

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3237 _____
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

Amendment submitted by: Jon Echols

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

PROPOSED COMMITTEE
SUBSTITUTE
FOR
HOUSE BILL NO. 3237

By: Echols

PROPOSED COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2011, Section 18-201.1, as amended by Section 2, Chapter 228, O.S.L. 2018 (70 O.S. Supp. 2019, Section 18-201.1), which relates to average membership for state aid; defining term; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 18-201.1, as amended by Section 2, Chapter 228, O.S.L. 2018 (70 O.S. Supp. 2019, Section 18-201.1), is amended to read as follows:

Section 18-201.1 A. Beginning with the 1997-98 school year, and each school year thereafter, the weighted membership of a school district for calculation of Foundation Aid purposes pursuant to paragraph 1 of subsection D of Section 18-200.1 of this title shall be the sum of the weighted pupil grade level calculation, the weighted pupil category calculation, the weighted district calculation and the weighted teacher experience and degree calculation. The weighted membership of a school district for

1 calculation of Salary Incentive Aid purposes pursuant to paragraph 3
2 of subsection D of Section 18-200.1 of this title shall be the sum
3 of the weighted pupil grade level calculation, the weighted pupil
4 category calculation, the weighted district calculation and the
5 weighted teacher experience and degree calculation.

6 B. The weighted calculations provided for in subsection A of
7 this section shall be based on the highest weighted average daily
8 membership of the first nine (9) weeks of the current school year,
9 the preceding school year or the second preceding school year of a
10 school district, unless otherwise specified. The highest of the
11 three (3) weighted average daily memberships shall be used
12 consistently in all of the calculations; however, the portion of
13 weighted membership derived from nonresident, transferred pupils
14 enrolled in online courses shall be based on the weighted average
15 daily membership of the first nine (9) weeks of the current school
16 year. The average daily membership data used for all calculations
17 in paragraphs 1, 2, 3 and 4 of this subsection shall be the same as
18 used in the calculation of the State Aid Formula. Beginning with
19 the 2021-2022 school year, and each school year thereafter, for
20 purposes of this subsection, "weighted average daily membership of
21 the first nine (9) weeks of the current school year" shall include,
22 when calculating the average number of pupils present, any student
23 that was expelled during the first nine (9) weeks of the school year
24 for committing violent acts against another student or employee of

1 the school district. The weighted calculations provided for in
2 subsection A of this section shall be determined as follows:

3 1. The weighted pupil grade level calculation shall be
4 determined by taking the highest average daily membership and
5 assigning weights to the pupils according to grade attended as
6 follows:

7	GRADE LEVEL	.WEIGHT
8	a. Half-day early childhood programs	.7
9	b. Full-day early childhood programs	1.3
10	c. Half-day kindergarten	1.3
11	d. Full-day kindergarten	1.5
12	e. First and second grade	1.351
13	f. Third grade	1.051
14	g. Fourth through sixth grade	1.0
15	h. Seventh through twelfth grade	1.2
16	i. Out-of-home placement	1.50

17 Multiply the membership of each subparagraph of this paragraph by
18 the weight assigned to such subparagraph of this paragraph and add
19 the totals together to determine the weighted pupil grade level
20 calculation for a school district. Determination of the pupils
21 eligible for the early childhood program weight shall be pursuant to
22 the provisions of Section 1-114 of this title. The pupils eligible
23 for the out-of-home placement pupil weight shall be students who are
24 not residents of the school district in which they are receiving

1 education pursuant to the provisions of subsection D of Section 1-
2 113 of this title. Such weight may be claimed by the district
3 providing educational services to such student for the days that
4 student is enrolled in that district. If claimed, the out-of-home
5 placement weight shall be in lieu of the pupil grade level and any
6 pupil category weights for that student. Provided, if a student
7 resides in a juvenile detention center that is restricted to less
8 than twelve (12) beds, the out-of-home placement pupil weight for
9 such students shall be calculated as follows: for a center with six
10 (6) beds - 3.0; for a center with eight (8) beds - 2.3 and for a
11 center with ten (10) beds - 1.80.

12 2. The weighted pupil category calculation shall be determined
13 by assigning a weight to the pupil category as follows:

14	CATEGORY	WEIGHT
15	a. Visual Impairment	3.8
16	b. Specific Learning Disability	.4
17	c. Deafness or Hearing Impairment	2.9
18	d. Deaf-Blindness	3.8
19	e. Intellectual Disability	1.3
20	f. Emotional Disturbance	2.5
21	g. Gifted	.34
22	h. Multiple Disabilities	2.4
23	i. Orthopedic Impairment	1.2
24	j. Speech or Language Impairment	.05

k.	Bilingual	.25
l.	Special Education Summer Program	1.2
m.	Economically Disadvantaged	.25
n.	Optional Extended School Year Program	As determined by the State Board of Education
o.	Autism	2.4
p.	Traumatic Brain Injury	2.4
q.	Other Health Impairment	1.2

Except as otherwise provided, multiply the number of pupils approved in the school year with the highest average daily membership in each category by the weight assigned to such category and add the totals together to determine the weighted pupil category calculation for a school district. For the 1996-97 school year, the number to be multiplied by the weight assigned to the gifted category in subparagraph g of this paragraph shall be the lesser of (1) the sum of the number of students who scored in the top three percent (3%) on any national standardized test of intellectual ability plus the number of students identified as gifted pursuant to subparagraphs a through d of paragraph 1 of Section 1210.301 of this title or (2) the sum of the number of students who scored in the top three percent (3%) on any national standardized test of intellectual ability plus eight percent (8%) of the total average daily

1 membership of the school district for the preceding school year.
2 For the 1997-98 school year and subsequent school years, the number
3 to be multiplied by the weight assigned to the gifted category in
4 subparagraph g of this paragraph shall be the lesser of (1) the sum
5 of the number of students who scored in the top three percent (3%)
6 on any national standardized test of intellectual ability plus the
7 number of students identified as gifted pursuant to subparagraphs a
8 through d of paragraph 1 of Section 1210.301 of this title, or (2)
9 the sum of the number of students who scored in the top three
10 percent (3%) on any national standardized test of intellectual
11 ability plus eight percent (8%) of the total average daily
12 membership of the school district for the first nine (9) weeks of
13 the school year.

14 3. The weighted district calculation shall be determined by
15 determining the calculations for each school district for both the
16 small school district formula and the district sparsity - isolation
17 formula, applying whichever is the greater of the calculations of
18 the two formulas and then applying the restrictions pursuant to
19 subparagraph c of this paragraph.

20 a. Small school district formula: $529 \text{ minus the average}$
21 $\text{daily membership divided by } 529 \text{ times } .2 \text{ times total}$
22 $\text{average daily membership.}$

23 The small school district formula calculation shall apply
24 only to school districts whose highest average daily

membership is less than 529 pupils. School districts which are consolidated or annexed after July 1, 2003, pursuant to the Oklahoma School Voluntary Consolidation and Annexation Act shall have the weighted district size calculation for the three (3) school years following the fiscal year in which such consolidation occurred calculated to be the sum of the individual consolidated districts computed as if the consolidation had not taken place. Thereafter, any such district which is consolidated pursuant to the Oklahoma School Voluntary Consolidation and Annexation Act shall not qualify for the weighted district calculation unless the district can satisfy the specifications herein. Subject to the provisions of subparagraph c of this paragraph, the resulting number shall be counted as additional students for the purpose of calculating State Aid.

b. District sparsity - isolation formula: The district sparsity - isolation formula calculation shall apply only to school districts:

- (1) whose total area in square miles is greater than the average number of square miles for all school districts in this state; and
- (2) whose areal density is less than one-fourth (1/4) of the state average areal density. Areal density shall be determined by dividing the

1 school district's average daily membership by the
2 school district's total area in square miles.

3 The district sparsity - isolation formula calculation shall
4 be calculated as follows:

5 The school district student cost factor multiplied by
6 the school district area factor. The resulting
7 product shall be multiplied by the school district's
8 average daily membership. Subject to the provisions
9 of subparagraph c of this paragraph, the resulting
10 number shall be counted as additional students for the
11 purpose of calculating State Aid.

12 The school district student cost factor shall be calculated
13 as follows:

14 The school district's average daily membership shall
15 be categorized into the following grade level groups
16 and applied to the appropriate formulas as computed
17 below:

18 Grade Level Group

19 Grades K-5 Divide 74 by the sum of the Grade
20 Level ADM plus 23,
21 add .85 to the quotient, then
22 multiply the sum by the Grade
23 Level ADM.

24 Grades 6-8 Divide 122 by the sum of the Grade

1 Level ADM plus 133,
2 add .85 to the quotient, then
3 multiply the sum by the Grade
4 Level ADM.
5 Grades 9-12 Divide 292 by the sum of the Grade
6 Level ADM plus 128,
7 add .78 to the quotient, then
8 multiply the sum by the Grade
9 Level ADM.

10 The sum of the grade level group's average daily
11 membership shall be divided by the school district's
12 average daily membership. The number one (1.0) shall
13 be subtracted from the resulting quotient.

14 The school district area cost factor shall be calculated as
15 follows:

16 Subtract the state average district area from the
17 district area, then divide the remainder by the state
18 average district area;

19 however, the district area cost factor shall not exceed one
20 (1.0).

21 The State Board of Education shall define geographical barriers
22 whose location in a school district would inhibit the district from
23 consolidation or annexation. The Board shall make available an
24 application process, review applications, and for districts the

1 Board deems necessary allow additional square miles to be used for
2 the purposes of calculations used for the weighted district sparsity
3 - isolation formula. Provided, that the additional square miles
4 allowed for geographical barriers shall not exceed thirty percent
5 (30%) of the district's actual size.

6 c. State Aid funds which a district is calculated to
7 receive as a result of the weighted district
8 calculation shall be restricted as follows:

9 If, after the weighted district calculation is
10 applied, the district's projected per pupil
11 revenue exceeds one hundred fifty percent (150%)
12 of the projected state average per pupil revenue,
13 then the district's State Aid shall be reduced by
14 an amount that will restrict the district's
15 projected per pupil revenue to one hundred fifty
16 percent (150%) of the projected state average per
17 pupil revenue. Provided, in applying the
18 restriction provided in this division, the
19 district's State Aid shall not be reduced by an
20 amount greater than by the amount of State Aid
21 which was generated by the weighted district
22 calculation.

23 The July calculation of the projected per pupil
24 revenue shall be determined by dividing the highest of

1 the district's preceding two (2) years average daily
2 membership (ADM) as weighted by the pupil grade level,
3 the pupil category, the district and the teacher
4 experience degree index calculations for projected
5 State Aid into the district's projected total revenues
6 including projected funds for the State Aid Formula
7 for the preceding year, net assessed valuation for the
8 preceding calendar year times thirty-nine (39) mills,
9 county revenues excluding the county four-mills
10 revenues for the second preceding year, other state
11 appropriations for the preceding year and the
12 collections for the preceding year of state
13 apportionment, motor vehicle revenue, gross production
14 tax and R.E.A. tax.

15 The December calculation of the projected per pupil
16 revenue shall be determined by dividing the highest of
17 the district's first nine (9) weeks of the current
18 school year or the two (2) preceding school years
19 average daily membership (ADM) as weighted by the
20 pupil grade level, the pupil category, the district
21 and the teacher experience degree index calculations
22 for projected State Aid into the district's projected
23 total revenues including funds for the December
24 calculation of the current year State Aid Formula, net

assessed valuation for the current calendar year times thirty-nine (39) mills, county revenues excluding the county four-mills revenue for the preceding year, other state appropriations for the preceding year and the collections for the preceding year of state apportionment, motor vehicle revenue, gross production tax and R.E.A. tax.

The district's projected total revenues for each calculation shall exclude the following collections for the second preceding year: federal revenue, insurance loss payments, reimbursements, recovery of overpayments and refunds, unused reserves, prior expenditures recovered, prior year surpluses, and other local miscellaneous revenues.

4. The weighted teacher experience and degree calculation shall be determined in accordance with the teacher experience and degree index. The State Department of Education shall determine an index for each state teacher by using data supplied in the school district's teacher personnel reports of the preceding year and utilizing the index as follows:

TEACHER EXPERIENCE - DEGREE INDEX

EXPERIENCE	BACHELOR'S DEGREE	MASTER'S DEGREE	DOCTOR'S DEGREE
0 - 2	.7	.9	1.1

1	3 - 5	.8	1.0	1.2
2	6 - 8	.9	1.1	1.3
3	9 - 11	1.0	1.2	1.4
4	12 - 15	1.1	1.3	1.5
5	Over 15	1.2	1.4	1.6

6 The school district teacher index for each school district shall
7 be determined by subtracting the weighted average state teacher from
8 the weighted average district teacher. Multiply the school district
9 teacher index if greater than zero by .7 and then multiply that
10 product by the sum of the district's weighted pupil grade level
11 calculation provided in paragraph 1 of this subsection and the
12 weighted pupil category calculation provided in subparagraph m of
13 paragraph 2 of this subsection to determine the weighted teacher
14 experience and degree calculation.

15 SECTION 2. This act shall become effective November 1, 2020.

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