

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1943

By: Shelton

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2001, Section 3-132, which relates to the Oklahoma Charter School Act; limiting the number of charter schools per applicant; creating the Charter School Oversight Board; stating duties of the Board; providing for membership; providing for appointments, officers, meetings, travel reimbursement, and staffing; amending 70 O.S. 2001, Section 1210.508D, which relates to the Reading Sufficiency Act; requiring certain teachers to attend certain elementary reading professional development institute; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-132, is amended to read as follows:

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

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

2. By a technology center school district only when the charter school is located in a local school district served by the technology center school district and only if the local school district has an average daily membership of five thousand (5,000) or more and which all or part of the local school district is located

in a county having more than five hundred thousand (500,000) population according to the latest federal Decennial Census.

Additional charter schools may be sponsored as provided for in Section 3-133 of this title.

Charter schools formed pursuant to the act shall serve as a pilot program to demonstrate the potential of expanding charter schools to other parts of the state. Any charter or enterprise school operating in the state pursuant to an agreement with the board of education of a school district on July 1, 1999, may continue to operate pursuant to that agreement or may contract with the board of education of the school district pursuant to the Oklahoma Charter Schools Act. Nothing in the Oklahoma Charter Schools Act shall prohibit a school district from applying for exemptions from certain education-related statutory requirements as provided for in the Education Deregulation Act.

B. For purposes of the Oklahoma Charter Schools Act, "charter school" means a public school established by contract with a board of education of a school district or an area vocational-technical school district pursuant to the Oklahoma Charter Schools Act to provide learning that will improve student achievement and as defined in the Elementary and Secondary Education Act of 1965, 20 U.S.C. 8065.

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

D. No applicant of a charter school shall contract to have more than three charter schools active at any one time.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-145 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Charter School Oversight Board. The Board shall monitor the quality and effectiveness of charter

schools in the state and shall make recommendations on actions to take to ensure accountability of charter schools.

B. The membership of the Board shall consist of:

1. One member of the Oklahoma House of Representatives appointed by the Speaker of the House of Representatives;

2. One member of the Oklahoma State Senate appointed by the President Pro Tempore of the Senate;

3. Two members, who are not legislators, appointed by the Governor;

4. Two members, who are not legislators, appointed by the Speaker of the House of Representatives; and

5. Two members, who are not legislators, appointed by the President Pro Tempore of the Senate.

C. Members of the Board shall be appointed by September 1, 2005. The first meeting of the Board shall be called by the Governor. A chair and vice-chair shall be elected annually from the membership of the Board. Meetings of the Board shall be subject to the provisions of the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

D. Members of the Board shall receive no compensation for their service on the Board, but shall receive travel reimbursement as follows:

1. Legislative members of the Board shall be reimbursed for necessary travel expenses incurred in the performance of their duties in accordance with the provisions of Section 456 of Title 74 of the Oklahoma Statutes; and

2. Other members of the Board shall be reimbursed by the State Board of Education pursuant to the provisions of the State Travel Reimbursement Act.

E. Staffing for the Board shall be provided by the State Department of Education.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 1210.508D,
is amended to read as follows:

Section 1210.508D A. Contingent on the provision of appropriated funds designated for the Reading Sufficiency Act, school districts may be reimbursed in the amount of up to One Hundred Fifty Dollars (\$150.00) for each enrolled first-, second- and third-grade student of the current school year who is found to be in need of remediation in reading. The reimbursement shall be for expenses incurred in reading assessment and remediation at those grade levels pursuant to the provisions of the Reading Sufficiency Act.

B. In order to be reimbursed, school districts shall file a claim with the State Department of Education at the end of each school semester or prior to the end of the fiscal year in which the remediation is provided. Claims from summer remediation provided in July or August shall be filed with the first semester claim of the subsequent school year. Claims shall be reimbursed in a timely manner. The State Board of Education shall promulgate rules for the administration of reimbursements.

C. Each teacher who teaches in an elementary school in the state that has failed to make yearly adequate progress for two (2) years and has been identified as in need of improvement by the State Board of Education pursuant to the requirements of the Elementary and Secondary Education Act of 2001 (ESEA), P.L. No. 107-110, also known as the "No Child Left Behind Act of 2001", shall be required to attend and complete a professional development institute in elementary reading approved by the Oklahoma Commission for Teacher Preparation.

D. If a teacher attends and completes a professional development institute in elementary reading approved by the Oklahoma Commission for Teacher Preparation during the summer or when school is not in session, the teacher shall receive a stipend equal to the

amount of the cost for a substitute teacher, based on the amount of funds allocated.

SECTION 4. This act shall become effective July 1, 2005.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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