

STATE OF OKLAHOMA

1st Session of the 57th Legislature (2019)

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 153

By: Stanislawski

COMMITTEE SUBSTITUTE

An Act relating to charter school funding; amending 70 O.S. 2011, Section 3-142, as last amended by Section 6, Chapter 170, O.S.L. 2015 (70 O.S. Supp. 2018, Section 3-142), which relates to calculation of charter school funding; directing a charter school that has been in operation for certain number of years to receive certain funding amount to be used for certain capital projects and improvements; excluding certain statewide virtual charter schools from certain provisions; 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 3-142, as last amended by Section 6, Chapter 170, O.S.L. 2015 (70 O.S. Supp. 2018, Section 3-142), is amended to read as follows:

Section 3-142. A. For purposes of funding, a charter school sponsored by a board of education of a school district shall be considered a site within the school district in which the charter school is located. The student membership of the charter school shall be considered separate from the student membership of the

1 district in which the charter school is located for the purpose of
2 calculating weighted average daily membership pursuant to Section
3 18-201.1 of this title and State Aid pursuant to Section 18-200.1 of
4 this title. For charter schools sponsored by a board of education
5 of a school district, the sum of the separate calculations for the
6 charter school and the school district shall be used to determine
7 the total State Aid allocation for the district in which the charter
8 school is located. A charter school shall receive from the
9 sponsoring school district, the State Aid allocation and any other
10 state-appropriated revenue generated by its students for the
11 applicable year, less up to five percent (5%) of the State Aid
12 allocation, which may be retained by the school district as a fee
13 for administrative services rendered. For charter schools sponsored
14 by the board of education of a technology center school district, a
15 higher education institution, the State Board of Education, or a
16 federally recognized Indian tribe and for statewide virtual charter
17 schools sponsored by the Statewide Virtual Charter School Board, the
18 State Aid allocation for the charter school shall be distributed by
19 the State Board of Education and not more than five percent (5%) of
20 the State Aid allocation may be charged by the sponsor as a fee for
21 administrative services rendered. The State Board of Education
22 shall determine the policy and procedure for making payments to a
23 charter school. The fee for administrative services as authorized
24 in this subsection shall only be assessed on the State Aid

1 allocation amount and shall not be assessed on any other
2 appropriated amounts.

3 B. 1. The weighted average daily membership for the first year
4 of operation of a charter school shall be determined initially by
5 multiplying the actual enrollment of students as of August 1 by
6 1.333. The charter school shall receive revenue equal to that which
7 would be generated by the estimated weighted average daily
8 membership calculated pursuant to this paragraph. At midyear, the
9 allocation for the charter school shall be adjusted using the first
10 quarter weighted average daily membership for the charter school
11 calculated pursuant to subsection A of this section.

12 2. Beginning in the 2019-2020 school year, a charter school
13 that has been in operation for two or more years shall receive an
14 amount equal to the weighted average daily membership of the charter
15 school multiplied by a building fund weight of 0.05. The funding
16 allocated pursuant to this paragraph may be used for capital
17 projects and improvements including, but not limited to, erecting,
18 remodeling, repairing or maintaining school buildings. The
19 provisions of this paragraph shall not apply to a statewide virtual
20 charter school sponsored by the Statewide Virtual Charter School
21 Board pursuant to Section 3-145.3 of this title.

22 3. For the purpose of calculating weighted average daily
23 membership pursuant to Section 18-201.1 of this title and State Aid
24 pursuant to Section 18-200.1 of this title, the weighted average

1 daily membership for the first year of operation and each year
2 thereafter of a full-time virtual charter school shall be determined
3 by multiplying the actual enrollment of students as of August 1 by
4 1.333. The full-time virtual charter school shall receive revenue
5 equal to that which would be generated by the estimated weighted
6 average daily membership calculated pursuant to this paragraph. At
7 midyear, the allocation for the full-time virtual charter school
8 shall be adjusted using the first quarter weighted average daily
9 membership for the virtual charter school calculated pursuant to
10 subsection A of this section.

11 C. A charter school shall be eligible to receive any other aid,
12 grants or revenues allowed to other schools. A charter school
13 sponsored by the board of education of a technology center school
14 district, a higher education institution, the State Board of
15 Education, or a federally recognized Indian tribe shall be
16 considered a local education agency for purposes of funding. A
17 charter school sponsored by a board of education of a school
18 district shall be considered a local education agency for purposes
19 of federal funding.

20 D. A charter school, in addition to the money received from the
21 state, may receive money from any other source. Any unexpended
22 funds may be reserved and used for future purposes. The governing
23 body of a charter school shall not levy taxes or issue bonds. If
24 otherwise allowed by law, the governing body of a charter school may

1 enter into private contracts for the purposes of borrowing money
2 from lenders. If the governing body of the charter school borrows
3 money, the charter school shall be solely responsible for repaying
4 the debt, and the state or the sponsor shall not in any way be
5 responsible or obligated to repay the debt.

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

8 SECTION 2. This act shall become effective July 1, 2019.

9 SECTION 3. It being immediately necessary for the preservation
10 of the public peace, health or safety, an emergency is hereby
11 declared to exist, by reason whereof this act shall take effect and
12 be in full force from and after its passage and approval.

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