

1 ENGROSSED SENATE
2 BILL NO. 148

By: Stanislawski of the Senate

3 and

4 Fincher of the House

5
6 An Act relating to virtual charter schools; amending
7 Section 5, Chapter 367, O.S.L. 2012, as last amended
8 by Section 1, Chapter 293, O.S.L. 2015 (70 O.S. Supp.
9 2018, Section 3-145.3), which relates to the powers
10 and duties of the Statewide Virtual Charter School
11 Board; providing enrollment periods for statewide
12 virtual charter schools beginning with certain school
13 year; allowing a student to enroll in a statewide
14 virtual charter school outside of the enrollment
15 periods under certain criteria; providing criteria
16 under which a student may withdraw from a statewide
17 virtual charter school and transfer to a public
18 school district; providing an effective date; and
19 declaring an emergency.

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

21 SECTION 1. AMENDATORY Section 5, Chapter 367, O.S.L.
22 2012, as last amended by Section 1, Chapter 293, O.S.L. 2015 (70
23 O.S. Supp. 2018, Section 3-145.3), is amended to read as follows:

24 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;

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 the geographic boundaries of each
6 statewide virtual charter school shall be the borders of the state.

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

13 D. As calculated as provided for in Section 3-142 of this
14 title, a statewide virtual charter school shall receive the State
15 Aid allocation and any other state-appropriated revenue generated by
16 students enrolled in the virtual charter school for the applicable
17 year, less up to five percent (5%) of the State Aid allocation,
18 which may be retained by the Statewide Virtual Charter School Board
19 for administrative expenses and to support the mission of the Board.
20 A statewide virtual charter school shall be eligible for any other
21 funding any other charter school is eligible for as provided for in
22 Section 3-142 of this title. Each statewide virtual charter school
23 shall be considered a separate local education agency for purposes
24 of reporting and accountability.

1 E. Students enrolled full-time in a statewide virtual charter
2 school sponsored by the Statewide Virtual Charter School Board shall
3 not be authorized to participate in any activities administered by
4 the Oklahoma Secondary Schools Activities Association. However, the
5 students may participate in intramural activities sponsored by a
6 statewide virtual charter school, an online provider for the charter
7 school or any other outside organization.

8 F. 1. Beginning with the 2019-2020 school year, the enrollment
9 period for statewide virtual charter schools shall be:

10 a. June 1 to September 15, and

11 b. December 20 to January 30.

12 2. A student may enroll in a statewide virtual charter school
13 outside of the enrollment periods set forth in paragraph 1 of this
14 subsection upon an adequate showing of an emergency. An emergency
15 shall include:

16 a. the student moves into the state or within the state
17 outside of the enrollment periods set forth in
18 paragraph 1 of this subsection,

19 b. the destruction or partial destruction of a school
20 building in the district in which the student is
21 enrolled,

22 c. the inability of the district in which the student is
23 enrolled to offer the subject a student desires to
24 pursue,

- 1 d. a catastrophic medical problem of a student, which for
2 purposes of this subsection shall mean an acute or
3 chronic serious illness, disease, disorder or injury
4 which has a permanently detrimental effect on the
5 body's system or renders the risk of attending a
6 public school district unusually hazardous,
- 7 e. the total failure of transportation facilities within
8 the school district in which the student is enrolled,
- 9 f. the unavailability of remote or on-site Internet-based
10 instruction by course title in the school district in
11 which the student is enrolled if he or she has been
12 identified as in need of drop-out recovery or
13 alternative education services, provided the student
14 was enrolled at any time in a public school district
15 in this state during the previous three (3) years, or
- 16 g. when a student has been the victim of harassment,
17 intimidation or bullying as defined by Section 24-
18 100.3 of this title, upon verification by the
19 statewide virtual charter school that the student has
20 been the victim of harassment, intimidation or
21 bullying and that the school district in which the
22 student was enrolled was notified of the incident or
23 incidents prior to the student enrolling in the
24 statewide virtual charter school.

1 3. A student may withdraw from a statewide virtual charter
2 school and transfer to a public school district within the state if
3 the following criteria are met:

- 4 a. if the parents or legal guardians of the student have
5 submitted an application and received approval from a
6 receiving school district to transfer between the end
7 of the first semester and the beginning of the second
8 semester or between school years, subject to the
9 provisions of the Education Open Transfer Act,
- 10 b. if an emergency exists pursuant to Section 8-104 of
11 this title,
- 12 c. if a parent or legal guardian of a student is no
13 longer able to monitor the student during the school
14 day and the parents or legal guardians of the student
15 have submitted an application and received approval
16 from a receiving school district to transfer into the
17 school district at any time during the school year,
- 18 d. if a student fails to complete the assessments
19 required by Section 1210.508 of this title and the
20 statewide virtual charter school administers the
21 assessments required by Section 1210.508 of this title
22 to less than ninety-five percent (95%) of the students
23 enrolled in the statewide virtual charter school, or

1 e. if the academic achievement of the student declines
2 while he or she is enrolled in the statewide virtual
3 charter school and the student's parents or legal
4 guardians, teachers and the principal or
5 superintendent of the statewide virtual charter school
6 decide the student should transfer to a public school
7 district.

8 G. The decision of the Statewide Virtual Charter School Board
9 to deny, nonrenew or terminate the charter contract of a statewide
10 virtual charter school may be appealed to the State Board of
11 Education within thirty (30) days of the decision by the Statewide
12 Virtual Charter School Board. The State Board of Education shall
13 act on the appeal within sixty (60) days of receipt of the request
14 from the statewide virtual charter school applicant. The State
15 Board of Education may reverse the decision of the Statewide Virtual
16 Charter School Board or may remand the matter back to the Statewide
17 Virtual Charter School Board for further proceeding as directed.

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.

