

1 STATE OF OKLAHOMA

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

3 SENATE BILL NO. 54

By: Sharp

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5
6 AS INTRODUCED

7 An Act relating to virtual charter schools; amending
8 70 O.S. 2011, Section 3-142, as last amended by
9 Section 6, Chapter 170, O.S.L. 2015 (70 O.S. Supp.
10 2018, Section 3-142), which relates to charter school
11 funding; removing language setting forth the
12 calculation of weighted average daily membership for
13 virtual charter schools; providing for calculation of
14 payments to virtual charter schools for certain
15 school year and future school years; requiring
16 monthly submission of student surveys; providing for
17 contents of student surveys; directing the State
18 Department of Education to develop survey forms;
19 providing an effective date; and declaring an
20 emergency.

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

22 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-142, as
23 last amended by Section 6, Chapter 170, O.S.L. 2015 (70 O.S. Supp.
24 2018, Section 3-142), is amended to read as follows:

25 Section 3-142. A. For purposes of funding, a charter school
26 sponsored by a board of education of a school district shall be
27 considered a site within the school district in which the charter
28 school is located. The student membership of the charter school
29 shall be considered separate from the student membership of the

1 district in which the charter school is located for the purpose of
2 calculating weighted average daily membership pursuant to Section
3 18-201.1 of this title and State Aid pursuant to Section 18-200.1 of
4 this title. For charter schools sponsored by a board of education
5 of a school district, the sum of the separate calculations for the
6 charter school and the school district shall be used to determine
7 the total State Aid allocation for the district in which the charter
8 school is located. A charter school shall receive from the
9 sponsoring school district, the State Aid allocation and any other
10 state-appropriated revenue generated by its students for the
11 applicable year, less up to five percent (5%) of the State Aid
12 allocation, which may be retained by the school district as a fee
13 for administrative services rendered. For charter schools sponsored
14 by the board of education of a technology center school district, a
15 higher education institution, the State Board of Education, or a
16 federally recognized Indian tribe and for statewide virtual charter
17 schools sponsored by the Statewide Virtual Charter School Board, the
18 State Aid allocation for the charter school shall be distributed by
19 the State Board of Education and not more than five percent (5%) of
20 the State Aid allocation may be charged by the sponsor as a fee for
21 administrative services rendered. The State Board of Education
22 shall determine the policy and procedure for making payments to a
23 charter school. The fee for administrative services as authorized
24 in this subsection shall only be assessed on the State Aid

1 allocation amount and shall not be assessed on any other
2 appropriated amounts.

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

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

1 C. Beginning with the 2019-2020 school year, funding for
2 virtual charter schools shall be provided as follows:

3 1. Monthly payments to virtual charter schools shall be based
4 on student performance as reported to the State Department of
5 Education monthly in student surveys. Surveys shall be submitted in
6 a form developed by the State Department of Education and shall
7 include:

8 a. the number of students enrolled in the virtual charter
9 school, and

10 b. the letter grade for each student for each course in
11 which a student is enrolled in a virtual charter
12 school; and

13 2. a. For the 2019-2020 school year, a virtual charter
14 school shall receive one-sixth (1/6) of one-twelfth
15 (1/12) of Three Thousand Five Hundred Dollars
16 (\$3,500.00) each month for each enrolled student who
17 has a grade of A, B, C or D in a course in which the
18 student is enrolled, as reported in the student
19 surveys required by this subsection.

20 b. For the 2020-2021 school year and each school year
21 thereafter, each month a virtual charter school shall
22 receive one-sixth (1/6) of one-twelfth (1/12) of the
23 average per-pupil expenditure calculated by the State
24 Department of Education for the applicable school year

1 for each enrolled student who has a grade of A, B, C
2 or D in a course in which the student is enrolled, as
3 reported in the student surveys required by this
4 subsection.

5 A charter school shall be eligible to receive any other aid,
6 grants or revenues allowed to other schools. A charter school
7 sponsored by the board of education of a technology center school
8 district, a higher education institution, the State Board of
9 Education, or a federally recognized Indian tribe shall be
10 considered a local education agency for purposes of funding. A
11 charter school sponsored by a board of education of a school
12 district shall be considered a local education agency for purposes
13 of federal funding.

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

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

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

4 SECTION 3. It being immediately necessary for the preservation
5 of the public peace, health or safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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