

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 153

By: Stanislawski

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5
6 AS INTRODUCED

7 An Act relating to charter school funding; amending
8 70 O.S. 2011, Section 3-142, as last amended by
9 Section 6, Chapter 170, O.S.L. 2015 (70 O.S. Supp.
10 2018, Section 3-142), which relates to calculation of
11 charter school funding; directing a charter school
12 that has been in operation for certain number of
13 years that has received certain school grade to
14 receive certain funding amount to be used for certain
15 capital projects and improvements; providing an
16 effective date; and declaring an emergency.

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

18 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-142, as
19 last amended by Section 6, Chapter 170, O.S.L. 2015 (70 O.S. Supp.
20 2018, Section 3-142), is amended to read as follows:

21 Section 3-142. A. For purposes of funding, a charter school
22 sponsored by a board of education of a school district shall be
23 considered a site within the school district in which the charter
24 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. Beginning in the 2019-2020 school year:

- 11 a. a charter school that has been in operation for two or
12 more years shall receive an amount equal to the
13 weighted average daily membership of the charter
14 school multiplied by a building fund weight of 1.5 if
15 the charter school receives a school grade of C or
16 better on the annual report issued pursuant to Section
17 1210.545 of this title. The funding allocated
18 pursuant to this subparagraph may be used for capital
19 projects and improvements including, but not limited
20 to, erecting, remodeling, repairing or maintaining
21 school buildings, and
- 22 b. a charter school that has been in operation for two or
23 more years shall receive an amount equal to the
24 weighted average daily membership of the charter

1 school multiplied by a building fund weight of 0.75 if
2 the charter school receives a school grade of D on the
3 annual report issued pursuant to Section 1210.545 of
4 this title. The funding allocated pursuant to this
5 subparagraph may be used for capital projects and
6 improvements including, but not limited to, erecting,
7 remodeling, repairing or maintaining school buildings.

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

21 C. A charter school shall be eligible to receive any other aid,
22 grants or revenues allowed to other schools. A charter school
23 sponsored by the board of education of a technology center school
24 district, a higher education institution, the State Board of

1 Education, or a federally recognized Indian tribe shall be
2 considered a local education agency for purposes of funding. A
3 charter school sponsored by a board of education of a school
4 district shall be considered a local education agency for purposes
5 of federal funding.

6 D. A charter school, in addition to the money received from the
7 state, may receive money from any other source. Any unexpended
8 funds may be reserved and used for future purposes. The governing
9 body of a charter school shall not levy taxes or issue bonds. If
10 otherwise allowed by law, the governing body of a charter school may
11 enter into private contracts for the purposes of borrowing money
12 from lenders. If the governing body of the charter school borrows
13 money, the charter school shall be solely responsible for repaying
14 the debt, and the state or the sponsor shall not in any way be
15 responsible or obligated to repay the debt.

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

18 SECTION 2. This act shall become effective July 1, 2019.

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

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