

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 256

By: Ford

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6 AS INTRODUCED

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

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

15 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-142, as
16 last amended by Section 4, Chapter 290, O.S.L. 2010 (70 O.S. Supp.
17 2010, Section 3-142), is amended to read as follows:

18 Section 3-142. A. For purposes of funding, a charter school
19 sponsored by a board of education of a school district shall be
20 considered a site within the school district in which the charter
21 school is located. The student membership of the charter school
22 shall be considered separate from the student membership of the
23 district in which the charter school is located for the purpose of
24 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, or a federally recognized Indian
13 tribe, the State Aid allocation for the charter school shall be
14 distributed by the State Board of Education and not more than five
15 percent (5%) of the total State Aid allocation may be charged by the
16 sponsor as a fee for administrative services rendered. The State
17 Board of Education shall determine the policy and procedure for
18 making payments to a charter school. The fee for administrative
19 services as authorized in this subsection shall only be assessed on
20 the State Aid allocation amount and shall not be assessed on any
21 other appropriated amounts.

22 B. The weighted average daily membership for the first year of
23 operation of a charter school shall be determined initially by
24 multiplying the actual enrollment of students as of August 1 by

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

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

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

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

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

22 SECTION 3. It being immediately necessary for the preservation
23 of the public peace, health and 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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