

1 ENGROSSED HOUSE
2 BILL NO. 1034

By: Kirby and Denney of the
House

3 and

4 Loveless of the Senate
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8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 3-132, as last amended by Section 1, Chapter
10 212, O.S.L. 2013 (70 O.S. Supp. 2014, Section 3-132),
11 which relates to the Oklahoma Charter Schools Act;
12 authorizing sponsorship of charter schools by
13 federally recognized Indian tribes on certain
14 property; and providing an effective date.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-132, as
17 last amended by Section 1, Chapter 212, O.S.L. 2013 (70 O.S. Supp.
18 2014, Section 3-132), is amended to read as follows:

19 Section 3-132. A. The Oklahoma Charter Schools Act shall apply
20 only to charter schools formed and operated under the provisions of
21 the act. Charter schools shall be sponsored only as follows:

22 1. By a school district with an average daily membership of
23 five thousand (5,000) or more and which all or part of the school
24 district is located in a county having more than five hundred

1 thousand (500,000) population according to the latest Federal
2 Decennial Census;

3 2. By a school district which has a school site that has been
4 identified as in need of improvement by the State Board of Education
5 pursuant to the Elementary and Secondary Education Act of 1965, as
6 amended or reauthorized;

7 3. By a technology center school district if the charter school
8 is located in a school district served by the technology center
9 school district and the school district has an average daily
10 membership of five thousand (5,000) or more and which all or part of
11 the school district is located in a county having more than five
12 hundred thousand (500,000) population according to the latest
13 Federal Decennial Census;

14 4. By a technology center school district if the charter school
15 is located in a school district served by the technology center
16 school district and the school district has a school site that has
17 been identified as in need of improvement by the State Board of
18 Education pursuant to the Elementary and Secondary Education Act of
19 1965, as amended or reauthorized;

20 5. By a comprehensive or regional institution that is a member
21 of The Oklahoma State System of Higher Education if the charter
22 school is located in a school district that has an average daily
23 membership of five thousand (5,000) or more and which all or part of
24 the school district is located in a county having more than five

1 hundred thousand (500,000) population according to the latest
2 Federal Decennial Census. In addition, the institution shall have a
3 teacher education program accredited by the Oklahoma Commission for
4 Teacher Preparation and have a branch campus or constituent agency
5 physically located within the school district in which the charter
6 school is located;

7 6. By a comprehensive or regional institution that is a member
8 of The Oklahoma State System of Higher Education if the charter
9 school is located in a school district that has a school site that
10 has been identified as in need of improvement by the State Board of
11 Education pursuant to the Elementary and Secondary Education Act of
12 1965, as amended or reauthorized. In addition, the institution
13 shall have a teacher education program accredited by the Oklahoma
14 Commission for Teacher Preparation and have a branch campus or
15 constituent agency physically located within the school district in
16 which the charter school is located;

17 7. By a federally recognized Indian tribe, operating a high
18 school under the authority of the Bureau of Indian Affairs as of
19 November 1, 2010, if the charter school is for the purpose of
20 demonstrating native language immersion instruction, and is located
21 within its former reservation or treaty area boundaries. For
22 purposes of this paragraph, native language immersion instruction
23 shall require that educational instruction and other activities
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1 conducted at the school site are primarily conducted in the native
2 language; ~~or~~

3 8. 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 9. By the State Board of Education when the applicant of the
9 charter school is the Office of Juvenile Affairs or the applicant
10 has a contract with the Office of Juvenile Affairs to provide a
11 fixed rate level E, D, or D+ group home service and the charter
12 school is for the purpose of providing education services to youth
13 in the custody or supervision of the state. Not more than two
14 charter schools shall be sponsored by the Board as provided for in
15 this paragraph during the period of time beginning July 1, 2010,
16 through July 1, 2016.

17 B. For purposes of the Oklahoma Charter Schools Act, "charter
18 school" means a public school established by contract with a board
19 of education of a school district, an area vocational-technical
20 school district, a higher education institution, a federally
21 recognized Indian tribe, or the State Board of Education pursuant to
22 the Oklahoma Charter Schools Act to provide learning that will
23 improve student achievement and as defined in the Elementary and
24 Secondary Education Act of 1965, 20 U.S.C. 8065.

