

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1034

By: Kirby

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5
6 AS INTRODUCED

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

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

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

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

21 1. By a school district with an average daily membership of
22 five thousand (5,000) or more and which all or part of the school
23 district is located in a county having more than five hundred
24 thousand (500,000) population according to the latest Federal
Decennial Census;

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

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

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

18 5. By a comprehensive or regional institution that is a member
19 of The Oklahoma State System of Higher Education if the charter
20 school is located in a school district that has an average daily
21 membership of five thousand (5,000) or more and which all or part of
22 the school district is located in a county having more than five
23 hundred thousand (500,000) population according to the latest
24 Federal Decennial Census. In addition, the institution shall have a

1 teacher education program accredited by the Oklahoma Commission for
2 Teacher Preparation and have a branch campus or constituent agency
3 physically located within the school district in which the charter
4 school is located;

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

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

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1 8. By a federally recognized Indian tribe only when the charter
2 school is located within the former reservation or treaty area
3 boundaries of the tribe on property held in trust by the Bureau of
4 Indian Affairs of the United States Department of the Interior for
5 the benefit of the tribe; or

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

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

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

4 SECTION 2. This act shall become effective November 1, 2015.

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