

# An Act

ENROLLED SENATE  
BILL NO. 256

By: Ford of the Senate

and

Denney of the House

An Act relating to charter schools; amending 70 O.S. 2001, Section 3-142, as last amended by Section 39 of Enrolled Senate Bill No. 553 of the 1st Session of the 53rd Oklahoma Legislature, which relates to charter school funding; and providing that charter schools are eligible for government lease rates.

SUBJECT: Charter schools

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 39 of Enrolled Senate Bill No. 553 of the 1st Session of the 53rd Oklahoma Legislature, 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 allocation and any other state-appropriated revenue generated by its students for the

applicable year, less up to five percent (5%) of the State Aid allocation, 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, a higher education institution, the State Board of Education, or a federally recognized Indian tribe, the State Aid allocation for the charter school shall be distributed by the State Board of Education and not more than five percent (5%) of the State Aid 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. The fee for administrative services as authorized in this subsection shall only be assessed on the State Aid allocation amount and shall not be assessed on any other appropriated amounts.

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, a higher education institution, the State Board of Education, or a federally recognized Indian tribe 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.

E. Any charter school which chooses to lease property shall be eligible to receive current government lease rates.

Passed the Senate the 2nd day of May, 2011.

*John W. Ford*

Presiding Officer of the Senate

Passed the House of Representatives the 20th day of April, 2011.

*Tim Stebb*

Presiding Officer of the House  
of Representatives

**OFFICE OF THE GOVERNOR**

Received by the Governor this 3<sup>rd</sup>  
day of May, 20 11,  
at 12:32 o'clock P.M.

By: Janice R. Byers

Approved by the Governor of the State of Oklahoma the 9<sup>th</sup> day of  
May, 20 11, at 10:36 o'clock A.M.

*Mary Fallin*  
Governor of the State of Oklahoma

**OFFICE OF THE SECRETARY OF STATE**

Received by the Secretary of State this  
9<sup>th</sup> day of May, 20 11,  
at 1:20 o'clock P.M.

By: AMichelle R Day