

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 212

By: Stanislawski

4  
5  
6 AS INTRODUCED

7 An Act relating to charter schools; amending 70 O.S.  
8 2011, Section 3-142, as last amended by Section 6,  
9 Chapter 170, O.S.L. 2015 (70 O.S. Supp. 2018, Section  
10 3-142), which relates to charter school funding;  
11 removing requirement for certain calculation for  
12 full-time virtual charter school funding be done each  
13 year; providing an effective date; and declaring an  
14 emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-142, as  
17 last amended by Section 6, Chapter 170, O.S.L. 2015 (70 O.S. Supp.  
18 2018, Section 3-142), is amended to read as follows:

19 Section 3-142. A. For purposes of funding, a charter school  
20 sponsored by a board of education of a school district shall be  
21 considered a site within the school district in which the charter  
22 school is located. The student membership of the charter school  
23 shall be considered separate from the student membership of the  
24 district in which the charter school is located for the purpose of  
calculating weighted average daily membership pursuant to Section  
18-201.1 of this title and State Aid pursuant to Section 18-200.1 of

1 this title. For charter schools sponsored by a board of education  
2 of a school district, the sum of the separate calculations for the  
3 charter school and the school district shall be used to determine  
4 the total State Aid allocation for the district in which the charter  
5 school is located. A charter school shall receive from the  
6 sponsoring school district, the State Aid allocation and any other  
7 state-appropriated revenue generated by its students for the  
8 applicable year, less up to five percent (5%) of the State Aid  
9 allocation, which may be retained by the school district as a fee  
10 for administrative services rendered. For charter schools sponsored  
11 by the board of education of a technology center school district, a  
12 higher education institution, the State Board of Education, or a  
13 federally recognized Indian tribe and for statewide virtual charter  
14 schools sponsored by the Statewide Virtual Charter School Board, the  
15 State Aid allocation for the charter school shall be distributed by  
16 the State Board of Education and not more than five percent (5%) of  
17 the State Aid allocation may be charged by the sponsor as a fee for  
18 administrative services rendered. The State Board of Education  
19 shall determine the policy and procedure for making payments to a  
20 charter school. The fee for administrative services as authorized  
21 in this subsection shall only be assessed on the State Aid  
22 allocation amount and shall not be assessed on any other  
23 appropriated amounts.  
24

1 B. 1. The weighted average daily membership for the first year  
2 of operation of a charter school shall be determined initially by  
3 multiplying the actual enrollment of students as of August 1 by  
4 1.333. The charter school shall receive revenue equal to that which  
5 would be generated by the estimated weighted average daily  
6 membership calculated pursuant to this paragraph. At midyear, the  
7 allocation for the charter school shall be adjusted using the first  
8 quarter weighted average daily membership for the charter school  
9 calculated pursuant to subsection A of this section.

10 2. For the purpose of calculating weighted average daily  
11 membership pursuant to Section 18-201.1 of this title and State Aid  
12 pursuant to Section 18-200.1 of this title, the weighted average  
13 daily membership for the first year of operation ~~and each year~~  
14 ~~thereafter~~ of a full-time virtual charter school shall be determined  
15 by multiplying the actual enrollment of students as of August 1 by  
16 1.333. The full-time virtual charter school shall receive revenue  
17 equal to that which would be generated by the estimated weighted  
18 average daily membership calculated pursuant to this paragraph. At  
19 midyear, the allocation for the full-time virtual charter school  
20 shall be adjusted using the first quarter weighted average daily  
21 membership for the virtual charter school calculated pursuant to  
22 subsection A of this section.

23 C. A charter school shall be eligible to receive any other aid,  
24 grants or revenues allowed to other schools. A charter school

1 sponsored by the board of education of a technology center school  
2 district, a higher education institution, the State Board of  
3 Education, or a federally recognized Indian tribe shall be  
4 considered a local education agency for purposes of funding. A  
5 charter school sponsored by a board of education of a school  
6 district shall be considered a local education agency for purposes  
7 of federal funding.

8 D. A charter school, in addition to the money received from the  
9 state, may receive money from any other source. Any unexpended  
10 funds may be reserved and used for future purposes. The governing  
11 body of a charter school shall not levy taxes or issue bonds. If  
12 otherwise allowed by law, the governing body of a charter school may  
13 enter into private contracts for the purposes of borrowing money  
14 from lenders. If the governing body of the charter school borrows  
15 money, the charter school shall be solely responsible for repaying  
16 the debt, and the state or the sponsor shall not in any way be  
17 responsible or obligated to repay the debt.

18 E. Any charter school which chooses to lease property shall be  
19 eligible to receive current government lease rates.

20 SECTION 2. This act shall become effective July 1, 2019.

21 SECTION 3. It being immediately necessary for the preservation  
22 of the public peace, health or safety, an emergency is hereby  
23  
24  
25

1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

57-1-53 EB 4/1/2019 8:19:08 AM