

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3237

By: Echols

7  
8                               COMMITTEE SUBSTITUTE

9                   An Act relating to schools; amending 70 O.S. 2011,  
10                   Section 18-201.1, as amended by Section 2, Chapter  
11                   228, O.S.L. 2018 (70 O.S. Supp. 2019, Section 18-  
12                   201.1), which relates to average membership for state  
13                   aid; defining term; and providing an effective date.

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

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

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

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

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

1 for committing violent acts against another student or employee of  
2 the school district. The weighted calculations provided for in  
3 subsection A of this section shall be determined as follows:

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

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

18 Multiply the membership of each subparagraph of this paragraph by  
19 the weight assigned to such subparagraph of this paragraph and add  
20 the totals together to determine the weighted pupil grade level  
21 calculation for a school district. Determination of the pupils  
22 eligible for the early childhood program weight shall be pursuant to  
23 the provisions of Section 1-114 of this title. The pupils eligible  
24 for the out-of-home placement pupil weight shall be students who are

1 not residents of the school district in which they are receiving  
2 education pursuant to the provisions of subsection D of Section 1-  
3 113 of this title. Such weight may be claimed by the district  
4 providing educational services to such student for the days that  
5 student is enrolled in that district. If claimed, the out-of-home  
6 placement weight shall be in lieu of the pupil grade level and any  
7 pupil category weights for that student. Provided, if a student  
8 resides in a juvenile detention center that is restricted to less  
9 than twelve (12) beds, the out-of-home placement pupil weight for  
10 such students shall be calculated as follows: for a center with six  
11 (6) beds - 3.0; for a center with eight (8) beds - 2.3 and for a  
12 center with ten (10) beds - 1.80.

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

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

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

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

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

21 a. Small school district formula: 529 minus the average  
22 daily membership divided by 529 times .2 times total  
23 average daily membership.  
24

1       The small school district formula calculation shall apply  
2       only to school districts whose highest average daily  
3       membership is less than 529 pupils. School districts which  
4       are consolidated or annexed after July 1, 2003, pursuant to  
5       the Oklahoma School Voluntary Consolidation and Annexation  
6       Act shall have the weighted district size calculation for  
7       the three (3) school years following the fiscal year in  
8       which such consolidation occurred calculated to be the sum  
9       of the individual consolidated districts computed as if the  
10      consolidation had not taken place. Thereafter, any such  
11      district which is consolidated pursuant to the Oklahoma  
12      School Voluntary Consolidation and Annexation Act shall not  
13      qualify for the weighted district calculation unless the  
14      district can satisfy the specifications herein. Subject to  
15      the provisions of subparagraph c of this paragraph, the  
16      resulting number shall be counted as additional students  
17      for the purpose of calculating State Aid.

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

- 21          (1) whose total area in square miles is greater than  
22                  the average number of square miles for all school  
23                  districts in this state; and  
24

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

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

The school district student cost factor multiplied by the school district area factor. The resulting product shall be multiplied by the school district's average daily membership. 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.

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

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

Grade Level Group

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



1 multiply the sum by the Grade  
2 Level ADM.  
3 Grades 6-8 Divide 122 by the sum of the Grade  
4 Level ADM plus 133,  
5 add .85 to the quotient, then  
6 multiply the sum by the Grade  
7 Level ADM.  
8 Grades 9-12 Divide 292 by the sum of the Grade  
9 Level ADM plus 128,  
10 add .78 to the quotient, then  
11 multiply the sum by the Grade  
12 Level ADM.

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

17 The school district area cost factor shall be calculated as  
18 follows:

19 Subtract the state average district area from the  
20 district area, then divide the remainder by the state  
21 average district area;

22 however, the district area cost factor shall not exceed one  
23 (1.0) .  
24

1       The State Board of Education shall define geographical barriers  
2 whose location in a school district would inhibit the district from  
3 consolidation or annexation. The Board shall make available an  
4 application process, review applications, and for districts the  
5 Board deems necessary allow additional square miles to be used for  
6 the purposes of calculations used for the weighted district sparsity  
7 - isolation formula. Provided, that the additional square miles  
8 allowed for geographical barriers shall not exceed thirty percent  
9 (30%) of the district's actual size.

10           c. State Aid funds which a district is calculated to  
11 receive as a result of the weighted district  
12 calculation shall be restricted as follows:

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

1                   which was generated by the weighted district  
2                   calculation.

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

19          The December calculation of the projected per pupil  
20          revenue shall be determined by dividing the highest of  
21          the district's first nine (9) weeks of the current  
22          school year or the two (2) preceding school years  
23          average daily membership (ADM) as weighted by the  
24          pupil grade level, the pupil category, the district

1 and the teacher experience degree index calculations  
2 for projected State Aid into the district's projected  
3 total revenues including funds for the December  
4 calculation of the current year State Aid Formula, net  
5 assessed valuation for the current calendar year times  
6 thirty-nine (39) mills, county revenues excluding the  
7 county four-mills revenue for the preceding year,  
8 other state appropriations for the preceding year and  
9 the collections for the preceding year of state  
10 apportionment, motor vehicle revenue, gross production  
11 tax and R.E.A. tax.

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

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

1	TEACHER EXPERIENCE - DEGREE INDEX			
2	EXPERIENCE	BACHELOR'S	MASTER'S	DOCTOR'S
3		DEGREE	DEGREE	DEGREE
4	0 - 2	.7	.9	1.1
5	3 - 5	.8	1.0	1.2
6	6 - 8	.9	1.1	1.3
7	9 - 11	1.0	1.2	1.4
8	12 - 15	1.1	1.3	1.5
9	Over 15	1.2	1.4	1.6

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

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

21 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/19/2020 - DO PASS,  
22 As Amended.

23

24