

STATE OF OKLAHOMA

2nd Session of the 45th Legislature (1998)

HOUSE JOINT  
RESOLUTION NO. 1060

By: Steidley

AS INTRODUCED

A Joint Resolution directing the Secretary of State to refer to the people for their approval or rejection a proposed amendment to the Constitution of the State of Oklahoma by adding a new section to Article XIII to be designated Section 4A; providing for enactment of certain laws establishing school choice; establishing certain rights of school children and school districts; providing for enactment of certain laws establishing duties of the State Board of Education; providing for consistency; providing ballot title; and directing filing.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES AND THE SENATE OF THE  
2ND SESSION OF THE 46TH OKLAHOMA LEGISLATURE:

SECTION 1. The Secretary of State shall refer to the people for their approval or rejection, as and in the manner provided by law, the following proposed amendment to Article XIII of the Constitution of the State of Oklahoma by adding a new Section 4A to read as follows:

Section 4A. A. The Legislature shall enact laws providing for the right of the parent or guardian of a child who is an Oklahoma resident to choose, without regard for school district of residence, the school district in which the child or ward of the parent or guardian shall attend school. If a parent or guardian does not make a choice of school districts, the child shall attend the school district in which the child is a resident. A school district may deny a request to enroll in that district only if the resident district enrollment along with other transfers granted would cause

the number of students in any class to exceed the class size limits established by law or would exceed the physical capacity or educational materials of the district. A school district which accepts a nonresident child for enrollment may, in its discretion, transport the child to the boundary of that school district.

B. The Legislature shall authorize the State Board of Education to establish procedures for making application for a transfer to the school district of choice.

C. All laws passed by the Legislature shall be consistent with the provisions of this section.

SECTION 2. The Ballot Title for the proposed Constitutional amendment as set forth in SECTION 1 of this resolution shall be in the following form:

BALLOT TITLE

Legislative Referendum No. \_\_\_\_\_ State Question No. \_\_\_\_\_

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

This measure amends Article 13 of the Oklahoma Constitution. It adds a new Section 4A. This measure gives parents the right to choose schools for their children. A child would still have the right to attend their home school. It gives the school district the right to deny a transfer in some cases. A school district can offer transportation if they choose to. The Legislature is directed to give the State Board of Education certain duties. Laws passed by the Legislature must be consistent with this new section.

SHALL THIS AMENDMENT BE APPROVED BY THE PEOPLE?

\_\_\_/ YES, FOR THE AMENDMENT

\_\_\_/ NO, AGAINST THE AMENDMENT

SECTION 3. The Chief Clerk of the House of Representatives, immediately after the passage of this resolution, shall prepare and file one copy thereof, including the Ballot Title set forth in

SECTION 2 hereof, with the Secretary of State and one copy with the Attorney General.

46-2-8184

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