

1 **SENATE FLOOR VERSION**

2 February 15, 2011

3 SENATE BILL NO. 256

By: Ford of the Senate

4 and

5 Denney of the House

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8 An Act relating to charter schools; amending 70 O.S.
9 2001, Section 3-142, as last amended by Section 4,
10 Chapter 290, O.S.L. 2010 (70 O.S. Supp. 2010, Section
11 3-142), which relates to charter school funding;
12 providing that charter schools are eligible for
13 government lease rates; providing an effective date;
14 and declaring an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-142, as
17 last amended by Section 4, Chapter 290, O.S.L. 2010 (70 O.S. Supp.
18 2010, 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

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

23 B. The weighted average daily membership for the first year of
24 operation of a charter school shall be determined initially by

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

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

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

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

22 SECTION 2. This act shall become effective July 1, 2011.

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

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 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-7-11 - DO PASS,
4 As Coauthored.

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