

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

SENATE BILL 709

By: Brooks

AS INTRODUCED

An Act relating to State Aid; amending 70 O.S. 2021, Section 18-201.1, which relates to weighted membership of a school district; directing certain districts to use certain funds for certain purpose; directing method to report expenditures; 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. 2021, Section 18-201.1, is amended to read as follows:

Section 18-201.1. A. Beginning with the 2020-21 school year, and each school year thereafter, the weighted membership of a school district for calculation of Foundation Aid purposes pursuant to paragraph 1 of subsection D of Section 18-200.1 of this title shall be the sum of the weighted pupil grade level calculation, the weighted pupil category calculation, the weighted district calculation, and the weighted teacher experience and degree calculation. The weighted membership of a school district for calculation of Salary Incentive Aid purposes pursuant to paragraph 3 of subsection D of Section 18-200.1 of this title shall be the sum

1 of the weighted pupil grade level calculation, the weighted pupil  
2 category calculation, the weighted district calculation, and the  
3 weighted teacher experience and degree calculation.

4 B. Beginning with the 2022-2023 school year, the weighted  
5 calculations provided for in subsection A of this section shall be  
6 based on the higher weighted average daily membership of the first  
7 nine (9) weeks of the current school year or the preceding school  
8 year of a school district, unless otherwise specified. The higher  
9 of the two (2) weighted average daily memberships shall be used  
10 consistently in all of the calculations; however, the weighted  
11 calculation for a statewide virtual charter school experiencing a  
12 significant decline in membership shall be based on the first nine  
13 (9) weeks of the current school year for the statewide virtual  
14 charter school. For purposes of this subsection, "significant  
15 decline in membership" means equal to or greater than a fifteen  
16 percent (15%) decrease in average daily membership from the  
17 preceding school year to the average daily membership of the first  
18 nine (9) weeks of the current school year. The average daily  
19 membership data used for all calculations in paragraphs 1, 2, 3, and  
20 4 of this subsection shall be the same as used in the calculation of  
21 the State Aid Formula. The weighted calculations provided for in  
22 subsection A of this section shall be determined as follows:

23 1. The weighted pupil grade level calculation shall be  
24 determined by taking the highest average daily membership and

1 assigning weights to the pupils according to grade attended as  
2 follows:

	GRADE LEVEL	WEIGHT
3		
4	a. Half-day early childhood programs	.7
5	b. Full-day early childhood programs	1.3
6	c. Half-day kindergarten	1.3
7	d. Full-day kindergarten	1.5
8	e. First and second grade	1.351
9	f. Third grade	1.051
10	g. Fourth through sixth grade	1.0
11	h. Seventh through twelfth grade	1.2
12	i. Out-of-home placement	1.50

13 Multiply the membership of each subparagraph of this paragraph  
14 by the weight assigned to such subparagraph of this paragraph and  
15 add the totals together to determine the weighted pupil grade level  
16 calculation for a school district. Determination of the pupils  
17 eligible for the early childhood program weight shall be pursuant to  
18 the provisions of Section 1-114 of this title. The pupils eligible  
19 for the out-of-home placement pupil weight shall be students who are  
20 not residents of the school district in which they are receiving  
21 education pursuant to the provisions of subsection D of Section 1-  
22 113 of this title. Such weight may be claimed by the district  
23 providing educational services to such student for the days that  
24 student is enrolled in that district. If claimed, the out-of-home

1 placement weight shall be in lieu of the pupil grade level and any  
2 pupil category weights for that student. Provided, if a student  
3 resides in a juvenile detention center that is restricted to less  
4 than twelve (12) beds, the out-of-home placement pupil weight for  
5 such students shall be calculated as follows: for a center with six  
6 (6) beds - 3.0; for a center with eight (8) beds - 2.3; and for a  
7 center with ten (10) beds - 1.80.

8 2. The weighted pupil category calculation shall be determined  
9 by assigning a weight to the pupil category as follows:

10	CATEGORY	WEIGHT
11	a. Visual Impairment	3.8
12	b. Specific Learning Disability	.4
13	c. Deafness or Hearing Impairment	2.9
14	d. Deaf-Blindness	3.8
15	e. Intellectual Disability	1.3
16	f. Emotional Disturbance	2.5
17	g. Gifted	.34
18	h. Multiple Disabilities	2.4
19	i. Orthopedic Impairment	1.2
20	j. Speech or Language Impairment	.05
21	k. Bilingual	.25
22	l. Special Education Summer Program	1.2
23	m. Economically Disadvantaged	.25

- n. Optional Extended School Year Program As determined by the State Board of Education
- o. Autism 2.4
- p. Traumatic Brain Injury 2.4
- q. Other Health Impairment 1.2

Except as otherwise provided, multiply the number of pupils approved in the school year with the highest average daily membership in each category by the weight assigned to such category and add the totals together to determine the weighted pupil category calculation for a school district. For the 1997-98 school year and subsequent school years, the number to be multiplied by the weight assigned to the gifted category in subparagraph g of this paragraph shall be the lesser of (1) the sum of the number of students who scored in the top three percent (3%) on any national standardized test of intellectual ability plus the number of students identified as gifted pursuant to subparagraphs a through d of paragraph 1 of Section 1210.301 of this title, or (2) the sum of the number of students who scored in the top three percent (3%) on any national standardized test of intellectual ability plus eight percent (8%) of the total average daily membership of the school district for the first nine (9) weeks of the school year.

1           3. The weighted district calculation shall be determined by  
2 determining the calculations for each school district for both the  
3 small school district formula and the district sparsity - isolation  
4 formula, applying whichever is the greater of the calculations of  
5 the two formulas and then applying the restrictions pursuant to  
6 subparagraph c of this paragraph.

7           a. Small school district formula: 529 minus the average  
8           daily membership divided by 529 times .2 times total  
9           average daily membership.

10           The small school district formula calculation shall apply  
11           only to school districts whose highest average daily  
12           membership is less than 529 pupils. School districts which  
13           are consolidated or annexed after July 1, 2003, pursuant to  
14           the Oklahoma School ~~Voluntary~~ Consolidation and Annexation  
15           Act shall have the weighted district size calculation for  
16           the three (3) school years following the fiscal year in  
17           which such consolidation occurred calculated to be the sum  
18           of the individual consolidated districts computed as if the  
19           consolidation had not taken place. Thereafter, any such  
20           district which is consolidated pursuant to the Oklahoma  
21           School ~~Voluntary~~ Consolidation and Annexation Act shall not  
22           qualify for the weighted district calculation unless the  
23           district can satisfy the specifications herein. Subject to  
24           the provisions of subparagraph c of this paragraph, the

1 resulting number shall be counted as additional students  
2 for the purpose of calculating State Aid.

3 b. District sparsity - isolation formula:

4 The district sparsity - isolation formula calculation shall  
5 apply only to school districts:

6 (1) whose total area in square miles is greater than  
7 the average number of square miles for all school  
8 districts in this state; and

9 (2) whose areal density is less than one-fourth (1/4)  
10 of the state average areal density. Areal  
11 density shall be determined by dividing the  
12 school district's average daily membership by the  
13 school district's total area in square miles.

14 The district sparsity - isolation formula calculation shall  
15 be calculated as follows:

16 The school district student cost factor multiplied by  
17 the school district area factor. The resulting  
18 product shall be multiplied by the school district's  
19 average daily membership. Subject to the provisions  
20 of subparagraph c of this paragraph, the resulting  
21 number shall be counted as additional students for the  
22 purpose of calculating State Aid.

23 The school district student cost factor shall be calculated  
24 as follows:

1 The school district's average daily membership shall  
2 be categorized into the following grade level groups  
3 and applied to the appropriate formulas as computed  
4 below:

5 Grade Level Group

6 Grades K-5 Divide 74 by the sum of the Grade  
7 Level ADM plus 23,  
8 add .85 to the quotient, then  
9 multiply the sum by the Grade  
10 Level ADM.

11 Grades 6-8 Divide 122 by the sum of the Grade  
12 Level ADM plus 133,  
13 add .85 to the quotient, then  
14 multiply the sum by the Grade  
15 Level ADM.

16 Grades 9-12 Divide 292 by the sum of the Grade  
17 Level ADM plus 128,  
18 add .78 to the quotient, then  
19 multiply the sum by the Grade  
20 Level ADM.

21 The sum of the grade level group's average daily  
22 membership shall be divided by the school district's  
23 average daily membership. The number one (1.0) shall  
24 be subtracted from the resulting quotient.



1 The school district area cost factor shall be calculated as  
2 follows:

3 Subtract the state average district area from the  
4 district area, then divide the remainder by the state  
5 average district area;

6 however, the district area cost factor shall not exceed one  
7 (1.0).

8 The State Board of Education shall define geographical barriers  
9 whose location in a school district would inhibit the district from  
10 consolidation or annexation. The Board shall make available an  
11 application process, review applications, and for districts the  
12 Board deems necessary allow additional square miles to be used for  
13 the purposes of calculations used for the weighted district sparsity  
14 - isolation formula. Provided, that the additional square miles  
15 allowed for geographical barriers shall not exceed thirty percent  
16 (30%) of the district's actual size.

17 c. State Aid funds which a district is calculated to  
18 receive as a result of the weighted district  
19 calculation shall be restricted as follows:

20 If, after the weighted district calculation is  
21 applied, the district's projected per pupil  
22 revenue exceeds one hundred fifty percent (150%)  
23 of the projected state average per pupil revenue,  
24 then the district's State Aid shall be reduced by

1 an amount that will restrict the district's  
2 projected per pupil revenue to one hundred fifty  
3 percent (150%) of the projected state average per  
4 pupil revenue. Provided, in applying the  
5 restriction provided in this division, the  
6 district's State Aid shall not be reduced by an  
7 amount greater than by the amount of State Aid  
8 which was generated by the weighted district  
9 calculation.

10 The July calculation of the projected per pupil  
11 revenue shall be determined by dividing the district's  
12 preceding year's average daily membership (ADM) as  
13 weighted by the pupil grade level, the pupil category,  
14 the district and the teacher experience degree index  
15 calculations for projected State Aid into the  
16 district's projected total revenues including  
17 projected funds for the State Aid Formula for the  
18 preceding year, net assessed valuation for the  
19 preceding calendar year times thirty-nine (39) mills,  
20 county revenues excluding the county four-mills  
21 revenues for the second preceding year, other state  
22 appropriations for the preceding year, and the  
23 collections for the preceding year of state  
24

1           apportionment, motor vehicle revenue, gross production  
2           tax, and R.E.A. tax.

3           The December calculation of the projected per pupil  
4           revenue shall be determined by dividing the higher of  
5           the district's first nine (9) weeks of the current  
6           school year or the preceding school year's average  
7           daily membership (ADM) as weighted by the pupil grade  
8           level, the pupil category, the district and the  
9           teacher experience degree index calculations for  
10          projected State Aid into the district's projected  
11          total revenues including funds for the December  
12          calculation of the current year State Aid Formula, net  
13          assessed valuation for the current calendar year times  
14          thirty-nine (39) mills, county revenues excluding the  
15          county four-mills revenue for the preceding year,  
16          other state appropriations for the preceding year, and  
17          the collections for the preceding year of state  
18          apportionment, motor vehicle revenue, gross production  
19          tax, and R.E.A. tax.

20          The district's projected total revenues for each  
21          calculation shall exclude the following collections  
22          for the second preceding year: federal revenue,  
23          insurance loss payments, reimbursements, recovery of  
24          overpayments and refunds, unused reserves, prior

1 expenditures recovered, prior year surpluses, and  
2 other local miscellaneous revenues.

3 4. The weighted teacher experience and degree calculation shall  
4 be determined in accordance with the teacher experience and degree  
5 index. The State Department of Education shall determine an index  
6 for each state teacher by using data supplied in the school  
7 district's teacher personnel reports of the preceding year and  
8 utilizing the index as follows:

9 TEACHER EXPERIENCE - DEGREE INDEX

10 EXPERIENCE	BACHELOR'S	MASTER'S	DOCTOR'S
	DEGREE	DEGREE	DEGREE
12 0 - 2	.7	.9	1.1
13 3 - 5	.8	1.0	1.2
14 6 - 8	.9	1.1	1.3
15 9 - 11	1.0	1.2	1.4
16 12 - 15	1.1	1.3	1.5
17 Over 15	1.2	1.4	1.6

18 The school district teacher index for each school district shall  
19 be determined by subtracting the weighted average state teacher from  
20 the weighted average district teacher. Multiply the school district  
21 teacher index if greater than zero by .7 and then multiply that  
22 product by the sum of the district's weighted pupil grade level  
23 calculation provided in paragraph 1 of this subsection and the  
24 weighted pupil category calculation provided in subparagraph m of

1 paragraph 2 of this subsection to determine the weighted teacher  
2 experience and degree calculation.

3 C. School districts that receive State Aid funds as a result of  
4 qualifying for the "bilingual" pupil category weight pursuant to  
5 subparagraph k of paragraph 2 of subsection B of this section shall  
6 use the funds to provide professional development for teachers who  
7 offer instruction in English as a second language. Expenditures  
8 shall be reported using the Oklahoma Cost Accounting System.

9 SECTION 2. This act shall become effective July 1, 2023.

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

14  
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