

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2153

By: Hall

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5  
6 AS INTRODUCED

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

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

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

19 Section 3-140. A. A charter school with a brick-and-mortar  
20 school site or sites shall enroll those students whose legal  
21 residence is within the boundaries of the school district in which  
22 the charter school is located and who submit a timely application,  
23 or those students who transfer to the charter school in accordance  
24 with the Education Open Transfer Act, unless the number of

1 applications exceeds the capacity of a program, class, grade level,  
2 or building. Students who reside in a school district where a  
3 charter school is located shall not be required to obtain a transfer  
4 in order to attend a charter school in the school district of  
5 residence. If capacity is insufficient to enroll all eligible  
6 students, the charter school shall select students through a lottery  
7 selection process. A charter school shall give enrollment  
8 preference to eligible students who reside within the boundaries of  
9 the school district in which the charter school is located and who  
10 attend a school site that has been identified as in need of  
11 improvement by the State Board of Education pursuant to the  
12 Elementary and Secondary Education Act of 1965, as amended or  
13 reauthorized. A charter school may give enrollment preference to  
14 eligible students with a sibling that is currently enrolled at the  
15 charter school. Such sibling enrollment preference may supersede  
16 all other enrollment preferences, including other enrollment  
17 preferences described in this subsection. A charter school may  
18 limit admission to students within a given age group or grade level.  
19 A charter school sponsored by the Statewide Charter School Board  
20 when the applicant of the charter school is the Office of Juvenile  
21 Affairs shall limit admission to youth that are in the custody or  
22 supervision of the Office of Juvenile Affairs.

23 B. A brick-and-mortar charter school shall admit students who  
24 reside in the attendance area of a school or in a school district

1 that is under a court order of desegregation or that is a party to  
2 an agreement with the United States Department of Education Office  
3 for Civil Rights directed towards mediating alleged or proven racial  
4 discrimination unless notice is received from the resident school  
5 district that admission of the student would violate the court order  
6 or agreement.

7 C. A brick-and-mortar charter school may designate a specific  
8 geographic area within the school district in which the charter  
9 school is located as an academic enterprise zone and may limit  
10 admissions to students who reside within that area. An academic  
11 enterprise zone shall be a geographic area in which sixty percent  
12 (60%) or more of the children who reside in the area qualify for the  
13 free or reduced school lunch program.

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

19 E. A sponsor of a charter school shall not restrict the number  
20 of students a charter school may enroll, and the Statewide Charter  
21 School Board shall not restrict the number of students a virtual  
22 charter school or charter school may enroll. The capacity of a  
23 charter school or virtual charter school shall be determined  
24 quarterly by the governing board of the charter school or virtual

1 charter school pursuant to the provisions of the Education Open  
2 Transfer Act.

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

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

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

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

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

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

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

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

21 2. A statewide virtual charter school shall accept applications  
22 by electronic means for enrollment and course registration for  
23 students described in paragraph 1 of this subsection.  
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1           3. The parent or legal guardian of a student described in  
2 paragraph 1 of this subsection shall provide proof of residence in  
3 this state within ten (10) days after the published arrival date  
4 provided on official documentation. A parent or legal guardian may  
5 use the following addresses as proof of residence:

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

10          4. The provisions of paragraph 3 of subsection ~~F~~ H shall apply  
11 to students described in paragraph 1 of this subsection.

12          5. For purposes of this subsection:

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

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

23          SECTION 3. It being immediately necessary for the preservation  
24 of the public peace, health or safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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