

1 STATE OF OKLAHOMA

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

3 SENATE BILL 1100

By: Sharp

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5
6 AS INTRODUCED

7 An Act relating to the Statewide Virtual Charter
8 School Board; amending Section 5, Chapter 367, O.S.L.
9 2012, as last amended by Section 1, Chapter 272,
10 O.S.L. 2019 (70 O.S. Supp. 2019, Section 3-145.3),
11 which relates to the powers and duties of the Board;
12 requiring the Board to review at least annually
13 certain items; providing an effective date; and
14 declaring an emergency.

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

16 SECTION 1. AMENDATORY Section 5, Chapter 367, O.S.L.
17 2012, as last amended by Section 1, Chapter 272, O.S.L. 2019 (70
18 O.S. Supp. 2019, Section 3-145.3), is amended to read as follows:

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

22 1. Provide oversight of the operations of statewide virtual
23 charter schools in this state. The oversight required by this
24 paragraph shall include reviewing at least annually:

- 1 a. the State Aid allocations and average daily membership
2 (ADM) calculations made pursuant to Section 3-142 of
3 this title,
- 4 b. compliance with the terms of the contract entered into
5 by the statewide virtual charter school and the
6 Statewide Virtual Charter School Board pursuant to
7 this section,
- 8 c. compliance with the attendance policy set forth in
9 Section 3-145.8 of this title,
- 10 d. the performance of students enrolled in a statewide
11 virtual charter school on the statewide system of
12 assessments required by Section 1210.508 of this
13 section. The review required by this subparagraph
14 shall be conducted in a public meeting and shall
15 comply with the Family Educational Rights and Privacy
16 Act (FERPA),
- 17 e. the itemized expenditure information for goods or
18 services provided by an educational management
19 organization with which a statewide virtual charter
20 school may be contracted pursuant to Section 5-200 of
21 this title. The review required by this subparagraph
22 shall be conducted in a public meeting,
- 23 f. the cost of administrative services for a statewide
24 virtual charter school. For the purposes of this

1 section, "administrative services" shall have the same
2 meaning set forth in Section 18-124 of this title,
3 g. the salary schedule adopted for teachers who are under
4 contract with a statewide virtual charter school,
5 h. the subjects and grades taught by teachers who are
6 under contract with a statewide virtual charter school
7 and who are certified pursuant to Section 6-187 of
8 this title and the subjects and grades taught by
9 teachers who are not certified and who are under
10 contract with a statewide virtual charter school, and
11 i. whether teachers, administrators and other personnel
12 are employed by the statewide virtual charter school
13 or an educational management organization, as defined
14 in Section 5-200 of this title;

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

20 3. Make publicly available a list of supplemental online
21 courses which have been reviewed and certified by the Statewide
22 Virtual Charter School Board to ensure that the courses are high
23 quality options and are aligned with the subject matter standards
24 adopted by the State Board of Education pursuant to Section 11-103.6

1 of this title. The Statewide Virtual Charter School Board shall
2 give special emphasis on listing supplemental online courses in
3 science, technology, engineering and math (STEM), foreign language
4 and advanced placement courses. School districts shall not be
5 limited to selecting supplemental online courses that have been
6 reviewed and certified by the Statewide Virtual Charter School Board
7 and listed as provided for in this paragraph; and

8 4. In conjunction with the Office of Management and Enterprise
9 Services, negotiate and enter into contracts with supplemental
10 online course providers to offer a state rate price to school
11 districts for supplemental online courses that have been reviewed
12 and certified by the Statewide Virtual Charter School Board and
13 listed as provided for in paragraph 3 of this subsection.

14 B. Each statewide virtual charter school which has been
15 approved and sponsored by the Board or any virtual charter school
16 for which the Board has assumed sponsorship of as provided for in
17 Section 3-145.5 of this title shall be considered a statewide
18 virtual charter school and the geographic boundaries of each
19 statewide virtual charter school shall be the borders of the state.

20 C. Each statewide virtual charter school approved by the
21 Statewide Virtual Charter School Board shall be eligible to receive
22 federal funds generated by students enrolled in the charter school
23 for the applicable year. Each statewide virtual charter school
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1 shall be considered a separate local education agency for purposes
2 of reporting and accountability.

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

15 E. A virtual charter school shall be subject to the same
16 reporting requirements, financial audits, audit procedures and audit
17 requirements as a school district. The State Department of
18 Education or State Auditor and Inspector may conduct financial,
19 program or compliance audits. A virtual charter school shall use
20 the Oklahoma Cost Accounting System (OCAS) to report financial
21 transactions to the State Department of Education.

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

11 G. Students enrolled full-time in a statewide virtual charter
12 school sponsored by the Statewide Virtual Charter School Board shall
13 not be authorized to participate in any activities administered by
14 the Oklahoma Secondary Schools Activities Association. However, the
15 students may participate in intramural activities sponsored by a
16 statewide virtual charter school, an online provider for the charter
17 school or any other outside organization.

18 H. The decision of the Statewide Virtual Charter School Board
19 to deny, nonrenew or terminate the charter contract of a statewide
20 virtual charter school may be appealed to the State Board of
21 Education within thirty (30) days of the decision by the Statewide
22 Virtual Charter School Board. The State Board of Education shall
23 act on the appeal within sixty (60) days of receipt of the request
24 from the statewide virtual charter school applicant. The State

1 Board of Education may reverse the decision of the Statewide Virtual
2 Charter School Board or may remand the matter back to the Statewide
3 Virtual Charter School Board for further proceeding as directed.

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

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

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