

1 ENGROSSED SENATE
2 BILL NO. 136

By: Stanislawski of the Senate

3 and

4 Nelson of the House

5
6 An Act relating to online education; amending 70 O.S.
7 2011, Section 1-111, as last amended by Section 1,
8 Chapter 203, O.S.L. 2013 (70 O.S. Supp. 2014, Section
9 1-111), which relates to the school day; providing
10 the Statewide Virtual Charter School Board certain
11 duties regarding supplemental online courses;
12 amending Section 5, Chapter 367, O.S.L. 2012, as
13 amended by Section 5, Chapter 212, O.S.L. 2013 (70
14 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.

15
16
17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

18 SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-111, as
19 last amended by Section 1, Chapter 203, O.S.L. 2013 (70 O.S. Supp.
20 2014, Section 1-111), is amended to read as follows:

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

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

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

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

19 1. Criteria for student admissions eligibility;

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

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

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

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

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

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

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

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

22 9. A review process to identify and certify online course
23 providers and a uniform payment processing system.
24

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

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

22 F. The school day for kindergarten may consist of six (6) hours
23 devoted to school activities.
24

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

17 SECTION 4. It being immediately necessary for the preservation
18 of the public peace, health and safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.
21
22
23
24

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

2
3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2015.

7
8 _____
9 Presiding Officer of the House
of Representatives