

1 STATE OF OKLAHOMA

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

3 SENATE BILL 171

By: Loveless

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5
6 AS INTRODUCED

7 An Act relating to charter schools; creating the
8 Flexibility for Rural Education Act of 2015;
9 providing short title; amending 70 O.S. 2011, Section
10 3-132, as last amended by Section 1, Chapter 212,
11 O.S.L. 2013 (70 O.S. Supp. 2014, Section 3-132),
12 which relates to application of the Oklahoma Charter
13 Schools Act; removing language limiting sponsorship
14 of charter schools to areas with a certain
15 population; removing language regarding charter
16 school sponsorship for sites that have received
17 certain identification under the Elementary and
18 Secondary Education Act of 1965, as amended or
19 reauthorized; providing an effective date; and
20 declaring an emergency.

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

22 SECTION 1. NEW LAW A new section of law not to be
23 codified in the Oklahoma Statutes reads as follows:

24 This act shall be known and may be cited as the "Flexibility for
25 Rural Education Act of 2015".

26 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-132, as
27 last amended by Section 1, Chapter 212, O.S.L. 2013 (70 O.S. Supp.
28 2014, Section 3-132), is amended to read as follows:

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

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

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

13 ~~3.~~ 2. By a technology center school district if the charter
14 school is located in a school district served by the technology
15 center school district ~~and the school district has an average daily~~
16 ~~membership of five thousand (5,000) or more and which all or part of~~
17 ~~the school district is located in a county having more than five~~
18 ~~hundred thousand (500,000) population according to the latest~~
19 ~~Federal Decennial Census;~~

20 4. ~~By a technology center school district if the charter school~~
21 ~~is located in a school district served by the technology center~~
22 ~~school district and the school district has a school site that has~~
23 ~~been identified as in need of improvement by the State Board of~~
24

1 ~~Education pursuant to the Elementary and Secondary Education Act of~~
2 ~~1965, as amended or reauthorized;~~

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

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

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

10 ~~8.~~ 5. 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 3. This act shall become effective July 1, 2015.

7 SECTION 4. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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