

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1325

By: Simpson

AS INTRODUCED

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

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

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

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

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

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

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

1 shall be considered a separate local education agency for purposes
2 of reporting and accountability.

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

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

23 G. Students enrolled full-time in a statewide virtual charter
24 school sponsored by the Statewide Virtual Charter School Board shall

1 not be authorized to participate in any activities administered by
2 the Oklahoma Secondary Schools Activities Association. However, the
3 students may participate in intramural activities sponsored by a
4 statewide virtual charter school, an online provider for the charter
5 school or any other outside organization.

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

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

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

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

23 4. For purposes of this subsection:
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1 a. "active military duty" means full-time military duty
2 status in the active uniformed service of the United
3 States including members of the National Guard and
4 Military Reserve on active duty orders, and

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

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

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

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