

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 445

By: Ford of the Senate

3 and

4 Denney of the House
5
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7 An Act relating to charter schools; amending 70 O.S.
2001, Section 3-140, as amended by Section 3, Chapter
8 288, O.S.L. 2010 (70 O.S. Supp. 2010, Section 3-140),
which relates to student eligibility to enroll in a
9 charter school; allowing charter schools to enroll
emergency transfer students; providing an effective
10 date; and declaring an emergency.

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13 AUTHOR: Add the following House Coauthor: Cooksey

14 AMENDMENT NO. 1. Strike the title, enacting clause and entire bill
and insert

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16 "An Act relating to charter schools; amending 70 O.S.
2001, Section 3-140, as amended by Section 3,
17 Chapter 288, O.S.L. 2010 (70 O.S. Supp. 2010,
Section 3-140), which relates to student eligibility
18 to enroll in a charter school; allowing charter
schools to enroll emergency transfer students; and
19 clarifying transfer requirement for certain
students.
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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-140, as
2 amended by Section 3, Chapter 288, O.S.L. 2010 (70 O.S. Supp. 2010,
3 Section 3-140), is amended to read as follows:

4 Section 3-140. A. Except for a charter school sponsored by the
5 State Board of Education, a charter school shall enroll those
6 students whose legal residence is within the boundaries of the
7 school district in which the charter school is located and who
8 submit a timely application, or those students who transfer to the
9 district in which the charter school is located in accordance with
10 Section 8-103 or 8-104 of this title, unless the number of
11 applications exceeds the capacity of a program, class, grade level,
12 or building. Students who reside in a school district where a
13 charter school is located shall not be required to obtain a transfer
14 in order to attend a charter school in the school district of
15 residence. If capacity is insufficient to enroll all eligible
16 students, the charter school shall select students through a lottery
17 selection process. Except for a charter school sponsored by the
18 State Board of Education, a charter school shall give enrollment
19 preference to eligible students who reside within the boundaries of
20 the school district in which the charter school is located. Except
21 for a charter school sponsored by the State Board of Education, a
22 charter school created after the effective date of this act shall
23 give enrollment preference to eligible students who reside within
24 the boundaries of the school district in which the charter school is

1 located and who attend a school site listed on the school
2 improvement list as determined by the State Board of Education
3 pursuant to the Elementary and Secondary Education Act of 1965, as
4 amended or reauthorized. A charter school may limit admission to
5 students within a given age group or grade level. A charter school
6 sponsored by the State Board of Education shall limit admission to
7 youth that are in the custody or supervision of the Office of
8 Juvenile Affairs.

9 B. Except for a charter school sponsored by the State Board of
10 Education, a charter school shall admit students who reside in the
11 attendance area of a school or in a school district that is under a
12 court order of desegregation or that is a party to an agreement with
13 the United States Department of Education Office for Civil Rights
14 directed towards mediating alleged or proven racial discrimination
15 unless notice is received from the resident school district that
16 admission of the student would violate the court order or agreement.

17 C. A charter school may designate a specific geographic area
18 within the school district in which the charter school is located as
19 an academic enterprise zone and may limit admissions to students who
20 reside within that area. An academic enterprise zone shall be a
21 geographic area in which sixty percent (60%) or more of the children
22 who reside in the area qualify for the free or reduced school lunch
23 program.

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