

ESB 2212

THE HOUSE OF REPRESENTATIVES  
Thursday, March 25, 2010

ENGROSSED  
Senate Bill No. 2212  
As Amended

ENGROSSED SENATE BILL NO. 2212 - By: FORD of the Senate and MCDANIEL (RANDY) AND KERN of the House.

[ schools - funding of charter schools - effective date - emergency ]

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

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-142, as last amended by  
2 Section 4, Chapter 257, O.S.L. 2007 (70 O.S. Supp. 2009, Section 3-142), is amended to  
3 read as follows:  
4 Section 3-142. A. For purposes of funding, a charter school sponsored by a board of  
5 education of a school district shall be considered a site within the school district in which  
6 the charter school is located. The student membership of the charter school shall be  
7 considered separate from the student membership of the district in which the charter  
8 school is located for the purpose of calculating weighted average daily membership  
9 pursuant to Section 18-201.1 of this title and state aid pursuant to Section 18-200.1 of  
10 this title. For charter schools sponsored by a board of education of a school district, the  
11 sum of the separate calculations for the charter school and the school district shall be

1 used to determine the total State Aid allocation for the district in which the charter  
2 school is located. A charter school shall receive from the sponsoring school district, the  
3 State Aid revenue generated by its students for the applicable year, less up to five  
4 percent (5%) of the total, which may be retained by the school district as a fee for  
5 administrative services rendered. For charter schools sponsored by the board of  
6 education of a technology center school district or a higher education institution, the  
7 State Aid allocation for the charter school shall be distributed by the State Board of  
8 Education. Not more than five percent (5%) of the total allocation may be charged by the  
9 sponsor as a fee for administrative services rendered. The State Board of Education  
10 shall determine the policy and procedure for making payments to a charter school.

11 B. The weighted average daily membership for the first year of operation of a  
12 charter school shall be determined initially by multiplying the actual enrollment of  
13 students as of August 1 by 1.333. The charter school shall receive revenue equal to that  
14 which would be generated by the estimated weighted average daily membership  
15 calculated pursuant to this subsection. At midyear, the allocation for the charter school  
16 shall be adjusted using the first quarter weighted average daily membership for the  
17 charter school calculated pursuant to subsection A of this section.

18 C. A charter school shall be eligible to receive any other aid, grants or revenues  
19 allowed to other schools. A charter school sponsored by the board of education of a  
20 technology center school district or a higher education institution shall be considered a  
21 local education agency for purposes of funding. A charter school sponsored by a board of

1 education of a school district shall be considered a local education agency for purposes of  
2 federal funding.

3 D. A charter school, in addition to the money received from the state, may receive  
4 money from any other source. Any unexpended nonstate funds, excluding local revenue,  
5 may be reserved and used for future purposes.

6 SECTION 2. This act shall become effective July 1, 2010.

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

10 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 03-24-10  
11 - DO PASS, As Amended and Coauthored.