

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 55th Legislature (2015)

4 HOUSE BILL 1034

By: Kirby and Denney of the  
House

5 and

6 Loveless of the Senate

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8  
9 AS INTRODUCED

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

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

18 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-132, as  
19 last amended by Section 1, Chapter 212, O.S.L. 2013 (70 O.S. Supp.  
20 2014, Section 3-132), is amended to read as follows:

21 Section 3-132. A. The Oklahoma Charter Schools Act shall apply  
22 only to charter schools formed and operated under the provisions of  
23 the act. Charter schools shall be sponsored only as follows:  
24

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

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

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

17 4. By a technology center school district if the charter school  
18 is located in a school district served by the technology center  
19 school district and the school district has a school site that has  
20 been identified as in need of improvement by the State Board of  
21 Education pursuant to the Elementary and Secondary Education Act of  
22 1965, as amended or reauthorized;

23 5. By a comprehensive or regional institution that is a member  
24 of The Oklahoma State System of Higher Education if the charter

1 school is located in a school district that has an average daily  
2 membership of five thousand (5,000) or more and which all or part of  
3 the school district is located in a county having more than five  
4 hundred thousand (500,000) population according to the latest  
5 Federal Decennial Census. In addition, the institution shall have a  
6 teacher education program accredited by the Oklahoma Commission for  
7 Teacher Preparation and have a branch campus or constituent agency  
8 physically located within the school district in which the charter  
9 school is located;

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

20 7. By a federally recognized Indian tribe, operating a high  
21 school under the authority of the Bureau of Indian Affairs as of  
22 November 1, 2010, if the charter school is for the purpose of  
23 demonstrating native language immersion instruction, and is located  
24 within its former reservation or treaty area boundaries. For

1 purposes of this paragraph, native language immersion instruction  
2 shall require that educational instruction and other activities  
3 conducted at the school site are primarily conducted in the native  
4 language; ~~or~~

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

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

19 B. For purposes of the Oklahoma Charter Schools Act, "charter  
20 school" means a public school established by contract with a board  
21 of education of a school district, an area vocational-technical  
22 school district, a higher education institution, a federally  
23 recognized Indian tribe, or the State Board of Education pursuant to  
24 the Oklahoma Charter Schools Act to provide learning that will

1 improve student achievement and as defined in the Elementary and  
2 Secondary Education Act of 1965, 20 U.S.C. 8065.

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

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

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8 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/10/2015  
9 - DO PASS, As Coauthored.

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