

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3027 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: John Jordan _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3027

By: Jordan

7
8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to schools; amending 70 O.S. 2011,
10 Section 1-114, which relates to free public school
11 attendance; allowing residents to participate in
12 extracurricular activities offered by public school
13 district of their residence under certain
14 circumstance; permitting school district to charge
15 certain fee; providing certain interpretation;
16 amending Section 5, Chapter 367, O.S.L. 2012, as last
17 amended by Section 1, Chapter 293, O.S.L. 2015 (70
18 O.S. Supp. 2015, Section 3-145.3), which relates to
19 the powers and duties of the Statewide Virtual
20 Charter School Board; removing restriction which
21 prevents certain students from participating in
22 certain activities; and providing an effective date.

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

24 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-114, is
amended to read as follows:

Section 1-114. A. All children between the ages of five (5)
years on or before September 1, and twenty-one (21) years on or
before September 1, shall be entitled to attend school free of
charge in the district in which they reside.

1 B. All children who are at least four (4) years of age but not
2 more than five (5) years of age on or before September 1 and who
3 have not attended a public school kindergarten shall be entitled to
4 attend half-day or full-day early childhood programs at any public
5 school in the state where such programs are offered; provided, no
6 child shall be required to attend any early childhood education
7 program. The following paragraphs shall govern early childhood
8 programs:

9 1. Children who are at least four (4) years of age but not more
10 than five (5) years of age on or before September 1 shall be
11 entitled to attend either half-day or full-day early childhood
12 programs in their district of residence free of charge as long as
13 the district has the physical facilities and teaching personnel to
14 accommodate the child. For purposes of calculation of State Aid,
15 children in an early childhood education program shall be included
16 in the average daily membership of the district providing the
17 ~~program~~; and

18 2. A child who has not reached the age of five (5) years on or
19 before September 1 and who resides in a district which does not
20 offer an early childhood program shall be eligible for transfer to a
21 district where an early childhood program is offered if the district
22 that offers the early childhood program agrees to the transfer. A
23 district offering early childhood programs may refuse to accept a
24 nonresident child if the district does not have the physical

1 facilities or teaching personnel to accommodate the child in an
2 early childhood education class. If the child requesting the
3 transfer has not reached the age of four (4) years on or before
4 September 1, the district may refuse to accept the nonresident child
5 if the district determines the child is not ready for an early
6 childhood program. Children who are accepted in a program outside
7 their district of residence as provided in this paragraph shall be
8 included in the average daily membership of the district providing
9 the program for State Aid funding subject to the State Aid formula
10 weight limitations set forth in paragraph 1 of this subsection.

11 C. No child shall be enrolled in kindergarten unless he or she
12 will have reached the age of five (5) years on or before September 1
13 of the school year. No child shall be enrolled in the first grade
14 unless he or she will have reached the age of six (6) years on or
15 before September 1 of the school year.

16 D. No nonresident and nontransferred pupil shall be allowed to
17 attend school in any school district unless a tuition fee equal to
18 the per capita cost of education for a similar period in such
19 district during the preceding year has been paid to the receiving
20 district in advance yearly or by semester as determined by the
21 district board of education of the receiving district. If the State
22 Board of Education discovers that such attendance has been allowed
23 without prior payment of the tuition fee in advance as required, no
24 further payment of any State Aid Funds shall be made to the district

1 until such district has shown to the satisfaction of the State Board
2 of Education that all such tuition fees have been paid or that such
3 tuition pupil will no longer be allowed to attend school until the
4 required tuition fee has been paid.

5 E. Any parent, guardian, person or institution having care and
6 custody of a child who pays ad valorem tax on real property in any
7 other school district other than that in which that person resides
8 may, with the approval of the receiving board, enroll the child in
9 any school district in which ad valorem tax is paid and receive a
10 credit on the nonresident tuition fee equal to the amount of the ad
11 valorem tax paid for school district purposes in the school district
12 in which the child is enrolled. Provided, the credit shall not
13 exceed the total amount required for the tuition payment.

14 F. Schools may cooperate to eliminate duplication, save costs
15 and maximize the number of extracurricular activities available to
16 students in a particular geographic area or areas of the state.
17 Students may participate in any extracurricular activity or
18 activities offered by his or her public school district of residence
19 if the school he or she attends does not offer the extracurricular
20 activity or activities. This subsection may apply to any resident
21 of this state that meets the residency requirements. Receiving
22 schools may charge either participants or the participant's school a
23 fee to recover the individual participant's portion of the
24 cumulative cost of offering the extracurricular activity or

1 activities. Said fee shall be the same for all participants being
2 received by the receiving school. Receiving schools may design
3 their own local academic eligibility requirements for all students
4 participating in the activity offered. Said local academic
5 eligibility requirements shall apply equally to all participants in
6 the extracurricular activities and shall not prohibit any resident,
7 who is academically eligible, residing within the boundaries of one
8 of the cooperating school districts from participating. Pursuant to
9 Section 155 of Title 51 of the Oklahoma Statutes, the receiving
10 school district shall not be liable if a loss or claim results from
11 participation in any activity approved by the receiving school's
12 local school board. In addition, nothing in this subsection shall
13 be interpreted to force any student to participate in any
14 extracurricular activity or event.

15 SECTION 2. AMENDATORY Section 5, Chapter 367, O.S.L.
16 2012, as last amended by Section 1, Chapter 293, O.S.L. 2015 (70
17 O.S. Supp. 2015, Section 3-145.3), is amended to read as follows:

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

21 1. Provide oversight of the operations of statewide virtual
22 charter schools in this state;

23 2. Establish a procedure for accepting, approving and
24 disapproving statewide virtual charter school applications and a

1 process for renewal or revocation of approved charter school
2 contracts which minimally meet the procedures set forth in the
3 Oklahoma Charter Schools Act;

4 3. Make publicly available a list of supplemental online
5 courses which have been reviewed and certified by the Statewide
6 Virtual Charter School Board to ensure that the courses are high
7 quality options and are aligned with the subject matter standards
8 adopted by the State Board of Education pursuant to Section 11-103.6
9 of this title. The Statewide Virtual Charter School Board shall
10 give special emphasis on listing supplemental online courses in
11 science, technology, engineering and math (STEM), foreign language
12 and advanced placement courses. School districts shall not be
13 limited to selecting supplemental online courses that have been
14 reviewed and certified by the Statewide Virtual Charter School Board
15 and listed as provided for in this paragraph; and

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

22 B. Each statewide virtual charter school which has been
23 approved and sponsored by the Board or any virtual charter school
24 ~~for~~ which the Board has assumed sponsorship of as provided for in

1 Section 3-145.5 of this title shall be considered a statewide
2 virtual charter school and the geographic boundaries of each
3 statewide virtual charter school shall be the borders of the state.

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

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

22 ~~E. Students enrolled full-time in a statewide virtual charter~~
23 ~~school sponsored by the Statewide Virtual Charter School Board shall~~
24 ~~not be authorized to participate in any activities administered by~~

1 ~~the Oklahoma Secondary Schools Activities Association. However, the~~
2 ~~students may participate in intramural activities sponsored by a~~
3 ~~statewide virtual charter school, an online provider for the charter~~
4 ~~school or any other outside organization.~~

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

15 SECTION 3. This act shall become effective November 1, 2016.

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