

1
2
3
4
5
6
7
8
9
0
1
2
3
4
5
6
7
8
9
0
1
2
3
4

February 18, 2020

By: Simpson

An Act relating to statewide virtual charter schools; amending Section 5, Chapter 367, O.S.L. 2012, as last amended by Section 1, Chapter 272, O.S.L. 2019 (70 O.S. Supp. 2019, Section 3-145.3), which relates to powers and duties of the Statewide Virtual Charter School Board; directing a student to be eligible to enroll in a statewide virtual charter school if his or her parent or legal guardian is on certain active duty and subject to certain transfer; directing a statewide virtual charter school to accept certain application by electronic means; requiring a parent or legal guardian to provide certain proof within certain time period; providing for addresses to be used as certain proof; providing definitions; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 5, Chapter 367, O.S.L. 2012, as last amended by Section 1, Chapter 272, O.S.L. 2019 (70 O.S. Supp. 2019, Section 3-145.3), is amended to read as follows:

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

1. Provide oversight of the operations of statewide virtual charter schools in this state;

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

6 3. Make publicly available a list of supplemental online
7 courses which have been reviewed and certified by the Statewide
8 Virtual Charter School Board to ensure that the courses are high
9 quality options and are aligned with the subject matter standards
10 adopted by the State Board of Education pursuant to Section 11-103.6
11 of this title. The Statewide Virtual Charter School Board shall
12 give special emphasis on listing supplemental online courses in
13 science, technology, engineering and math (STEM), foreign language
14 and advanced placement courses. School districts shall not be
15 limited to selecting supplemental online courses that have been
16 reviewed and certified by the Statewide Virtual Charter School Board
17 and listed as provided for in this paragraph; and

18 4. In conjunction with the Office of Management and Enterprise
19 Services, negotiate and enter into contracts with supplemental
20 online course providers to offer a state rate price to school
21 districts for supplemental online courses that have been reviewed
22 and certified by the Statewide Virtual Charter School Board and
23 listed as provided for in paragraph 3 of this subsection.
24

1 B. Each statewide virtual charter school which has been
2 approved and sponsored by the Board or any virtual charter school
3 for which the Board has assumed sponsorship of as provided for in
4 Section 3-145.5 of this title shall be considered a statewide
5 virtual charter school and the geographic boundaries of each
6 statewide virtual charter school shall be the borders of the state.

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

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

1 E. A virtual charter school shall be subject to the same
2 reporting requirements, financial audits, audit procedures and audit
3 requirements as a school district. The State Department of
4 Education or State Auditor and Inspector may conduct financial,
5 program or compliance audits. A virtual charter school shall use
6 the Oklahoma Cost Accounting System (OCAS) to report financial
7 transactions to the State Department of Education.

8 F. A virtual charter school governing body shall be responsible
9 for the policies that govern the operational decisions of the
10 virtual charter school. The governing body of a virtual charter
11 school shall be subject to the same conflict of interest
12 requirements as a member of a local school board including, but not
13 limited to, Sections 5-113 and 5-124 of this title. Members
14 appointed to the governing body of a virtual charter school after
15 July 1, 2019, shall be subject to the same instruction and
16 continuing education requirements as a member of a local school
17 board and pursuant to Section 5-110 of this title, complete twelve
18 (12) hours of instruction within fifteen (15) months of appointment
19 to the governing body, and pursuant to Section 5-110.1 of this
20 title, attend continuing education.

21 G. Students enrolled full-time in a statewide virtual charter
22 school sponsored by the Statewide Virtual Charter School Board shall
23 not be authorized to participate in any activities administered by
24 the Oklahoma Secondary Schools Activities Association. However, the

1 students may participate in intramural activities sponsored by a
2 statewide virtual charter school, an online provider for the charter
3 school or any other outside organization.

4 H. 1. A student shall be eligible to enroll in a statewide
5 virtual charter school if he or she is a student whose parent or
6 legal guardian is transferred or is pending transfer to a military
7 installation within the state while on active military duty pursuant
8 to an official military order.

9 2. A statewide virtual charter school shall accept applications
10 by electronic means for enrollment and course registration for
11 students described in paragraph 1 of this subsection.

12 3. The parent or legal guardian of a student described in
13 paragraph 1 of this subsection shall provide proof of residence in
14 the state within ten (10) days after the published arrival date
15 provided on official documentation. A parent or legal guardian may
16 use the following addresses as proof of residence:

- 17 a. a temporary on-base billeting facility,
18 b. a purchased or leased home or apartment, or
19 c. federal government or public-private venture off-base
20 military housing.

21 4. For purposes of this subsection:

- 22 a. "active military duty" means full-time military duty
23 status in the active uniformed service of the United
24

1 States including members of the National Guard and
2 Military Reserve on active duty orders, and

3 b. "military installation" means a base, camp, post,
4 station, yard, center, homeport facility for any ship
5 or other installation under the jurisdiction of the
6 Department of Defense or the United States Coast
7 Guard.

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

18 SECTION 2. This act shall become effective July 1, 2020.

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

23 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
24 February 18, 2020 - DO PASS