ENGROSSED HOUSE AMENDMENT
TO
ENGROSSED SENATE BILL NO. 136 By: Stanislawski of the Senate

and

Nelson of the House

An Act relating to online education; amending 70 O.S. 2011, Section 1-111, as last amended by Section 1, Chapter 203, O.S.L. 2013 (70 O.S. Supp. 2014, Section 1-111), which relates to the school day; providing the Statewide Virtual Charter School Board certain duties regarding supplemental online courses; amending Section 5, Chapter 367, O.S.L. 2012, as amended by Section 5, Chapter 212, O.S.L. 2013 (70 O.S. Supp. 2014, Section 3-145.3), which relates to the Statewide Virtual Charter School Board; authorizing the Board to establish a process to review supplemental online courses; authorizing the Board to enter into negotiations and contract with certain vendors; directing the Board to make available supplemental online courses, with certain emphasis; providing an effective date; and declaring an emergency.

AMENDMENT NO. 1. Strike the title, enacting clause and entire bill and insert

"An Act relating to online education; amending Section 5, Chapter 367, O.S.L. 2012, as amended by Section 5, Chapter 212, O.S.L. 2013 (70 O.S. Supp. 2014, Section 3-145.3), which relates to the Statewide Virtual Charter School Board; directing the Board to make lists of certain supplemental online courses publicly available; stating the purpose for the review and certification; requiring the Board to give emphasis to certain types of

supplemental online courses; prohibiting certain limitation; and authorizing the Board in conjunction with the Office of Management and Enterprise Services to negotiate and enter into contracts with certain vendors.

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

SECTION 1. AMENDATORY Section 5, Chapter 367, O.S.L. 2012, as amended by Section 5, Chapter 212, O.S.L. 2013 (70 O.S. Supp. 2014, Section 3-145.3), is amended to read as follows:

Section 3-145.3 A. Subject to the requirements of the Oklahoma Charter Schools Act, the Statewide Virtual Charter School Board shall:

1. Provide oversight of the operations of statewide virtual charter schools in this state; ~~and~~

2. Establish a procedure for accepting, approving and disapproving statewide virtual charter school applications and a process for renewal or revocation of approved charter school contracts which minimally meet the procedures set forth in the Oklahoma Charter Schools Act;

3. Make publicly available a list of supplemental online courses which have been reviewed and certified by the Statewide Virtual Charter School Board to ensure that the courses are high quality options and are aligned with the subject matter standards adopted by the State Board of Education pursuant to Section 11-103.6

of this title. The Statewide Virtual Charter School Board shall give special emphasis on listing supplemental online courses in science, technology, engineering and math (STEM), foreign language and advanced placement courses. School districts shall not be limited to selecting supplemental online courses that have been reviewed and certified by the Statewide Virtual Charter School Board and listed as provided for in this paragraph; and

4. In conjunction with the Office of Management and Enterprise Services, negotiate and enter into contracts with supplemental online course providers to offer a state rate price to school districts for supplemental online courses that have been reviewed and certified by the Statewide Virtual Charter School Board and listed as provided for in paragraph 3 of this subsection.

B. Each statewide virtual charter school which has been approved and sponsored by the Board or any virtual charter school for which the Board has assumed sponsorship of as provided for in Section 3-145.5 of this title shall be considered a statewide virtual charter school and the geographic boundaries of each statewide virtual charter school shall be the borders of the state.

C. Each statewide virtual charter school approved by the Statewide Virtual Charter School Board shall be eligible to receive federal funds generated by students enrolled in the charter school for the applicable year. Each statewide virtual charter school

shall be considered a separate local education agency for purposes of reporting and accountability.

D. As calculated as provided for in Section 3-142 of this title, a statewide virtual charter school shall receive the State Aid allocation and any other state-appropriated revenue generated by students enrolled in the virtual charter school for the applicable year, less up to five percent (5%) of the State Aid allocation, which may be retained by the Statewide Virtual Charter School Board for administrative expenses and to support the mission of the Board. A statewide virtual charter school shall be eligible for any other funding any other charter school is eligible for as provided for in Section 3-142 of this title. Each statewide virtual charter school shall be considered a separate local education agency for purposes of reporting and accountability.

E. Students enrolled full-time in a statewide virtual charter school sponsored by the Statewide Virtual Charter School Board shall not be authorized to participate in any activities administered by the Oklahoma Secondary Schools Activities Association. However, the students may participate in intramural activities sponsored by a statewide virtual charter school, an online provider for the charter school or any other outside organization.

F. The decision of the Statewide Virtual Charter School Board to deny, nonrenew or terminate the charter contract of a statewide virtual charter school may be appealed to the State Board of

Education within thirty (30) days of the decision by the Statewide Virtual Charter School Board. The State Board of Education shall act on the appeal within sixty (60) days of receipt of the request from the statewide virtual charter school applicant. The State Board of Education may reverse the decision of the Statewide Virtual Charter School Board or may remand the matter back to the Statewide Virtual Charter School Board for further proceeding as directed."

Passed the House of Representatives the 22nd day of April, 2015.

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Presiding Officer of the House of Representatives

Passed the Senate the ____ day of _____, 2015.

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Presiding Officer of the Senate

ENGROSSED SENATE
BILL NO. 136 By: Stanislawski of the Senate

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An Act relating to online education; amending 70 O.S. 2011, Section 1-111, as last amended by Section 1, Chapter 203, O.S.L. 2013 (70 O.S. Supp. 2014, Section 1-111), which relates to the school day; providing the Statewide Virtual Charter School Board certain duties regarding supplemental online courses; amending Section 5, Chapter 367, O.S.L. 2012, as amended by Section 5, Chapter 212, O.S.L. 2013 (70 O.S. Supp. 2014, Section 3-145.3), which relates to the Statewide Virtual Charter School Board; authorizing the Board to establish a process to review supplemental online courses; authorizing the Board to enter into negotiations and contract with certain vendors; directing the Board to make available supplemental online courses, with certain emphasis; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-111, as last amended by Section 1, Chapter 203, O.S.L. 2013 (70 O.S. Supp. 2014, Section 1-111), is amended to read as follows:

Section 1-111. A. Except as otherwise provided for by law, a school day shall consist of not less than six (6) hours devoted to school activities. A district board of education may elect to extend the length of one (1) or more school days to more than six

(6) hours and reduce the number of school days as long as the total amount of classroom instruction time is not less than one thousand eighty (1,080) hours per year as required pursuant to Section 1-109 of this title.

B. A school day for nursery, early childhood education, kindergarten, and alternative education programs shall be as otherwise defined by law or as defined by the State Board of Education. Not more than one (1) school day shall be counted for attendance purposes in any twenty-four-hour period.

C. Students absent from school in which they are regularly enrolled may be considered as being in attendance if the reason for such absence is to participate in scheduled school activities under the direction and supervision of a regular member of the faculty or to participate in an online course approved by the district board of education. The ~~State Board of Education~~ Statewide Virtual Charter School Board shall adopt rules to provide for the implementation of supplemental online courses which shall include, but not be limited to, provisions addressing the following:

1. Criteria for student admissions eligibility;

2. A student admission process administered through the district of residence, which provides the ability for the student to enroll in individual courses;

3. A process by which students are not denied the opportunity to enroll in educationally appropriate courses by school districts.

For the purposes of this section, "educationally appropriate" means any instruction that is not substantially a repeat of a course or portion of a course that the student has successfully completed, regardless of the grade of the student, and regardless of whether a course is similar to or identical to the instruction that is currently offered in the school district;

4. Creation of a system which provides ongoing enrollment access for students throughout the school year;

5. A grace period of fifteen (15) calendar days from the first day of an online course for student withdrawal from an online course without academic penalty;

6. Mastery of competencies for course completion rather than Carnegie units;

7. Student participation in extracurricular activities in accordance with school district eligibility rules and policies and any rules and policies of a private organization or association which provides the coordination, supervision, and regulation of the interscholastic activities and contests of schools;

8. Parent authorization for release of state test results to online course providers, on a form developed by the ~~State Department of Education~~ Statewide Virtual Charter School Board; and

9. A review process to identify and certify online course providers and a uniform payment processing system.

D. Each district board of education shall adopt policies and procedures that conform to rules for online courses as adopted by the ~~State Board~~ Statewide Virtual Charter School Board. Such policies shall include criteria for approval of the course, the appropriateness of the course for a particular student, authorization for full-time students to enroll in online courses, and establishing fees or charges. No district shall be liable for payment of any fees or charges for any online course for a student who has not complied with the district's policies and procedures. School districts shall not deny students the opportunity to enroll in educationally appropriate courses and shall provide an admissions process which includes input from the student, the parent or guardian of the student, and school faculty.

E. Districts shall require students enrolled in online courses to participate in the Oklahoma School Testing Program Act. Students participating in online courses from a remote site will be responsible for providing their own equipment and Internet access, unless the district chooses to provide the equipment. Credit may not be granted for such courses except upon approval of the ~~State Board of Education~~ Statewide Virtual Charter School Board and the district board of education.

F. The school day for kindergarten may consist of six (6) hours devoted to school activities.

SECTION 2. AMENDATORY Section 5, Chapter 367, O.S.L. 2012, as amended by Section 5, Chapter 212, O.S.L. 2013 (70 O.S. Supp. 2014, Section 3-145.3), is amended to read as follows:

Section 3-145.3. A. Subject to the requirements of the Oklahoma Charter Schools Act, the Statewide Virtual Charter School Board shall:

1. Provide oversight of the operations of statewide virtual charter schools in this state; ~~and~~

2. Establish a procedure for accepting, approving and disapproving statewide virtual charter school applications and a process for renewal or revocation of approved charter school contracts which minimally meet the procedures set forth in the Oklahoma Charter Schools Act;

3. Establish a process to review and certify supplemental online courses to ensure they are aligned with curricular standards adopted pursuant to Section 11-103.6 of this title;

4. Negotiate and enter into contracts with supplemental online course providers; and

5. Make available to school districts certified supplemental online courses with special emphasis in science, technology, engineering and math (STEM), foreign language, and advanced placement courses.

B. Each statewide virtual charter school which has been approved and sponsored by the Board or any virtual charter school

for which the Board has assumed sponsorship of as provided for in Section 3-145.5 of this title shall be considered a statewide virtual charter school and the geographic boundaries of each statewide virtual charter school shall be the borders of the state.

C. Each statewide virtual charter school approved by the Statewide Virtual Charter School Board shall be eligible to receive federal funds generated by students enrolled in the charter school for the applicable year. Each statewide virtual charter school shall be considered a separate local education agency for purposes of reporting and accountability.

D. As calculated as provided for in Section 3-142 of this title, a statewide virtual charter school shall receive the State Aid allocation and any other state-appropriated revenue generated by students enrolled in the virtual charter school for the applicable year, less up to five percent (5%) of the State Aid allocation, which may be retained by the Statewide Virtual Charter School Board for administrative expenses and to support the mission of the Board. A statewide virtual charter school shall be eligible for any other funding any other charter school is eligible for as provided for in Section 3-142 of this title. Each statewide virtual charter school shall be considered a separate local education agency for purposes of reporting and accountability.

E. Students enrolled full-time in a statewide virtual charter school sponsored by the Statewide Virtual Charter School Board shall

not be authorized to participate in any activities administered by the Oklahoma Secondary Schools Activities Association. However, the students may participate in intramural activities sponsored by a statewide virtual charter school, an online provider for the charter school or any other outside organization.

F. The decision of the Statewide Virtual Charter School Board to deny, nonrenew or terminate the charter contract of a statewide virtual charter school may be appealed to the State Board of Education within thirty (30) days of the decision by the Statewide Virtual Charter School Board. The State Board of Education shall act on the appeal within sixty (60) days of receipt of the request from the statewide virtual charter school applicant. The State Board of Education may reverse the decision of the Statewide Virtual Charter School Board or may remand the matter back to the Statewide Virtual Charter School Board for further proceeding as directed.

SECTION 3. This act shall become effective July 1, 2015.

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

Passed the Senate the 18th day of February, 2015.

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Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____, 2015.

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Presiding Officer of the House
of Representatives