall not exceed ten  
17 (10) hours provided by the Statewide Charter School Board on the  
18 process and requirements for establishing a charter school or  
19 virtual charter school. The sponsor of a charter school that enters  
20 into a new or renewed sponsorship contract on or after July 1, 2024,  
21 shall be required to complete training provided by the Statewide  
22 Charter School Board or an organization approved by the Statewide  
23 Charter School Board on the oversight duties of the sponsor. The  
24 Board shall develop and implement the training and publish a list of

1 organizations approved to provide training by July 1, 2024. The  
2 Board and organizations approved by the Board may provide the  
3 training in any format and manner determined to be efficient and  
4 effective including, but not limited to, web-based training.

5 B. Except as otherwise provided for in Section 3-137 of this  
6 title, an applicant seeking to establish a virtual charter school  
7 shall submit a written application to the Statewide Charter School  
8 Board, and an applicant seeking to establish a charter school shall  
9 submit a written application to the proposed sponsor as provided for  
10 in subsection E of this section. The application shall include:

11 1. A mission statement for the charter school or virtual  
12 charter school;

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

16 3. A financial plan for the first five (5) years of operation  
17 of the charter school or virtual charter school and a description of  
18 the treasurer or other officers or persons who shall have primary  
19 responsibility for the finances of the charter school or virtual  
20 charter school. Such person shall have demonstrated experience in  
21 school finance or the equivalent thereof;

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

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- 1        5. The name of the applicant or applicants and requested  
2 sponsor;
- 3        6. A description of the facility and location of the charter  
4 school;
- 5        7. A description of the grades being served;
- 6        8. An outline of criteria designed to measure the effectiveness  
7 of the charter school or virtual charter school;
- 8        9. Documentation that the applicants completed training as set  
9 forth in subsection A of this section;
- 10       10. A description of the minimum and maximum enrollment planned  
11 per year for each term of the charter contract;
- 12       11. The proposed calendar for the charter school or virtual  
13 charter school and sample daily schedule;
- 14       12. Unless otherwise authorized by law or regulation, a  
15 description of the academic program aligned with state standards;
- 16       13. A description of the instructional design of the charter  
17 school or virtual charter school including the type of learning  
18 environment, class size and structure, curriculum overview, and  
19 teaching methods;
- 20       14. The plan for using internal and external assessments to  
21 measure and report student progress on the performance framework  
22 developed by the applicant in accordance with Section 3-136 of this  
23 title;

24



1        15. The plans for identifying and successfully serving students  
2 with disabilities, students who are English language learners, and  
3 students who are academically behind;

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

6        17. Plans and time lines for student recruitment and enrollment  
7 including lottery procedures;

8        18. The student discipline policies for the charter school or  
9 virtual charter school including those for special education  
10 students;

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

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

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

23       22. Proposed governing bylaws;

24

1 23. Explanations of any partnerships or contractual  
2 partnerships central to the operations or mission of the charter  
3 school or virtual charter school;

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

6 25. Opportunities and expectations for parental involvement;

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

9 27. A description of the financial plan and policies for the  
10 charter school or virtual charter school including financial  
11 controls and audit requirements;

12 28. A description of the insurance coverage the charter school  
13 or virtual charter school will obtain;

14 29. Start-up and five-year budgets with clearly stated  
15 assumptions;

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

18 31. Evidence of anticipated fundraising contributions, if  
19 claimed in the application;

20 32. A sound facilities plan including backup or contingency  
21 plans if appropriate;

22 33. A requirement that the charter school or virtual charter  
23 school governing board meet no fewer than ten (10) months of the  
24 year in the state and that for those charter schools outside of

1 counties with a population of five hundred thousand (500,000) or  
2 more, that a minimum of two (2) members are residents within the  
3 geographic boundary of the charter school;

4 34. A requirement that the charter school or virtual charter  
5 school follow the requirements of the Oklahoma Open Meeting Act and  
6 Oklahoma Open Records Act; and

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

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

18 D. The sponsor of a charter school is the board of education of  
19 a school district, a higher education institution, a private  
20 institution of higher learning accredited pursuant to Section 4103  
21 of this title, a federally recognized Indian tribe which meets the  
22 criteria established in Section 3-132 of this title, or beginning  
23 July 1, 2024, the Statewide Charter School Board. Any sponsor  
24 authorized pursuant to subsection A of Section 3-132 of this title

1 may sponsor one or more charter schools. The physical location of a  
2 charter school sponsored by a board of education of a school  
3 district shall be within the boundaries of the sponsoring school  
4 district. The physical location of a charter school sponsored by  
5 the Statewide Charter School Board pursuant to paragraph 6 of  
6 subsection A of Section 3-132 of this title shall be in the school  
7 district in which the application originated.

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

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

1 for the rejection. The applicant may submit a revised application  
2 for reconsideration to the proposed sponsor within thirty (30) days  
3 after receiving notification of the rejection. The proposed sponsor  
4 shall accept or reject the revised application within thirty (30)  
5 days of its receipt.

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

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

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

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

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

24

- 1        1. Provide services and oversight of the operations of charter  
2 schools or virtual charter schools in the state through annual  
3 performance reviews and reauthorization;
- 4        2. Solicit and evaluate charter applications;
- 5        3. Approve quality charter applications that meet identified  
6 educational needs and promote a diversity of educational choices;
- 7        4. Decline to approve weak or inadequate charter applications;
- 8        5. Negotiate and execute sound charter contracts with each  
9 approved public charter school or virtual charter school;
- 10       6. Approve or deny proposed contracts between the governing  
11 board of a charter school or virtual charter school and an  
12 educational management organization, as defined by ~~section~~ Section  
13 5-200 of this title;
- 14       7. Monitor, in accordance with charter contract terms, the  
15 performance and legal compliance of charter schools and virtual  
16 charter schools; and
- 17       8. Determine whether each charter contract merits renewal,  
18 nonrenewal, or revocation.
- 19       J. Sponsors shall establish a procedure for accepting,  
20 approving, and disapproving charter school applications in  
21 accordance with subsection E of this section. The Statewide Charter  
22 School Board shall post its application, application process, and  
23 application time frames on the Board's website.

24

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

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

13 SECTION 3. AMENDATORY 70 O.S. 2021, Section 3-136, as  
14 amended by Section 7, Chapter 323, O.S.L. 2023 (70 O.S. Supp. 2024,  
15 Section 3-136), is amended to read as follows:

16 Section 3-136. A. Beginning July 1, 2024, a written contract  
17 entered into between the Statewide Charter School Board and the  
18 governing board of a charter school or statewide virtual charter  
19 school or a written contract entered into between a sponsor and the  
20 governing board of a charter school shall ensure compliance with the  
21 following:

22 1. Except as provided for in the Oklahoma Charter Schools Act,  
23 a charter school and virtual charter school shall be exempt from all  
24 statutes and rules relating to schools, boards of education, and



1 school districts; provided, however, a charter school or virtual  
2 charter school shall comply with all federal regulations and state  
3 and local rules and statutes relating to health, safety, civil  
4 rights, and insurance. By January 1, 2000, the State Department of  
5 Education shall prepare a list of relevant rules and statutes which  
6 a charter school and virtual charter school must comply with as  
7 required by this paragraph and shall annually provide an update to  
8 the list;

9 ~~2. A charter school shall be nonsectarian in its programs,~~  
10 ~~admission policies, employment practices, and all other operations.~~  
11 ~~A sponsor may not authorize a charter school or program that is~~  
12 ~~affiliated with a nonpublic sectarian school or religious~~  
13 ~~institution;~~

14 ~~3.~~ The charter contract shall provide a description of the  
15 educational program to be offered. A charter school or virtual  
16 charter school may provide a comprehensive program of instruction  
17 for a prekindergarten program, a kindergarten program, or any grade  
18 between grades one and twelve. Instruction may be provided to all  
19 persons between four (4) and twenty-one (21) years of age. A  
20 charter school or virtual charter school may offer a curriculum  
21 which emphasizes a specific learning philosophy or style or certain  
22 subject areas such as mathematics, science, fine arts, performance  
23 arts, or foreign language. The charter of a charter school or  
24 virtual charter school which offers grades nine through twelve shall

1 specifically address whether the charter school or virtual charter  
2 school will comply with the graduation requirements established in  
3 Section 11-103.6 of this title. No charter school shall be  
4 chartered for the purpose of offering a curriculum for deaf or blind  
5 students that is the same or similar to the curriculum being  
6 provided by or for educating deaf or blind students that are being  
7 served by the Oklahoma School for the Blind or the Oklahoma School  
8 for the Deaf;

9 ~~4.~~ 3. A charter school or virtual charter school shall  
10 participate in the testing as required by the Oklahoma School  
11 Testing Program Act and the reporting of test results as is required  
12 of a school district. A charter school or virtual charter school  
13 shall also provide any necessary data to the Office of  
14 Accountability within the State Department of Education;

15 ~~5.~~ 4. A charter school or virtual charter school shall be  
16 subject to the same reporting requirements, financial audits, audit  
17 procedures, and audit requirements as a school district. The State  
18 Department of Education or State Auditor and Inspector may conduct  
19 financial, program, or compliance audits. The Statewide Charter  
20 School Board may request that the State Auditor and Inspector  
21 conduct a financial, program, or compliance audit for any charter  
22 school or virtual charter school it oversees. A charter school or  
23 virtual charter school shall use the Oklahoma Cost Accounting System  
24 to report financial transactions to the State Department of

1 Education. The charter school or virtual charter school shall be  
2 subject to the limitations on spending, including provisions of the  
3 Oklahoma Constitution, for any funds received from the state, either  
4 through the State Department of Education or other sources;

5 ~~6.~~ 5. A charter school or virtual charter school shall comply  
6 with all federal and state laws relating to the education of  
7 children with disabilities in the same manner as a school district;

8 ~~7.~~ 6. A charter school or virtual charter school shall provide  
9 for a governing board for the school which shall be responsible for  
10 the policies and operational decisions of the charter school or  
11 virtual charter school. All of the charter school or virtual  
12 charter school governing board members shall be residents of this  
13 state and shall meet no fewer than ten (10) months of the year in a  
14 public meeting within the boundaries of the school district in which  
15 the charter school is located or within this state if the governing  
16 board oversees multiple charter schools in this state or oversees a  
17 virtual charter school. The governing board of a charter school or  
18 virtual charter school shall be subject to the same conflict of  
19 interest requirements as a member of a school district board of  
20 education including but not limited to Sections 5-113 and 5-124 of  
21 this title. Members appointed to the governing board of a charter  
22 school or virtual charter school shall be subject to the same  
23 instruction and continuing education requirements as a member of a  
24 school district board of education and pursuant to Section 5-110 of

1 this title shall complete twelve (12) hours of instruction within  
2 fifteen (15) months of appointment to the governing board and  
3 pursuant to Section 5-110.1 of this title shall attend continuing  
4 education;

5 ~~8.~~ 7. A charter school or virtual charter school shall not be  
6 used as a method of generating revenue for students who are being  
7 home schooled and are not being educated at an organized charter  
8 school site or by a virtual charter school;

9 ~~9.~~ 8. A charter school or virtual charter school shall be as  
10 equally free and open to all students as traditional public schools  
11 and shall not charge tuition or fees;

12 ~~10.~~ 9. A charter school or virtual charter school shall provide  
13 instruction each year for at least the number of days or hours  
14 required in Section 1-109 of this title;

15 ~~11.~~ 10. A charter school or virtual charter school shall comply  
16 with the student suspension requirements provided for in Section 24-  
17 101.3 of this title;

18 ~~12.~~ 11. A charter school or virtual charter school shall be  
19 considered a school district for purposes of tort liability under  
20 The Governmental Tort Claims Act;

21 ~~13.~~ 12. Employees of a charter school or virtual charter school  
22 may participate as members of the Teachers' Retirement System of  
23 Oklahoma in accordance with applicable statutes and rules if  
24 otherwise allowed pursuant to law;

1       ~~14.~~ 13. A charter school or virtual charter school may  
2 participate in all health and related insurance programs available  
3 to employees of a public school district;

4       ~~15.~~ 14. A charter school or virtual charter school and their  
5 respective governing boards shall comply with the Oklahoma Open  
6 Meeting Act and the Oklahoma Open Records Act;

7       ~~16.~~ 15. The governing board of a charter school or virtual  
8 charter school shall notify the sponsor within ten (10) business  
9 days in the instance of any significant adverse actions, material  
10 findings of noncompliance, or pending actions, claims, or  
11 proceedings in this state relating to the charter school, the  
12 virtual charter school, or an educational management organization  
13 with which the charter school or virtual charter school has a  
14 contract;

15       ~~17.~~ 16. No later than September 1 each year, the governing  
16 board of each charter school or virtual charter school formed  
17 pursuant to the Oklahoma Charter Schools Act shall prepare a  
18 statement of actual income and expenditures for the charter school  
19 or virtual charter school for the fiscal year that ended on the  
20 preceding June 30, in a manner compliant with Section 5-135 of this  
21 title. The statement of expenditures shall include functional  
22 categories as defined in rules adopted by the State Board of  
23 Education to implement the Oklahoma Cost Accounting System pursuant  
24 to Section 5-145 of this title. Charter schools and virtual charter

1 schools shall not be permitted to submit estimates of expenditures  
2 or prorated amounts to fulfill the requirements of this paragraph;  
3 and

4 ~~18.~~ 17. A charter school or virtual charter school contract  
5 shall include performance provisions based on a performance  
6 framework that clearly sets forth the academic and operational  
7 performance indicators that shall be used by charter school and  
8 virtual charter school sponsors to evaluate their respective  
9 schools. The sponsor may develop a separate performance framework  
10 to evaluate a charter school or virtual charter school that has been  
11 designated by the State Department of Education as implementing an  
12 alternative education program throughout the school. The sponsor  
13 shall require a charter school or virtual charter school to submit  
14 the data required in this subsection in the identical format that is  
15 required by the State Department of Education of all public schools  
16 in order to avoid duplicative administrative efforts or allow a  
17 charter school or virtual charter school to provide permission to  
18 the Department to share all required data with the Board. The  
19 performance framework shall serve as the minimum requirement for  
20 charter school and virtual charter school performance evaluation and  
21 shall include, but not be limited to, the following indicators:

- 22 a. student academic proficiency,
- 23 b. student academic growth,

24

- c. achievement gaps in both proficiency and growth between major student subgroups,
- d. student attendance,
- e. recurrent enrollment from year to year as determined by the methodology used for public schools in Oklahoma,
- f. in the case of high schools, graduation rates as determined by the methodology used for public schools in Oklahoma,
- g. in the case of high schools, postsecondary readiness,
- h. financial performance and sustainability and compliance with state and Internal Revenue Service financial reporting requirements,
- i. audit findings or deficiencies,
- j. accreditation and timely reporting,
- k. governing board performance and stewardship including compliance with all applicable laws, regulations, and terms of the charter contract, and
- l. mobility of student population for the virtual charter school framework.

The sponsor including the Statewide Charter School Board shall annually evaluate its charter schools or virtual charter schools according to the performance framework. The results of the evaluation shall be presented to the governing board of the charter

1 school or virtual charter school and the governing board of the  
2 charter school sponsor in an open meeting.

3 B. An applicant or the governing board of an applicant may hold  
4 one or more charter contracts. Each charter school or virtual  
5 charter school that is part of a charter contract shall be separate  
6 and distinct from any other charter school or virtual charter  
7 school. For the purposes of this subsection, "separate and  
8 distinct" shall mean that a charter school or virtual charter school  
9 governing board with oversight of more than one charter school or  
10 virtual charter school shall not combine accounting, budgeting,  
11 recordkeeping, admissions, employment, or policies and operational  
12 decisions of the charter schools or virtual charter schools it  
13 oversees.

14 C. The charter contract of a charter school or virtual charter  
15 school shall include a description of the personnel policies,  
16 personnel qualifications, and method of school governance. A  
17 charter school or virtual charter school shall not enter into an  
18 employment contract with any teacher or other personnel until a  
19 contract has been executed with its sponsor. The employment  
20 contract shall set forth the personnel policies of the charter  
21 school or virtual charter school including, but not limited to,  
22 policies related to certification, professional development,  
23 evaluation, suspension, dismissal and nonreemployment, sick leave,  
24 personal business leave, emergency leave, and family and medical



1 leave. The contract shall also specifically set forth the salary,  
2 hours, fringe benefits, and work conditions. The contract may  
3 provide for employer-employee bargaining, but the charter school or  
4 virtual charter school shall not be required to comply with the  
5 provisions of Sections 509.1 through 509.10 of this title.

6 Upon contracting with any teacher or other personnel, the  
7 governing board of a charter school or virtual charter school shall,  
8 in writing, disclose employment rights of the employees in the event  
9 the charter school or virtual charter school closes or the charter  
10 contract is not renewed.

11 No charter school or virtual charter school may begin serving  
12 students without a contract executed in accordance with the  
13 provisions of the Oklahoma Charter Schools Act and approved in an  
14 open meeting of the governing board of the sponsor or the Statewide  
15 Charter School Board. The governing board of the sponsor or the  
16 Statewide Charter School Board may establish reasonable preopening  
17 requirements or conditions to monitor the start-up progress of newly  
18 approved charter schools or virtual charter schools and ensure that  
19 each brick-and-mortar school is prepared to open smoothly on the  
20 date agreed and to ensure that each school meets all building,  
21 health, safety, insurance, and other legal requirements for the  
22 opening of a school.

23 D. The charter of a charter school or virtual charter school  
24 may be amended at the request of the governing board of the charter

1 school or virtual charter school and upon the approval of the  
2 sponsor.

3 E. A charter school or virtual charter school may enter into  
4 contracts and sue and be sued.

5 F. The governing board of a charter school or virtual charter  
6 school shall not levy taxes or issue bonds. A school district that  
7 proposes a bond shall include any charter school established  
8 pursuant to subsection A of Section 3-132 of this title and located  
9 within the school district in planning conversations regarding the  
10 bond.

11 G. The charter of a charter school or virtual charter school  
12 shall include a provision specifying the method or methods to be  
13 employed for disposing of real and personal property acquired by the  
14 charter school or virtual charter school upon expiration or  
15 termination of the charter or failure of the charter school or  
16 virtual charter school to continue operations. Except as otherwise  
17 provided, any real or personal property purchased with state or  
18 local funds shall be retained by the sponsor. If a charter school  
19 that was previously sponsored by the board of education of a school  
20 district continues operation within the school district under a new  
21 charter sponsored by an entity authorized pursuant to Section 3-132  
22 of this title, the charter school may retain any personal property  
23 purchased with state or local funds for use in the operation of the

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1 charter school until termination of the new charter or failure of  
2 the charter school to continue operations.

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

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