

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

HOUSE BILL 4121

By: Roberts (Sean)

AS INTRODUCED

An Act relating to schools; allowing students enrolled in charter schools or virtual charter schools to participate in the extracurricular activities offered by the resident school district; providing for eligibility determination; defining term; 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 the Statewide Virtual Charter School Board; allowing certain students to participate in certain activities; and providing an effective date.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-140.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Students enrolled in a charter school or virtual charter school authorized pursuant to the Oklahoma Charter Schools Act shall be eligible to participate in extracurricular activities offered by the resident school district of the student.

B. Charter school student eligibility shall be determined in

1 accordance with the resident school district's eligibility rules and
2 policies and any rules and policies of a private organization or
3 association that provides the coordination, supervision, and
4 regulation of the interscholastic activities and contests of
5 schools.

6 C. For the purposes of this section, "resident school district"
7 shall mean the public school district in which the student resides
8 as defined in Section 1-113 of Title 70 of the Oklahoma Statutes.

9 SECTION 2. AMENDATORY Section 5, Chapter 367, O.S.L.
10 2012, as last amended by Section 1, Chapter 272, O.S.L. 2019 (70
11 O.S. Supp. 2019, Section 3-145.3), is amended to read as follows:

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

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

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

22 3. Make publicly available a list of supplemental online
23 courses which have been reviewed and certified by the Statewide
24 Virtual Charter School Board to ensure that the courses are high

quality options and are aligned with the subject matter standards adopted by the State Board of Education pursuant to Section 11-103.6 of this title. The Statewide Virtual Charter School Board shall give special emphasis on listing supplemental online courses in science, technology, engineering and math (STEM), foreign language and advanced placement courses. School districts shall not be limited to selecting supplemental online courses that have been reviewed and certified by the Statewide Virtual Charter School Board and listed as provided for in this paragraph; and

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

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

C. Each statewide virtual charter school approved by the Statewide Virtual Charter School Board shall be eligible to receive federal funds generated by students enrolled in the charter school

1 for the applicable year. Each statewide virtual charter school
2 shall be considered a separate local education agency for purposes
3 of reporting and accountability.

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

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

23 F. A virtual charter school governing body shall be responsible
24 for the policies that govern the operational decisions of the

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

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

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

1 from the statewide virtual charter school applicant. The State
2 Board of Education may reverse the decision of the Statewide Virtual
3 Charter School Board or may remand the matter back to the Statewide
4 Virtual Charter School Board for further proceeding as directed.

5 SECTION 3. This act shall become effective November 1, 2020.

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