

# An Act

ENROLLED SENATE  
BILL NO. 2212

By: Ford of the Senate

and

McDaniel (Randy) and Kern  
of the House

An Act relating to schools; amending 70 O.S. 2001, Section 3-142, as last amended by Section 4, Chapter 257, O.S.L. 2007 (70 O.S. Supp. 2009, Section 3-142), which relates to funding of charter schools; establishing certain charter schools as local education agencies for certain purpose

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-142, as last amended by Section 4, Chapter 257, O.S.L. 2007 (70 O.S. Supp. 2009, Section 3-142), is amended to read as follows:

Section 3-142. A. For purposes of funding, a charter school sponsored by a board of education of a school district shall be considered a site within the school district in which the charter 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 18-201.1 of this title and state aid pursuant to Section 18-200.1 of this title. For charter schools sponsored by a board of education of a school district, the sum of the separate calculations for the charter school and the school district shall be used to determine the total State Aid allocation for the district in which the charter school is located. A charter school shall receive from the

sponsoring school district, the State Aid revenue generated by its students for the applicable year, less up to five percent (5%) of the total, which may be retained by the school district as a fee for administrative services rendered. For charter schools sponsored by the board of education of a technology center school district or a higher education institution, the State Aid allocation for the charter school shall be distributed by the State Board of Education. Not more than five percent (5%) of the total allocation may be charged by the sponsor as a fee for administrative services rendered. The State Board of Education shall determine the policy and procedure for making payments to a charter school.

B. The weighted average daily membership for the first year of operation of a charter school shall be determined initially by multiplying the actual enrollment of students as of August 1 by 1.333. The charter school shall receive revenue equal to that which would be generated by the estimated weighted average daily membership calculated pursuant to this subsection. At midyear, the allocation for the charter school shall be adjusted using the first quarter weighted average daily membership for the charter school calculated pursuant to subsection A of this section.

C. A charter school shall be eligible to receive any other aid, grants or revenues allowed to other schools. A charter school sponsored by the board of education of a technology center school district or a higher education institution shall be considered a local education agency for purposes of funding. A charter school sponsored by a board of education of a school district shall be considered a local education agency for purposes of federal funding.

D. A charter school, in addition to the money received from the state, may receive money from any other source. Any unexpended nonstate funds, excluding local revenue, may be reserved and used for future purposes.

Passed the Senate the 28th day of April, 2010.

A. Bryan Marshall  
Presiding Officer of the Senate

Passed the House of Representatives the 19th day of April, 2010.

Chris Steele  
Presiding Officer of the House  
of Representatives

**OFFICE OF THE GOVERNOR**

Received by the Governor this 29th  
day of April, 2010,  
at 1:30 o'clock P M.

By: [Signature]

Approved by the Governor of the State of Oklahoma the 4th day of  
May, 2010, at 3:44 o'clock P M.

[Signature]  
Governor of the State of Oklahoma

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this \_\_\_\_\_  
5th day of May, 2010,  
at 11:18 o'clock A M.

By: [Signature]