

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

COMMITTEE AMENDMENT

\_\_\_\_\_

(Date)

Mr./Madame President:

I move to amend House Bill No. 1034, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Loveless

Loveless-EB-FS-Req#1724  
2/18/2016 4:55 PM

(Floor Amendments Only) Date and Time Filed: \_\_\_\_\_

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

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

3 FLOOR SUBSTITUTE  
4 FOR ENGROSSED  
5 HOUSE BILL NO. 1034

By: Kirby, Denney and Billy of  
the House

6 and

7 Loveless of the Senate

8  
9 FLOOR SUBSTITUTE

10 [ schools - Oklahoma Charter Schools Act -  
11 applications - contracts - terms - effective date ]

12  
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 1 of Enrolled Senate Bill  
15 No. 782 of the 1st Session of the 55th Oklahoma Legislature is  
16 amended to read as follows:

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

20 1. By any school district located in the State of Oklahoma,  
21 provided such charter school shall only be located within the  
22 geographical boundaries of the sponsoring district and subject to  
23 the restrictions of Section 3-145.6 of this title;

1           2. By a technology center school district if the charter school  
2 is located in a school district served by the technology center  
3 school district in which all or part of the school district is  
4 located in a county having more than five hundred thousand (500,000)  
5 population according to the latest Federal Decennial Census;

6           3. By a technology center school district if the charter school  
7 is located in a school district served by the technology center  
8 school district and the school district has a school site that has  
9 been identified as in need of improvement by the State Board of  
10 Education pursuant to the Elementary and Secondary Education Act of  
11 1965, as amended or reauthorized;

12           4. By an accredited comprehensive or regional institution that  
13 is a member of The Oklahoma State System of Higher Education or a  
14 community college if the charter school is located in a school  
15 district in which all or part of the school district is located in a  
16 county having more than five hundred thousand (500,000) population  
17 according to the latest Federal Decennial Census;

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 a school site that  
21 has been identified as in need of improvement by the State Board of  
22 Education pursuant to the Elementary and Secondary Education Act of  
23 1965, as amended or reauthorized. In addition, the institution  
24 shall have a teacher education program accredited by the Oklahoma

1 Commission for Teacher Preparation and have a branch campus or  
2 constituent agency physically located within the school district in  
3 which the charter school is located in the State of Oklahoma;

4 6. By a federally recognized Indian tribe, operating a high  
5 school under the authority of the Bureau of Indian Affairs as of  
6 November 1, 2010, if the charter school is for the purpose of  
7 demonstrating native language immersion instruction, and is located  
8 within its former reservation or treaty area boundaries. For  
9 purposes of this paragraph, native language immersion instruction  
10 shall require that educational instruction and other activities  
11 conducted at the school site are primarily conducted in the native  
12 language;

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

22 8. By the State Board of Education when the applicant has first  
23 been denied a charter by the local school district in which it seeks  
24 to operate. In counties with fewer than five hundred thousand

1 (500,000) population, according to the latest Federal Decennial  
2 Census, the State Board of Education shall not sponsor more than  
3 five charter schools per year each year for the first five (5) years  
4 after the effective date of this act, with not more than one charter  
5 school sponsored in a single school district per year. In order to  
6 authorize a charter school under this section, the State Board of  
7 Education shall find evidence of all of the following:

- 8 a. a thorough and high-quality charter school application  
9 from the applicant based on the authorizing standards  
10 in subsection B of Section 3-134 of this title,
- 11 b. a clear demonstration of community support for the  
12 charter school, and
- 13 c. the grounds and basis of objection by the school  
14 district for denying the operation of the charter are  
15 not supported by the greater weight of evidence and  
16 the strength of the application; or

17 9. By a federally recognized Indian tribe only when the charter  
18 school is located within the former reservation or treaty area  
19 boundaries of the tribe on property held in trust by the Bureau of  
20 Indian Affairs of the United States Department of the Interior for  
21 the benefit of the tribe. A federally recognized Indian tribe shall  
22 not sponsor more than five charter schools per year.  
23  
24

1 B. An eligible non-school-district sponsor shall give priority  
2 to opening charter schools that serve at-risk student populations or  
3 students from low-performing traditional public schools.

4 C. An eligible non-school-district sponsor shall give priority  
5 to applicants that have demonstrated a record of operating at least  
6 one school or similar program that demonstrates academic success and  
7 organizational viability and serves student populations similar to  
8 those the proposed charter school seeks to serve. In assessing the  
9 potential for quality replication of a charter school, a sponsor  
10 shall consider the following factors before approving a new site or  
11 school:

12 1. Evidence of a strong and reliable record of academic success  
13 based primarily on student performance data, as well as other viable  
14 indicators, including financial and operational success;

15 2. A sound, detailed, and well-supported growth plan;

16 3. Evidence of the ability to transfer successful practices to  
17 a potentially different context that includes reproducing critical  
18 cultural, organizational and instructional characteristics;

19 4. Any management organization involved in a potential  
20 replication is fully vetted, and the academic, financial and  
21 operational records of the schools it operates are found to be  
22 satisfactory;

1           5. Evidence the program seeking to be replicated has the  
2 capacity to do so successfully without diminishing or putting at  
3 risk its current operations; and

4           6. A financial structure that ensures that funds attributable  
5 to each charter school within a network and required by law to be  
6 utilized by a school remain with and are used to benefit that  
7 school.

8           D. For purposes of the Oklahoma Charter Schools Act, "charter  
9 school" means a public school established by contract with a board  
10 of education of a school district, a conversion charter school, an  
11 area vocational-technical school district, a higher education  
12 institution, a federally recognized Indian tribe, or the State Board  
13 of Education pursuant to the Oklahoma Charter Schools Act to provide  
14 learning that will improve student achievement and as defined in the  
15 Elementary and Secondary Education Act of 1965, 20 U.S.C. 8065.

16           E. For the purposes of the Oklahoma Charter Schools Act,  
17 "conversion charter school" means a charter school created by  
18 converting all or any part of a traditional public school into a  
19 charter school which may be operated by the school district board of  
20 education or by an independent operating board elected by and  
21 accountable to the school district board of education.

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

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

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3 55-1-1724 EB 2/18/2016 4:55:25 PM  
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