

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 630

By: Bullard

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5
6 AS INTRODUCED

7 An Act relating to virtual education; amending 70
8 O.S. 2011, Section 3-145.3, as last amended by
9 Section 2, Chapter 27, O.S.L. 2020 (70 O.S. Supp.
10 2020, Section 3-145.3), which relates to powers and
11 duties of the Statewide Virtual Charter School Board;
12 allowing a resident school district to deny a request
13 to transfer to a virtual charter school if certain
14 criteria are met; requiring a transfer to a virtual
15 charter school to be approved by both the resident
16 school district and the receiving virtual charter
17 school; providing an effective date; and declaring an
18 emergency.

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

20 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-145.3, as
21 last amended by Section 2, Chapter 27, O.S.L. 2020 (70 O.S. Supp.
22 2020, Section 3-145.3), is amended to read as follows:

23 Section 3-145.3. A. Subject to the requirements of the
24 Oklahoma Charter Schools Act, the Statewide Virtual Charter School
25 Board shall:

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

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

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

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

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

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

14 D. As calculated as provided for in Section 3-142 of this
15 title, a statewide virtual charter school shall receive the State
16 Aid allocation and any other state-appropriated revenue generated by
17 students enrolled in the virtual charter school for the applicable
18 year, less up to five percent (5%) of the State Aid allocation,
19 which may be retained by the Statewide Virtual Charter School Board
20 for administrative expenses and to support the mission of the Board.
21 A statewide virtual charter school shall be eligible for any other
22 funding any other charter school is eligible for as provided for in
23 Section 3-142 of this title. 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 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. Beginning with the 2021-2022 school year, a public
7 school ~~students~~ student who ~~wish~~ wishes to enroll in a
8 virtual charter school shall be considered a transfer
9 student from ~~their~~ his or her resident school
10 district. A virtual charter school shall pre-enroll
11 any public school student whose parent expresses
12 intent to enroll the student in the ~~district~~ virtual
13 charter school. Upon pre-enrollment, the State
14 Department of Education shall initiate a transfer on a
15 form to be completed by the receiving virtual charter
16 school.

17 b. Upon notice that a public school student has expressed
18 an intent to enroll in a virtual charter school, the
19 resident school district of the student may deny the
20 transfer if the resident district offers a full-time
21 virtual education program that is equal in scope and
22 content to the virtual charter school to which a
23 transfer is being sought.

1 c. Upon approval of the resident school district and the
2 receiving virtual charter school, the student may
3 begin instructional activities. Upon notice that a
4 public school student has transferred to a virtual
5 charter school, the resident school district shall
6 transmit the student's records within three (3) school
7 days.

8 2. The State Department of Education shall notify the
9 Legislature and Governor if it determines that the information
10 technology infrastructure necessary to process the transfer of
11 students to a virtual charter school is inadequate and one (1)
12 additional school year is needed for implementation.

13 3. A Subject to the provisions of this subsection, a public
14 school student may transfer to one statewide virtual charter school
15 at any time during a school year. For purposes of this subsection,
16 "school year" shall mean July 1 through the following June 30.
17 After one statewide virtual charter school transfer during a school
18 year, no public school student shall be permitted to transfer to any
19 other statewide virtual charter school without the concurrence of
20 both the resident school district and the receiving virtual charter
21 school. A student shall have a grace period of fifteen (15) school
22 days from the first day of enrollment in a statewide virtual charter
23 school to withdraw without academic penalty and shall continue to
24 have the option of one virtual charter school transfer ~~without the~~

1 ~~concurrence of both districts~~ during that same school year. A
2 statewide virtual charter school student that has utilized the
3 allowable one transfer pursuant to this subsection shall not be
4 permitted to transfer to another district or other statewide virtual
5 charter school without first notifying his or her resident district
6 and initiating a new transfer. Upon cancellation of a transfer the
7 virtual charter school shall transmit the student's records to the
8 student's new school district within three (3) school days.

9 Students enrolled in a statewide virtual charter school shall not be
10 required to submit a virtual charter transfer for consecutive years
11 of enrollment. Any student enrolled in a statewide virtual charter
12 school the year prior to the implementation of this section shall
13 not be required to submit a transfer in order to remain enrolled.

14 4. For purposes of this subsection, "parent" shall mean the
15 parent of the student or person having custody of the student as
16 provided for in paragraph 1 of subsection A of Section 1-113 of this
17 title.

18 I. A virtual charter school shall not accept or deny a transfer
19 based on ethnicity, national origin, gender, income level, disabling
20 condition, proficiency in the English language, measure of
21 achievement, aptitude or athletic ability.

22 J. The decision of the Statewide Virtual Charter School Board
23 to deny, nonrenew or terminate the charter contract of a statewide
24 virtual charter school may be appealed to the State Board of

1 Education within thirty (30) days of the decision by the Statewide
2 Virtual Charter School Board. The State Board of Education shall
3 act on the appeal within sixty (60) days of receipt of the request
4 from the statewide virtual charter school applicant. The State
5 Board of Education may reverse the decision of the Statewide Virtual
6 Charter School Board or may remand the matter back to the Statewide
7 Virtual Charter School Board for further proceeding as directed.

8 SECTION 2. This act shall become effective July 1, 2021.

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

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