

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1365

By: Stanislawski

AS INTRODUCED

An Act relating to school funding; amending 70 O.S. 2011, Section 3-142, as last amended by Section 6, Chapter 170, O.S.L. 2015 (70 O.S. Supp. 2019, Section 3-142), which relates to calculating State Aid for charter schools; directing the State Board of Education to deduct certain percentage from the allocation to certain statewide virtual charter schools for deposit into certain fund; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-142, as last amended by Section 6, Chapter 170, O.S.L. 2015 (70 O.S. Supp. 2019, Section 3-142), is amended to read as follows:

Section 3-142. A. For purposes of funding, a charter school sponsored by a board of education of a school district shall be considered a site within the school district in which the charter school is located. The student membership of the charter school shall be considered separate from the student membership of the district in which the charter school is located for the purpose of calculating weighted average daily membership pursuant to Section

1 18-201.1 of this title and State Aid pursuant to Section 18-200.1 of
2 this title. For charter schools sponsored by a board of education
3 of a school district, the sum of the separate calculations for the
4 charter school and the school district shall be used to determine
5 the total State Aid allocation for the district in which the charter
6 school is located. A charter school shall receive from the
7 sponsoring school district, the State Aid allocation and any other
8 state-appropriated revenue generated by its students for the
9 applicable year, less up to five percent (5%) of the State Aid
10 allocation, which may be retained by the school district as a fee
11 for administrative services rendered. For charter schools sponsored
12 by the board of education of a technology center school district, a
13 higher education institution, the State Board of Education, or a
14 federally recognized Indian tribe and for statewide virtual charter
15 schools sponsored by the Statewide Virtual Charter School Board, the
16 State Aid allocation for the charter school shall be distributed by
17 the State Board of Education and not more than five percent (5%) of
18 the State Aid allocation may be charged by the sponsor as a fee for
19 administrative services rendered. The State Board of Education
20 shall determine the policy and procedure for making payments to a
21 charter school. The fee for administrative services as authorized
22 in this subsection shall only be assessed on the State Aid
23 allocation amount and shall not be assessed on any other
24 appropriated amounts.

1 B. 1. The weighted average daily membership for the first year
2 of operation of a charter school shall be determined initially by
3 multiplying the actual enrollment of students as of August 1 by
4 1.333. The charter school shall receive revenue equal to that which
5 would be generated by the estimated weighted average daily
6 membership calculated pursuant to this paragraph. At midyear, the
7 allocation for the charter school shall be adjusted using the first
8 quarter weighted average daily membership for the charter school
9 calculated pursuant to subsection A of this section.

10 2. a. For the purpose of calculating weighted average daily
11 membership pursuant to Section 18-201.1 of this title
12 and State Aid pursuant to Section 18-200.1 of this
13 title, the weighted average daily membership for the
14 first year of operation and each year thereafter of a
15 full-time virtual charter school shall be determined
16 by multiplying the actual enrollment of students as of
17 August 1 by 1.333. The full-time virtual charter
18 school shall receive revenue equal to that which would
19 be generated by the estimated weighted average daily
20 membership calculated pursuant to this paragraph. At
21 midyear, the allocation for the full-time virtual
22 charter school shall be adjusted using the first
23 quarter weighted average daily membership for the
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1 virtual charter school calculated pursuant to
2 subsection A of this section.

3 b. For statewide virtual charter schools sponsored by the
4 Statewide Virtual Charter School Board that have an
5 average daily membership (ADM) of more than one
6 thousand five hundred (1,500) students, the State
7 Board of Education shall deduct five percent (5%) from
8 the State Aid allocation the school would receive
9 pursuant to this section to be deposited into the
10 State Public Common School Building Equalization Fund
11 established by Section 32 of Article X of the Oklahoma
12 Constitution.

13 C. A charter school shall be eligible to receive any other aid,
14 grants or revenues allowed to other schools. A charter school
15 sponsored by the board of education of a technology center school
16 district, a higher education institution, the State Board of
17 Education, or a federally recognized Indian tribe shall be
18 considered a local education agency for purposes of funding. A
19 charter school sponsored by a board of education of a school
20 district shall be considered a local education agency for purposes
21 of federal funding.

22 D. A charter school, in addition to the money received from the
23 state, may receive money from any other source. Any unexpended
24 funds may be reserved and used for future purposes. The governing
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1 body of a charter school shall not levy taxes or issue bonds. If
2 otherwise allowed by law, the governing body of a charter school may
3 enter into private contracts for the purposes of borrowing money
4 from lenders. If the governing body of the charter school borrows
5 money, the charter school shall be solely responsible for repaying
6 the debt, and the state or the sponsor shall not in any way be
7 responsible or obligated to repay the debt.

8 E. Any charter school which chooses to lease property shall be
9 eligible to receive current government lease rates.

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

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

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