

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 450

By: Brooks

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5  
6 AS INTRODUCED

7 An Act relating to State Aid; amending 70 O.S. 2011,  
8 Section 18-201.1, as last amended by Section 3,  
9 Chapter 61, O.S.L. 2020 (70 O.S. Supp. 2020, Section  
10 18-201.1), which relates to weighted membership of a  
11 school district; directing school districts that  
12 receive State Aid funds by qualifying for certain  
13 weight to use the funds for certain purpose;  
14 directing method to report expenditures; providing an  
15 effective date; and declaring an emergency.

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

17 SECTION 1. AMENDATORY 70 O.S. 2011, Section 18-201.1, as  
18 last amended by Section 3, Chapter 61, O.S.L. 2020 (70 O.S. Supp.  
19 2020, Section 18-201.1), is amended to read as follows:

20 Section 18-201.1. A. Beginning with the 2020-21 school year,  
21 and each school year thereafter, the weighted membership of a school  
22 district for calculation of Foundation Aid purposes pursuant to  
23 paragraph 1 of subsection D of Section 18-200.1 of this title shall  
24 be the sum of the weighted pupil grade level calculation, the  
25 weighted pupil category calculation, the weighted district  
26 calculation and the weighted teacher experience and degree

1 calculation. The weighted membership of a school district for  
2 calculation of Salary Incentive Aid purposes pursuant to paragraph 3  
3 of subsection D of Section 18-200.1 of this title shall be the sum  
4 of the weighted pupil grade level calculation, the weighted pupil  
5 category calculation, the weighted district calculation and the  
6 weighted teacher experience and degree calculation.

7 B. The weighted calculations provided for in subsection A of  
8 this section shall be based on the highest weighted average daily  
9 membership of the first nine (9) weeks of the current school year,  
10 the preceding school year or the second preceding school year of a  
11 school district, unless otherwise specified. The highest of the  
12 three (3) weighted average daily memberships shall be used  
13 consistently in all of the calculations; however, the weighted  
14 calculation for a statewide virtual charter school experiencing a  
15 significant decline in membership shall be based on the first nine  
16 (9) weeks of the current school year and not on the preceding school  
17 year or the second preceding school year for the statewide virtual  
18 charter school. For purposes of this subsection, "significant  
19 decline in membership" means equal to or greater than a fifteen  
20 percent (15%) decrease in average daily membership from the  
21 preceding school year to the average daily membership of the first  
22 nine (9) weeks of the current school year. The average daily  
23 membership data used for all calculations in paragraphs 1, 2, 3 and  
24 4 of this subsection shall be the same as used in the calculation of

1 the State Aid Formula. The weighted calculations provided for in  
2 subsection A of this section shall be determined as follows:

3 1. The weighted pupil grade level calculation shall be  
4 determined by taking the highest average daily membership and  
5 assigning weights to the pupils according to grade attended as  
6 follows:

	GRADE LEVEL	WEIGHT
8	a. Half-day early childhood programs	.7
9	b. Full-day early childhood programs	1.3
10	c. Half-day kindergarten	1.3
11	d. Full-day kindergarten	1.5
12	e. First and second grade	1.351
13	f. Third grade	1.051
14	g. Fourth through sixth grade	1.0
15	h. Seventh through twelfth grade	1.2
16	i. Out-of-home placement	1.50

17 Multiply the membership of each subparagraph of this paragraph by  
18 the weight assigned to such subparagraph of this paragraph and add  
19 the totals together to determine the weighted pupil grade level  
20 calculation for a school district. Determination of the pupils  
21 eligible for the early childhood program weight shall be pursuant to  
22 the provisions of Section 1-114 of this title. The pupils eligible  
23 for the out-of-home placement pupil weight shall be students who are  
24 not residents of the school district in which they are receiving

1 education pursuant to the provisions of subsection D of Section 1-  
2 113 of this title. Such weight may be claimed by the district  
3 providing educational services to such student for the days that  
4 student is enrolled in that district. If claimed, the out-of-home  
5 placement weight shall be in lieu of the pupil grade level and any  
6 pupil category weights for that student. Provided, if a student  
7 resides in a juvenile detention center that is restricted to less  
8 than twelve (12) beds, the out-of-home placement pupil weight for  
9 such students shall be calculated as follows: for a center with six  
10 (6) beds - 3.0; for a center with eight (8) beds - 2.3 and for a  
11 center with ten (10) beds - 1.80.

12 2. The weighted pupil category calculation shall be determined  
13 by assigning a weight to the pupil category as follows:

14	CATEGORY	WEIGHT
15	a. Visual Impairment	3.8
16	b. Specific Learning Disability	.4
17	c. Deafness or Hearing Impairment	2.9
18	d. Deaf-Blindness	3.8
19	e. Intellectual Disability	1.3
20	f. Emotional Disturbance	2.5
21	g. Gifted	.34
22	h. Multiple Disabilities	2.4
23	i. Orthopedic Impairment	1.2
24	j. Speech or Language Impairment	.05

1	k.	Bilingual	.25
2	l.	Special Education Summer Program	1.2
3	m.	Economically Disadvantaged	.25
4	n.	Optional Extended School Year	
5		Program	As determined by
6			the State Board
7			of Education
8	o.	Autism	2.4
9	p.	Traumatic Brain Injury	2.4
10	q.	Other Health Impairment	1.2

11 Except as otherwise provided, multiply the number of pupils approved  
12 in the school year with the highest average daily membership in each  
13 category by the weight assigned to such category and add the totals  
14 together to determine the weighted pupil category calculation for a  
15 school district. For the 1996-97 school year, the number to be  
16 multiplied by the weight assigned to the gifted category in  
17 subparagraph g of this paragraph shall be the lesser of (1) the sum  
18 of the number of students who scored in the top three percent (3%)  
19 on any national standardized test of intellectual ability plus the  
20 number of students identified as gifted pursuant to subparagraphs a  
21 through d of paragraph 1 of Section 1210.301 of this title or (2)  
22 the sum of the number of students who scored in the top three  
23 percent (3%) on any national standardized test of intellectual  
24 ability plus eight percent (8%) of the total average daily

1 membership of the school district for the preceding school year.  
2 For the 1997-98 school year and subsequent school years, the number  
3 to be multiplied by the weight assigned to the gifted category in  
4 subparagraph g of this paragraph shall be the lesser of (1) the sum  
5 of the number of students who scored in the top three percent (3%)  
6 on any national standardized test of intellectual ability plus the  
7 number of students identified as gifted pursuant to subparagraphs a  
8 through d of paragraph 1 of Section 1210.301 of this title, or (2)  
9 the sum of the number of students who scored in the top three  
10 percent (3%) on any national standardized test of intellectual  
11 ability plus eight percent (8%) of the total average daily  
12 membership of the school district for the first nine (9) weeks of  
13 the school year.

14 3. The weighted district calculation shall be determined by  
15 determining the calculations for each school district for both the  
16 small school district formula and the district sparsity - isolation  
17 formula, applying whichever is the greater of the calculations of  
18 the two formulas and then applying the restrictions pursuant to  
19 subparagraph c of this paragraph.

20 a. Small school district formula:  $529 \text{ minus the average}$   
21  $\text{daily membership divided by } 529 \text{ times } .2 \text{ times total}$   
22  $\text{average daily membership.}$

23 The small school district formula calculation shall apply  
24 only to school districts whose highest average daily  
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1 membership is less than 529 pupils. School districts which  
2 are consolidated or annexed after July 1, 2003, pursuant to  
3 the Oklahoma School Voluntary Consolidation and Annexation  
4 Act shall have the weighted district size calculation for  
5 the three (3) school years following the fiscal year in  
6 which such consolidation occurred calculated to be the sum  
7 of the individual consolidated districts computed as if the  
8 consolidation had not taken place. Thereafter, any such  
9 district which is consolidated pursuant to the Oklahoma  
10 School Voluntary Consolidation and Annexation Act shall not  
11 qualify for the weighted district calculation unless the  
12 district can satisfy the specifications herein. Subject to  
13 the provisions of subparagraph c of this paragraph, the  
14 resulting number shall be counted as additional students  
15 for the purpose of calculating State Aid.

16 b. District sparsity - isolation formula:

17 The district sparsity - isolation formula calculation shall  
18 apply only to school districts:

- 19 (1) whose total area in square miles is greater than  
20 the average number of square miles for all school  
21 districts in this state; and
- 22 (2) whose areal density is less than one-fourth (1/4)  
23 of the state average areal density. Areal  
24 density shall be determined by dividing the  
25

1 school district's average daily membership by the  
2 school district's total area in square miles.  
3 The district sparsity - isolation formula calculation shall  
4 be calculated as follows:

5 The school district student cost factor multiplied by  
6 the school district area factor. The resulting  
7 product shall be multiplied by the school district's  
8 average daily membership. Subject to the provisions  
9 of subparagraph c of this paragraph, the resulting  
10 number shall be counted as additional students for the  
11 purpose of calculating State Aid.

12 The school district student cost factor shall be calculated  
13 as follows:

14 The school district's average daily membership shall  
15 be categorized into the following grade level groups  
16 and applied to the appropriate formulas as computed  
17 below:

18 Grade Level Group

19 Grades K-5 Divide 74 by the sum of the Grade  
20 Level ADM plus 23,  
21 add .85 to the quotient, then  
22 multiply the sum by the Grade  
23 Level ADM.

24 Grades 6-8 Divide 122 by the sum of the Grade



1 Level ADM plus 133,  
2 add .85 to the quotient, then  
3 multiply the sum by the Grade  
4 Level ADM.

5 Grades 9-12 Divide 292 by the sum of the Grade  
6 Level ADM plus 128,  
7 add .78 to the quotient, then  
8 multiply the sum by the Grade  
9 Level ADM.

10 The sum of the grade level group's average daily  
11 membership shall be divided by the school district's  
12 average daily membership. The number one (1.0) shall  
13 be subtracted from the resulting quotient.

14 The school district area cost factor shall be calculated as  
15 follows:

16 Subtract the state average district area from the  
17 district area, then divide the remainder by the state  
18 average district area;

19 however, the district area cost factor shall not exceed one  
20 (1.0).

21 The State Board of Education shall define geographical barriers  
22 whose location in a school district would inhibit the district from  
23 consolidation or annexation. The Board shall make available an  
24 application process, review applications, and for districts the

1 Board deems necessary allow additional square miles to be used for  
2 the purposes of calculations used for the weighted district sparsity  
3 - isolation formula. Provided, that the additional square miles  
4 allowed for geographical barriers shall not exceed thirty percent  
5 (30%) of the district's actual size.

6 c. State Aid funds which a district is calculated to  
7 receive as a result of the weighted district  
8 calculation shall be restricted as follows:

9 If, after the weighted district calculation is  
10 applied, the district's projected per pupil  
11 revenue exceeds one hundred fifty percent (150%)  
12 of the projected state average per pupil revenue,  
13 then the district's State Aid shall be reduced by  
14 an amount that will restrict the district's  
15 projected per pupil revenue to one hundred fifty  
16 percent (150%) of the projected state average per  
17 pupil revenue. Provided, in applying the  
18 restriction provided in this division, the  
19 district's State Aid shall not be reduced by an  
20 amount greater than by the amount of State Aid  
21 which was generated by the weighted district  
22 calculation.

23 The July calculation of the projected per pupil  
24 revenue shall be determined by dividing the highest of

1 the district's preceding two (2) years average daily  
2 membership (ADM) as weighted by the pupil grade level,  
3 the pupil category, the district and the teacher  
4 experience degree index calculations for projected  
5 State Aid into the district's projected total revenues  
6 including projected funds for the State Aid Formula  
7 for the preceding year, net assessed valuation for the  
8 preceding calendar year times thirty-nine (39) mills,  
9 county revenues excluding the county four-mills  
10 revenues for the second preceding year, other state  
11 appropriations for the preceding year and the  
12 collections for the preceding year of state  
13 apportionment, motor vehicle revenue, gross production  
14 tax and R.E.A. tax.

15 The December calculation of the projected per pupil  
16 revenue shall be determined by dividing the highest of  
17 the district's first nine (9) weeks of the current  
18 school year or the two (2) preceding school years  
19 average daily membership (ADM) as weighted by the  
20 pupil grade level, the pupil category, the district  
21 and the teacher experience degree index calculations  
22 for projected State Aid into the district's projected  
23 total revenues including funds for the December  
24 calculation of the current year State Aid Formula, net

1 assessed valuation for the current calendar year times  
2 thirty-nine (39) mills, county revenues excluding the  
3 county four-mills revenue for the preceding year,  
4 other state appropriations for the preceding year and  
5 the collections for the preceding year of state  
6 apportionment, motor vehicle revenue, gross production  
7 tax and R.E.A. tax.

8 The district's projected total revenues for each  
9 calculation shall exclude the following collections  
10 for the second preceding year: federal revenue,  
11 insurance loss payments, reimbursements, recovery of  
12 overpayments and refunds, unused reserves, prior  
13 expenditures recovered, prior year surpluses, and  
14 other local miscellaneous revenues.

15 4. The weighted teacher experience and degree calculation shall  
16 be determined in accordance with the teacher experience and degree  
17 index. The State Department of Education shall determine an index  
18 for each state teacher by using data supplied in the school  
19 district's teacher personnel reports of the preceding year and  
20 utilizing the index as follows:

21 TEACHER EXPERIENCE - DEGREE INDEX

22 EXPERIENCE	BACHELOR'S	MASTER'S	DOCTOR'S
23	DEGREE	DEGREE	DEGREE
24 0 - 2	.7	.9	1.1

1	3 - 5	.8	1.0	1.2
2	6 - 8	.9	1.1	1.3
3	9 - 11	1.0	1.2	1.4
4	12 - 15	1.1	1.3	1.5
5	Over 15	1.2	1.4	1.6

6       The school district teacher index for each school district shall  
7 be determined by subtracting the weighted average state teacher from  
8 the weighted average district teacher. Multiply the school district  
9 teacher index if greater than zero by .7 and then multiply that  
10 product by the sum of the district's weighted pupil grade level  
11 calculation provided in paragraph 1 of this subsection and the  
12 weighted pupil category calculation provided in subparagraph m of  
13 paragraph 2 of this subsection to determine the weighted teacher  
14 experience and degree calculation.

15       C. School districts that receive State Aid funds as a result of  
16 qualifying for the "bilingual" pupil category weight pursuant to  
17 subparagraph k of paragraph 2 of subsection B of this section shall  
18 use the funds to provide professional development for teachers who  
19 offer instruction in English as a second language. Expenditures  
20 shall be reported using the Oklahoma Cost Accounting System.

21       SECTION 2. This act shall become effective July 1, 2021.

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

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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.

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