

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

SENATE BILL 1100

By: Sharp

AS INTRODUCED

An Act relating to the Statewide Virtual Charter School Board; 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 powers and duties of the Board; requiring the Board to review at least annually certain items; 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. The oversight required by this 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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