STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 3237   By: Echols

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

calculation of Salary Incentive Aid purposes pursuant to paragraph 3 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.

B. The weighted calculations provided for in subsection A of this section shall be based on the highest weighted average daily membership of the first nine (9) weeks of the current school year, the preceding school year or the second preceding school year of a school district, unless otherwise specified. The highest of the three (3) weighted average daily memberships shall be used consistently in all of the calculations; however, the portion of weighted membership derived from nonresident, transferred pupils enrolled in online courses shall be based on the weighted average daily membership of the first nine (9) weeks of the current school year. The average daily membership data used for all calculations in paragraphs 1, 2, 3 and 4 of this subsection shall be the same as used in the calculation of the State Aid Formula. Beginning with the 2021-2022 school year, and each school year thereafter, for purposes of this subsection, "weighted average daily membership of the first nine (9) weeks of the current school year" shall include, when calculating the average number of pupils present, any student that was expelled during the first nine (9) weeks of the school year 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

	GRADE LEVEL	.WEIGHT
a.	Half-day early childhood programs	.7
b.	Full-day early childhood programs	1.3
c.	Half-day kindergarten	1.3
d.	Full-day kindergarten	1.5
e.	First and second grade	1.351
f.	Third grade	1.051
g.	Fourth through sixth grade	1.0
h.	Seventh through twelfth grade	1.2
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

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

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

	CATEGORY	WEIGHT
a.	Visual Impairment	3.8
b.	Specific Learning Disability	.4
c.	Deafness or Hearing Impairment	2.9
d.	Deaf-Blindness	3.8
e.	Intellectual Disability	1.3
f.	Emotional Disturbance	2.5
g.	Gifted	.34
h.	Multiple Disabilities	2.4
i.	Orthopedic Impairment	1.2
j.	Speech or Language Impairment	.05

1	k.	Bilingual	.25
2	l.	Special Education Summer Program	1.2
3	m.	Economically Disadvantaged	.25
4	n.	Optional Extended School Year	
5		Program	As determined by
6			the State Board
7			of Education
8	o.	Autism	2.4
9	p.	Traumatic Brain Injury	2.4
10	q.	Other Health Impairment	1.2

11 Except as otherwise provided, multiply the number of pupils approved

12 in the school year with the highest average daily membership in each

13 category by the weight assigned to such category and add the totals

14 together to determine the weighted pupil category calculation for a

15 school district. For the 1996-97 school year, the number to be

16 multiplied by the weight assigned to the gifted category in

17 subparagraph g of this paragraph shall be the lesser of (1) the sum

18 of the number of students who scored in the top three percent (3%)

19 on any national standardized test of intellectual ability plus the

20 number of students identified as gifted pursuant to subparagraphs a

21 through d of paragraph 1 of Section 1210.301 of this title or (2)

22 the sum of the number of students who scored in the top three

23 percent (3%) on any national standardized test of intellectual

24 ability plus eight percent (8%) of the total average daily

membership of the school district for the preceding school year.
For the 1997-98 school year and subsequent school years, 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
membership of the school district for the first nine (9) weeks of
the school year.

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

          a.   Small school district formula: 529 minus the average
               daily membership divided by 529 times .2 times total
               average daily membership.

        The small school district formula calculation shall apply
          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

1	assessed valuation for the current calendar year times
2	thirty-nine (39) mills, county revenues excluding the
3	county four-mills revenue for the preceding year,
4	other state appropriations for the preceding year and
5	the collections for the preceding year of state
6	apportionment, motor vehicle revenue, gross production
7	tax and R.E.A. tax.
8	The district's projected total revenues for each
9	calculation shall exclude the following collections
10	for the second preceding year: federal revenue,
11	insurance loss payments, reimbursements, recovery of
12	overpayments and refunds, unused reserves, prior
13	expenditures recovered, prior year surpluses, and
14	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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