STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

HOUSE BILL 3922   By: Caldwell (Chad)

AS INTRODUCED

An Act relating to State Aid; amending 70 O.S. 2021,
Section 18-201.1, as amended by Section 2, Chapter
280, O.S.L. 2023 (70 O.S. Supp. 2023, Section 18-
201.1), which relates to weighted calculations;
modifying weighted pupil grade level calculation for
certain students; 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, as

amended by Section 2, Chapter 280, O.S.L. 2023 (70 O.S. Supp. 2023,

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

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

1.   The weighted pupil grade level calculation shall be determined by taking the highest average daily membership and assigning weights to the pupils according to grade attended as follows:

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

Multiply the membership of each subparagraph of this paragraph by the weight assigned to such subparagraph of this paragraph and add the totals together to determine the weighted pupil grade level calculation for a school district. Determination of the pupils eligible for the early childhood program weight shall be pursuant to the provisions of Section 1-114 of this title. The pupils eligible for the out-of-home placement pupil weight shall be students who are not residents of the school district in which they are receiving education pursuant to the provisions of subsection D of Section 1-113 of this title. Such weight may be claimed by the district

providing educational services to such student for the days that student is enrolled in that district. If claimed, the out-of-home placement weight shall be in lieu of the pupil grade level and any pupil category weights for that student. Provided, if a student resides in a juvenile detention center that is restricted to less than twelve (12) beds, the out-of-home placement pupil weight for such students shall be calculated as follows: for a center with six (6) beds - 3.0; for a center with eight (8) beds - 2.3; and for a center with ten (10) beds - 1.80. If a student enrolled in ninth through twelfth grade is receiving instruction at a technology center school, college, or institution of higher education, and is absent on a per-semester basis for an average of more than twenty-five percent (25%) of each full day of instruction, the student's weighted pupil grade level provided in subparagraph h of this paragraph shall be reduced by the percentage of time the student is receiving instruction away from the school.

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

CATEGORY	WEIGHT
a. Visual Impairment	3.8
b. Specific Learning Disability	.4
c. Deafness or Hearing Impairment	2.9
d. Deaf-Blindness	3.8
e. Intellectual Disability	1.3

f.	Emotional Disturbance	2.5
g.	Gifted	.34
h.	Multiple Disabilities	2.4
i.	Orthopedic Impairment	1.2
j.	Speech or Language Impairment	.05
k.	Bilingual	.25
l.	Special Education Summer Program	1.2
m.	Economically Disadvantaged	.3
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.

3.   The weighted district calculation shall be determined by

determining the calculations for each school district for both the

small school district formula and the district sparsity - isolation

formula, applying whichever is the greater of the calculations of

the two formulas and then applying the restrictions pursuant to

subparagraph c of this paragraph.

        a.   Small school district formula: 750 minus the average

           daily membership divided by 750 times .2 times total

           average daily membership.

      The small school district formula calculation shall apply

      only to school districts whose highest average daily

      membership is less than 750 pupils. School districts which

      are consolidated or annexed after July 1, 2003, pursuant to

      the Oklahoma School Voluntary Consolidation and Annexation

      Act shall have the weighted district size calculation for

      the three (3) school years following the fiscal year in

      which such consolidation occurred calculated to be the sum

of the individual consolidated districts computed as if the

consolidation had not taken place. Thereafter, any such

district which is consolidated pursuant to the Oklahoma

School Voluntary Consolidation and Annexation Act shall not

qualify for the weighted district calculation unless the

district can satisfy the specifications herein. Subject to

the provisions of subparagraph c of this paragraph, the

resulting number shall be counted as additional students

for the purpose of calculating State Aid.

b.   District sparsity - isolation formula:

The district sparsity - isolation formula calculation shall

apply only to school districts:

      (1)   whose total area in square miles is greater than

            the average number of square miles for all school

            districts in this state; and

      (2)   whose areal density is less than one-fourth (1/4)

            of the state average areal density. Areal

            density shall be determined by dividing the

            school district's average daily membership by the

            school district's total area in square miles.

The district sparsity - isolation formula calculation shall

be calculated as follows:

    The school district student cost factor multiplied by

    the school district area factor. The resulting

product shall be multiplied by the school district's average daily membership. Subject to the provisions of subparagraph c of this paragraph, the resulting number shall be counted as additional students for the purpose of calculating State Aid.

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

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

Grade Level Group

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

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

Grades 9-12   Divide 292 by the sum of the Grade
                    Level ADM plus 128,

add .78 to the quotient, then

multiply the sum by the Grade

Level ADM.

The sum of the grade level group's average daily

membership shall be divided by the school district's

average daily membership. The number one (1.0) shall

be subtracted from the resulting quotient.

The school district area cost factor shall be calculated as

follows:

Subtract the state average district area from the

district area, then divide the remainder by the state

average district area;

however, the district area cost factor shall not exceed one

(1.0).

The State Board of Education shall define geographical barriers

whose location in a school district would inhibit the district from

consolidation or annexation. The Board shall make available an

application process, review applications, and for districts the

Board deems necessary allow additional square miles to be used for

the purposes of calculations used for the weighted district sparsity

- isolation formula. Provided, that the additional square miles

allowed for geographical barriers shall not exceed thirty percent

(30%) of the district's actual size.

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

   If, after the weighted district calculation is applied, the district's projected per pupil revenue exceeds one hundred fifty percent (150%) of the projected state average per pupil revenue, then the district's State Aid shall be reduced by an amount that will restrict the district's projected per pupil revenue to one hundred fifty percent (150%) of the projected state average per pupil revenue. Provided, in applying the restriction provided in this division, the district's State Aid shall not be reduced by an amount greater than by the amount of State Aid which was generated by the weighted district calculation.

The July calculation of the projected per pupil revenue shall be determined by dividing the district's preceding year's average daily membership (ADM) as weighted by the pupil grade level, the pupil category, the district and the teacher experience degree index calculations for projected State Aid into the district's projected total revenues including

projected funds for the State Aid Formula for the

preceding year, net assessed valuation for the

preceding calendar year times thirty-nine (39) mills,

county revenues excluding the county four-mills

revenues for the second preceding year, other state

appropriations for the preceding year, and the

collections for the preceding year of state

apportionment, motor vehicle revenue, gross production

tax, and R.E.A. tax.

The December calculation of the projected per pupil

revenue shall be determined by dividing the higher of

the district's first nine (9) weeks of the current

school year or the preceding school year's average

daily membership (ADM) as weighted by the pupil grade

level, the pupil category, the district and the

teacher experience degree index calculations for

projected State Aid into the district's projected

total revenues including funds for the December

calculation of the current year State Aid Formula, net

assessed valuation for the current calendar year times

thirty-nine (39) mills, county revenues excluding the

county four-mills revenue for the preceding year,

other state appropriations for the preceding year, and

the collections for the preceding year of state

apportionment, motor vehicle revenue, gross production

tax, and R.E.A. tax.

The district's projected total revenues for each

calculation shall exclude the following collections

for the second preceding year: federal revenue,

insurance loss payments, reimbursements, recovery of

overpayments and refunds, unused reserves, prior

expenditures recovered, prior year surpluses, and

other local miscellaneous revenues.

4. The weighted teacher experience and degree calculation shall

be determined in accordance with the teacher experience and degree

index. The State Department of Education shall determine an index

for each state teacher by using data supplied in the school

district's teacher personnel reports of the preceding year and

utilizing the index as follows:

TEACHER EXPERIENCE - DEGREE INDEX

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

The school district teacher index for each school district shall be determined by subtracting the weighted average state teacher from the weighted average district teacher. Multiply the school district teacher index if greater than zero by .7 and then multiply that product by the sum of the district's weighted pupil grade level calculation provided in paragraph 1 of this subsection and the weighted pupil category calculation provided in subparagraph m of paragraph 2 of this subsection to determine the weighted teacher experience and degree calculation.

SECTION 2. This act shall become effective July 1, 2024.

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

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