

ENGROSSED HOUSE
BILL NO. 1236

BY: HAMILTON (James) and
STEIDLEY of the HOUSE

and

TAYLOR and HANEY of the
SENATE

(STATE BOARD OF EDUCATION - STATE DEPARTMENT
OF EDUCATION - APPROPRIATIONS - AMENDING
70 O.S., SECTION 18-200 - STATE AID FORMULA -
EFFECTIVE DATES -

EMERGENCY)

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

STATE BOARD OF EDUCATION

SECTION 1. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, the sum of One Billion One Hundred Nine Million Nine Hundred Fifty-one Thousand Five Hundred Forty-nine Dollars (\$1,109,951,549.00) or so much thereof as may be necessary to accomplish the support of public school activities by law as provided for in paragraph 1 of Section 12 of this act.

SECTION 2. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1991, the amount of Two Hundred Ninety-three Thousand Seven Dollars (\$293,007.00) or so much thereof as may be necessary to perform the duties imposed upon the State Board of

Education by law to accomplish the support of public school activities by law as provided in paragraph 1 of Section 12 of this act.

SECTION 3. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1990, the sum of Six Million Eight Hundred Thousand Five Hundred Twenty-five Dollars (\$6,800,525.00) or so much thereof as may be necessary to perform the duties imposed upon the State Board of Education by law to accomplish the support of public school activities by law as provided in paragraph 1 of Section 12 of this act.

SECTION 4. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Mineral Leasing Fund of the State Treasury for the fiscal year ending June 30, 1992, the sum of One Million Seven Hundred Fifty-seven Thousand Five Hundred Dollars (\$1,757,500.00) or so much thereof as may be necessary to perform the duties imposed upon the State Board of Education by law to accomplish the support of public school activities by law as provided in paragraph 1 of Section 12 of this act.

SECTION 5. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Mineral Leasing Fund of the State Treasury for the fiscal year ending June 30, 1990, the sum of Five Hundred Seventeen Thousand Four Hundred Thirty-three Dollars (\$517,433.00) or so much thereof as may be necessary to perform the duties imposed upon the State Board of Education by law to accomplish the support of public school activities by law as provided in paragraph 1 of Section 12 of this act.

SECTION 6. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the

Special Cash Flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "090 Fund", the sum of Fourteen Million One Hundred Fifty-seven Thousand Nine Hundred Ten Dollars (\$14,157,910.00) or so much thereof as may be necessary to perform the duties imposed upon the State Board of Education by law and to accomplish the support of public school activities by law as provided in paragraph 2 of Section 12 of this act.

SECTION 7. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Special Cash Flow Reserve Fund of the State Treasury, designated by the Office of State Finance as the "090 Fund", the sum of Twenty-nine Million Four Hundred Twenty-seven Thousand Six Hundred Ninety-eight Dollars (\$29,427,698.00) or so much thereof as may be necessary to perform the duties imposed upon the State Board of Education by law and to accomplish the support of public school activities by law as provided in paragraph 2 of Section 12 of this act.

SECTION 8. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1992, the sum of Twenty Million Nine Hundred Four Thousand Five Hundred Five Dollars (\$20,904,505.00) for the purpose of Administrative and Support Functions of the State Department of Education.

SECTION 9. REAPPROPRIATION The amount of Thirty-two Million Fifty Thousand Eight Hundred Two Dollars (\$32,050,802.00), originally appropriated from the General Revenue Fund of the State Treasury for the fiscal year ending June 30, 1991, by Section 14, Chapter 263, O.S.L. 1990, to the State Board of Education for use during the fiscal year ending June 30, 1992, to fund the education reforms contained in Enrolled House Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma Legislature, is hereby

reappropriated for the original purpose. Not less than Three Million Dollars (\$3,000,000.00) of the sum appropriated by this section shall be distributed only to schools which shall have adopted a merit or performance-based pay plan for teachers, as set forth in Section 5-141.2 of Title 70 of the Oklahoma Statutes.

SECTION 10. REAPPROPRIATION The amount of Three Hundred Thousand Dollars (\$300,000.00) of the monies appropriated by Section 7, Chapter 315, O.S.L. 1989, and as reappropriated by Section 23, Chapter 263, O.S.L. 1990, to the State Board of Education for the purpose of repayment of overallocation of federal funds by Federal Audit Control Number 06-70300, is hereby reappropriated to the State Board of Education for the original purpose, less expenditures and encumbrances as adjusted by transfer on July 1, 1991.

SECTION 11. Of the funds appropriated in Section 1 of this act, the sum of Two Hundred Eighteen Million Sixty-four Thousand Seven Hundred Forty-six Dollars (\$218,064,746.00) is from fiscal year 1992 revenues certified for appropriation by the State Board of Equalization pursuant to the provisions of Section 98, Chapter 2, O.S.L. Supp. 1989 (62 O.S. Supp. 1990, Section 41.29a).

SECTION 12. Beginning July 1, 1992, the support of public school activities by the State Board of Education payable from monies appropriated and reappropriated by Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 of this act shall be subject to the following schedule:

1. Funds appropriated and reappropriated by Sections 1 through 5 and 9 of this act:

Local and State-Supported

Financial Support of

Public Schools \$1,151,370,816.00

SUBTOTAL, PARAGRAPH 1:

\$1,151,370,816.00

2. Funds appropriated by Sections 6, 7 and 8 of this act shall be expended for Local, State-Supported Programs Financial Support of

Public Schools unless otherwise specifically allocated by this paragraph as follows:

Purchase of Textbooks	\$14,157,910.00
Psychometric Services	950,818.00
Staff Development	1,629,739.00
Teacher Consultant Stipends	1,026,854.00
School Lunch Matching	2,612,123.00
School Lunch Programs	3,618,375.00
Homebound Children	1,278,696.00
Library Resources	3,024,178.00
Alternative and At-Risk Education	2,350,000.00
Arts-in-Education	96,000.00
School/Community Network for Arts-in-Education	154,196.00
Instructional Cooperative and Technological Education	681,475.00
County Superintendents' Salaries	104,807.00
Adult Education Matching	501,808.00
Driver Education	1,720,000.00
Early Intervention	8,563,265.00
Hissom Compliance	563,364.00
Special Education Assistance	552,000.00
Administrative and Support Functions of the State Department of Education	20,904,505.00
SUBTOTAL, PARAGRAPH 2:	<u>64,490,113.00</u>
TOTAL State School Aid Programs	\$1,215,860,929.00

SECTION 13. Funds allocated in Section 12 of this act, except for Financial Support of Public Schools, Purchase of Textbooks, Psychometric Services, Staff Development, Teacher Consultant

Stipends, Arts-in-Education, School Lunch Matching, School Lunch Programs, Homebound Children, County Superintendents' Salaries, Adult Education Matching, Driver Education, Administrative and Support Functions of the State Department of Education, Early Intervention, Hisson Compliance, and Special Education Assistance shall be made available on a statewide competitive application basis.

SECTION 14. The funds allocated in Section 12 of this act for Alternative and At-Risk Education shall be used for purposes of establishing and initiating educational programs at the local school district level and for encouraging the local districts to participate in innovative educational programs.

SECTION 15. The funds allocated in Section 12 of this act for Purchase of Textbooks shall be apportioned to the public schools pursuant to the provisions of Sections 16-101 through 16-124 of Title 70 of the Oklahoma Statutes. Upon an application from a local school district, state textbook funds may be used for the purchase of special education textbooks or other instructional materials for those students enrolled in special education programs. Requests for funds shall be based on the following formula:

No funds shall be provided for students attending special education classes less than two (2) hours per day. Those attending two (2) hours or more per day but less than four (4) hours shall receive a one-half (1/2) allocation. Those attending special education classes for four (4) or more hours per day shall receive a full allocation.

SECTION 16. School districts shall continue to establish and maintain elementary counseling programs with a portion of the funds such districts receive as State Aid pursuant to the provisions of this act.

SECTION 17. Funds allocated in Section 12 of this act for Psychometric Services shall be provided to school districts by the State Board of Education on a contractual basis.

SECTION 18. The funds allocated in Section 12 of this act for Staff Development are provided for teacher training and to implement the provisions of Section 6-150 of Title 70 of the Oklahoma Statutes. The funds for Staff Development shall be used to fund the Professional Development Centers as follows: Ninety-three Thousand Dollars (\$93,000.00) to Ardmore (10-I-019), Ninety-three Thousand Dollars (\$93,000.00) to Lawton (16-I-008), Ninety-three Thousand Dollars (\$93,000.00) to Norman (14-I-029), Ninety-three Thousand Dollars (\$93,000.00) to Stillwater (60-I-016), Ninety-three Thousand Dollars (\$93,000.00) to Woodward (77-I-001), and Ninety-three Thousand Dollars (\$93,000.00) to Bartlesville (74-I-030), and shall be used to establish a Professional Development Center in McAlester (61-I-080), Oklahoma, with funding of Thirty Thousand Dollars (\$30,000.00). The remainder shall be allocated on an average daily attendance basis for the purpose of teacher education staff development pursuant to the regulations of the State Department of Education. Five percent (5%) of the funds allocated for Staff Development may be used by local districts for the administration of the staff development program.

SECTION 19. Funds allocated in Section 12 of this act for Teacher Consultant Stipends for fiscal year 1992 are to be used to provide a stipend of not more than Five Hundred Dollars (\$500.00) for each teacher consultant. In addition to the distribution of such funds, the district shall receive the local district's share of the Federal Insurance Contributions Act (F.I.C.A.), for those districts which pay such contributions.

SECTION 20. The funds allocated in Section 12 of this act for School Lunch Matching and School Lunch Programs shall be apportioned to the public schools for the purpose of complying with the National

School Lunch Act and the Child Nutrition Act of 1966 and Public Law 91-248, as they may hereafter be amended or supplemented, to meet the requirements of these Acts for children's meals.

SECTION 21. The funds allocated in Section 12 of this act for reimbursement of costs of educating Homebound Children shall be disbursed by claims filed with the State Board of Education. School districts shall reimburse the travel expenses of teachers of homebound children in accordance with the provisions of the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes.

SECTION 22. The funds allocated in Section 12 of this act for Library Resources shall be used for purposes of establishing and initiating educational programs at the local school district level and for encouraging the local districts to participate in innovative education programs. Further, the funds provided shall be utilized to enable a cross-section of school districts to participate in new programs. No school site shall be eligible for funding from more than one Library Resources category during one school year, nor shall any school site be eligible for funding from the same Library Resources category included in this section if such school site has received such funds for three (3) or more prior years.

In administering such funds, the State Board of Education shall:

1. Designate fifty percent (50%) of the allocation for Category A library improvement grants. A school site is eligible to apply for a Category A grant if the program will provide centralized library services staffed by a certified library media specialist at least one-half day and if elementary school children are included in the program;

2. Designate twenty-five percent (25%) of the allocation for Category B library improvement grants. A school site is eligible to apply for a Category B grant if it is located in a school district with an enrollment of less than five hundred (500) pupils.

The school site will provide a centralized library media program and be staffed by a certified library media specialist at least one-half time; provided however, elementary schools with an enrollment below one hundred fifty (150) pupils may be staffed by a full-time aide. Secondary schools having fewer than one hundred fifty (150) pupils may be staffed by a full-time aide and a teacher/librarian who meet or exceed state regulations. A certified library media specialist shall serve as a consultant to this project;

3. Designate twenty-five percent (25%) of the allocation for Category C library improvement grants. A school district is eligible to apply for Category C library improvement grants if it provides library media services to secondary students and is making a significant expansion of the current programs. The library media center shall be staffed by a certified library media specialist at least one-half time;

4. Provide consultation to schools regarding the development of library media programs; and

5. Define a library media program as one that supports the curriculum through instruction in library and reference skills and through services to teachers which include joint planning of units, material selection and inservice.

Any funds for Library Resources in this act which have not been allocated following evaluation and awarding of all grant applications for the appropriate category schools as provided in this section may be reallocated to another category in which grant applications are pending.

SECTION 23. The funds allocated in Section 12 of this act for Arts-in-Education shall be expended by the State Board of Education on a contractual basis for the arts program throughout the state.

SECTION 24. The funds allocated in Section 12 of this act for School/Community Network for Arts-in-Education shall be provided to

school districts on a competitive application basis pursuant to the provisions of the rules and regulations promulgated by the State Board of Education.

SECTION 25. The funds allocated in Section 12 of this act for Adult Education Matching shall be provided to school districts for courses leading to the general education diploma pursuant to the provisions of the rules and regulations promulgated by the State Board of Education.

SECTION 26. Of the funds allocated in Section 12 of this act for Alternative and At-Risk Education, One Million Dollars (\$1,000,000.00) shall be provided for At-Risk Grants authorized pursuant to Section 1210.561 of Title 70 of the Oklahoma Statutes. The sum of Four Hundred Thirty Thousand Dollars (\$430,000.00) shall be used for grants of Ten Thousand Dollars (\$10,000.00) each for school sites identified as low performing or academically at-risk by the State Board and shall be awarded on a competitive basis. The At-Risk Program's Technical Assistance Center shall evaluate the academic progress made by the recipients of these funds. The remaining funds allocated in Section 12 of this act for Alternative and At-Risk Education shall be provided to school districts on a competitive application basis pursuant to the provisions of the rules and regulations promulgated by the State Board of Education.

SECTION 27. The funds allocated in Section 12 of this act for Hisson Compliance shall be used by the Department of Education to provide resources and programs necessary to comply with any federal court order pertaining to Hisson Memorial Center requiring such resources and programs.

SECTION 28. A portion of the funds allocated in Section 12 of this act for Instructional Cooperative and Technological Education shall be apportioned as follows:

1. Fifty-nine Thousand Nine Hundred Seventy-five Dollars (\$59,975.00) shall be expended on a contractual basis to the

Chickasha Public School District (26-I001) for the purpose of room and board payments for students at the Jane Brooks School for the Deaf, pursuant to contracts between the Chickasha School District and the Jane Brooks School for the Deaf; and

2. Fifty-four Thousand Dollars (\$54,000.00) shall be expended on a contractual basis for the Oklahoma Science and Engineering Fair; and

3. Two Hundred Ten Thousand Dollars (\$210,000.00) shall be expended on a contractual basis for Project Helping Up Through Training, the Ardmore Science Fair and the Ardmore High-tech Center; and

4. Three Hundred Thousand Five Hundred Dollars (\$300,500.00) shall be expended on a competitive application basis to an institution of The Oklahoma State System of Higher Education for the purpose of implementing telecommunications curriculum in Russian and Reading/English; and

5. Fifty-seven Thousand Dollars (\$57,000.00) shall be expended on a contractual basis to the Oklahoma School Advisory Council.

SECTION 29. Funds allocated for Driver Education in Section 12 of this act shall be provided by the State Superintendent of Public Instruction to each school district providing a driver education program during the preceding fiscal year in accordance with the regulations set forth by the State Board of Education. Allocations shall equal the actual cost of the program but shall not exceed Sixty-five Dollars (\$65.00) per pupil.

SECTION 30. A. A portion of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be available for costs involved in administering, scoring, reporting and other incidental duties to accomplish the Oklahoma School Testing Program as provided by Section 1210.508 of Title 70 of the Oklahoma Statutes.

B. A portion of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be available for costs involved in administering, scoring, reporting and other incidental duties to accomplish the writing assessment component of the Oklahoma School Testing Program.

C. A portion of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education funding shall be available for a preschool deaf program operated by the State Department of Education.

D. A portion of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be available to establish minimum teachers and administrators evaluation criteria and conduct training pursuant to the provisions for statewide criteria with administrative personnel as provided in Section 6-101.10 of Title 70 of the Oklahoma Statutes.

SECTION 31. The amount of Fifty Thousand Dollars (\$50,000.00) of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be available for contracting with the Oklahoma Alliance for Geographic Education to provide in-service training and materials for geography instruction.

SECTION 32. A portion of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be expended for the development and operation of a statewide network of services for the education of blind and visually handicapped children. Such network shall consist of itinerant services provided by qualified regional program specialists and certified orientation and mobility specialists.

Services to be provided shall include assessment of visual function, consultation regarding assessment of academic, ophthalmological, psychological or vocational performance,

assistance in the development of individualized education plans for visually handicapped children and provisions of or consultation regarding the acquisition of special equipment for the blind and visually handicapped.

SECTION 33. The amount of Two Hundred Twenty-six Thousand Dollars (\$226,000.00) of the funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be available for continued implementation of an Educational Cost Accounting System; and said System shall account for costs by curricular subject area for the 1991-92 and subsequent school years.

SECTION 34. Of the funds allocated in Section 12 of this act for the Administrative and Support Functions of the State Department of Education, a portion shall be allocated for the purpose of implementing the Oklahoma Education 2000 Challenge Act, enacted by Enrolled Senate Bill No. 183 of the 1st Session of the 42nd Oklahoma Legislature and Enrolled House Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma Legislature.

SECTION 35. The State Department of Education shall inventory all coursework approved for credit for graduation in each school district and establish criteria by which such courses are approved.

It is the intent of the Legislature that only academic coursework, which shall include vocational education courses, be approved for credit toward graduation.

SECTION 36. The funds allocated in Section 12 of this act for Administrative and Support Functions of the State Department of Education shall be used to perform the duties imposed upon the State Department of Education by law and shall be subject to the following restriction:

Personal Services	\$17,769,705.00
Other Operating Expenses	<u>3,134,800.00</u>
TOTAL	\$20,904,505.00

SECTION 37. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Department of Education by law shall be set by the State Board of Education. The State Department of Education for the fiscal year ending June 30, 1992, shall be subject to the following budgetary limitations on full-time-equivalent employees and expenditures, excluding expenditures for capital and special projects, except as may be authorized pursuant to the provisions of Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
Full-time-equivalent Employees	580.0
Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes	\$15,820,176.00
Professional and Personal Services Contracts	\$17,000,000.00
Purchase of Equipment	\$1,300,000.00
Lease Purchase	\$0.00
Expenditure of Federal Funds	\$201,031,107.00
Total Expenditures for Operations	\$1,421,213,958.00

SECTION 38. Of the five hundred eighty (580) full-time-equivalent employees authorized in Section 37 of this act, eight (8) shall be employed to provide services related to the Hisson Compliance agreement.

SECTION 39. AMENDATORY Section 107, Chapter 2, O.S.L. Supp. 1989, as last amended by Section 56, Chapter 263, O.S.L. 1990 (70 O.S. Supp. 1990, Section 18-200), is amended to read as follows:

Section 18-200. A. It is the intent of the Legislature that the sole purpose of this section is to provide an equitable funding formula for all the school districts of this state. The Legislature, recognizing the responsibility to guarantee an adequate and equitable educational program for the school children of this state, declares that on and after July 1, 1990, the amount of State

Aid each district shall receive shall be the sum of the Foundation Aid, the Salary Incentive Aid and the Transportation Supplement, as adjusted pursuant to the provisions of subsection E of this section and Section 18-112.2 of ~~Title 70 of the Oklahoma Statutes~~ this title; provided, no district having per pupil revenue in excess of three hundred percent (300%) of the average per pupil revenue of all districts shall receive any State Aid or Supplement in State Aid. Per pupil revenue shall be determined by dividing the district's second preceding year's total weighted average daily membership (ADM) into the district's second preceding year total revenues excluding federal revenue, insurance loss payments, reimbursements, recovery of overpayments and refunds, unused reserves, prior expenditures recovered, prior year surpluses, and less the amount of any transfer fees paid in that year.

B. Foundation Aid, the Transportation Supplement and Salary Incentive Aid shall be calculated as follows:

1. Foundation Aid shall be determined by subtracting the amount of the Foundation Program Income from the cost of the Foundation Program and adding to this difference the Transportation Supplement.

a. The Foundation Program shall be a district's weighted average daily membership as determined by the provisions of subsection A of Section ~~108 of Enrolled House Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma Legislature~~ 18-201 of this title and paragraphs 1, 2 and 3 of subsection B of Section ~~108 of Enrolled House Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma Legislature~~ 18-201 of this title, multiplied by the Base Foundation Support Level. For the ~~1990-91~~ 1991-92 school year, the Base Foundation Support Level shall be ~~One Thousand Dollars (\$1,000.00)~~ _____ Dollars (\$ _____ .00).

b. The Foundation Program Income shall be the sum of the following, less dependent transfer fees to be paid for students served during the preceding school year:

- (1) The adjusted assessed valuation of the school district during the next preceding year multiplied by fifteen (15) mills, and
- (2) Seventy-five percent (75%) of the amount received by the school district from the proceeds of the county levy during the second preceding fiscal year, as levied pursuant to subsection (b) of Section 9 of Article X of the Oklahoma Constitution, and
- (3) Motor Vehicle Collections, and
- (4) Gross Production Tax, and
- (5) State Apportionment, and
- (6) R.E.A. Tax, and
- (7) Dependent transfer fees to be received for students served during the preceding school year.

The items listed in divisions (3), (4), (5), and (6) shall consist of the amounts actually collected from such sources during the second preceding fiscal year calculated on a per capita basis on the unit provided for by law for the distribution of each such revenue.

2. The Transportation Supplement shall be equal to the average daily haul times the per capita allowance times the appropriate transportation factor.

- a. The average daily haul shall be the number of children in a district who are legally transported and who live one and one-half (1 1/2) miles or more from school;
- b. The per capita allowance shall be determined using the following chart:

PER CAPITA

PER CAPITA

DENSITY FIGURE	ALLOWANCE	DENSITY FIGURE	ALLOWANCE
.3000 - .3083	\$167.00	.9334 - .9599	\$99.00
.3084 - .3249	\$165.00	.9600 - .9866	\$97.00
.3250 - .3416	\$163.00	.9867 - 1.1071	\$95.00
.3417 - .3583	\$161.00	1.1072 - 1.3214	\$92.00
.3584 - .3749	\$158.00	1.3215 - 1.5357	\$90.00
.3750 - .3916	\$156.00	1.5358 - 1.7499	\$88.00
.3917 - .4083	\$154.00	1.7500 - 1.9642	\$86.00
.4084 - .4249	\$152.00	1.9643 - 2.1785	\$84.00
.4250 - .4416	\$150.00	2.1786 - 2.3928	\$81.00
.4417 - .4583	\$147.00	2.3929 - 2.6249	\$79.00
.4584 - .4749	\$145.00	2.6250 - 2.8749	\$77.00
.4750 - .4916	\$143.00	2.8750 - 3.1249	\$75.00
.4917 - .5083	\$141.00	3.1250 - 3.3749	\$73.00
.5084 - .5249	\$139.00	3.3750 - 3.6666	\$70.00
.5250 - .5416	\$136.00	3.6667 - 3.9999	\$68.00
.5417 - .5583	\$134.00	4.0000 - 4.3333	\$66.00
.5584 - .5749	\$132.00	4.3334 - 4.6666	\$64.00
.5750 - .5916	\$130.00	4.6667 - 4.9999	\$62.00
.5917 - .6133	\$128.00	5.0000 - 5.5000	\$59.00
.6134 - .6399	\$125.00	5.5001 - 6.0000	\$57.00
.6400 - .6666	\$123.00	6.0001 - 6.5000	\$55.00
.6667 - .6933	\$121.00	6.5001 - 7.0000	\$53.00
.6934 - .7199	\$119.00	7.0001 - 7.3333	\$51.00
.7200 - .7466	\$117.00	7.3334 - 7.6667	\$48.00
.7467 - .7733	\$114.00	7.6668 - 8.0000	\$46.00
.7734 - .7999	\$112.00	8.0001 - 8.3333	\$44.00
.8000 - .8266	\$110.00	8.3334 - 8.6667	\$42.00
.8267 - .8533	\$108.00	8.6668 - 9.0000	\$40.00
.8534 - .8799	\$106.00	9.0001 - 9.3333	\$37.00
.8800 - .9066	\$103.00	9.3334 - 9.6667	\$35.00
.9067 - .9333	\$101.00	9.6668 or more	\$33.00

c. The formula transportation factor shall be 1.39.

3. Salary Incentive Aid shall be determined as follows:

a. Multiply the Incentive Aid guarantee by the district's weighted average daily membership as determined by the provisions of subsection A of Section ~~108~~ 18-201 of this ~~act~~ title and paragraphs 1, 2, 3 and 4 of subsection B of Section ~~108~~ 18-201 of this ~~act~~ title. For the ~~1990-91~~ 1991-92 school year, the Incentive Aid guarantee shall be ~~Forty-seven Dollars and sixty-nine cents (\$47.69)~~ _____ (\$ _____ .00).

b. Divide the district's adjusted assessed valuation by one thousand (1,000) and subtract the quotient from the product of subparagraph a. The remainder shall not be less than zero (0).

c. Multiply the number of mills levied for general fund purposes above the fifteen (15) mills required to support Foundation Aid, not including the county four-mill levy, by the remainder of subparagraph b. The product shall be the Salary Incentive Aid of the district.

C. For the 1989-90 school year, any school district with an average daily attendance that is at least two percent (2%) greater than the higher average daily attendance of the preceding two (2) years of the school district shall receive a midterm supplement in State Aid to be determined as follows:

1. For the 1989-90 school year, for each additional pupil in average daily attendance over the higher number of pupils in average daily attendance of the preceding two years, the district shall receive funding equivalent to the state average of state-appropriated revenues for the current school year and state-dedicated revenues for the preceding school year per pupil in average daily attendance for the preceding school year.

Data used for the calculation for the midterm supplement shall be that gathered during the first semester of the school year for which the midterm supplement is to be paid.

2. For any district qualifying for the midterm supplement, if the funds received pursuant to the provisions of Section 18-112.2 of ~~Title 70 of the Oklahoma Statutes~~ this title are in excess of the funds to be received pursuant to paragraph 1 of this subsection, the district shall receive no midterm supplement. If the funds received pursuant to the provisions of Section 18-112.2 of ~~Title 70 of the Oklahoma Statutes~~ this title are less than the funds to be received pursuant to paragraph 1 of this subsection, the midterm supplement shall be the difference between these two amounts.

3. For those districts that received funding in excess of Foundation Aid, Salary Incentive Aid and the Transportation Supplement pursuant to the provisions of Section 18-112.2 of ~~Title 70 of the Oklahoma Statutes~~ this title prior to the calculation of the midterm supplement provided in paragraphs 1 and 2 of this subsection, the amount of revenue in the general fund surplus of the preceding fiscal year in excess of ten percent (10%) of receipts or expenditures, whichever is less, of the district for the preceding fiscal year shall be subtracted from the difference obtained in paragraph 2 of this subsection.

D. In the event that ad valorem taxes of a school district are determined to be uncollectible because of bankruptcy, clerical error, or a successful tax protest, and the amount of such taxes deemed uncollectible exceeds Fifty Thousand Dollars (\$50,000.00) or an amount greater than twenty-five percent (25%) of ad valorem taxes per tax year, the school district's State Aid shall be determined by subtracting the net assessed valuation of the property upon which taxes were deemed uncollectible from the assessed valuation of the school district and the state. Upon request of the local board of education, it shall be the duty of the county assessor to certify to

the Director of Finance of the State Department of Education the net assessed valuation of the property upon which taxes were determined uncollectible.

E. Beginning with the 1992-93 school year, and for each year thereafter, notwithstanding the provisions of Section 18-112.2 of ~~Title 70~~ this title, a school district shall have its State Aid reduced by an amount equal to the amount of carryover in the district's general fund as of June 30 for the most recent fiscal year data is available, that is in excess of the following standards:

Total Amount of <u>General Fund</u>	Amount of General Fund Balance <u>Allowable</u>
Less than \$1,000,000	40%
\$1,000,000 to \$4,999,999	20%
\$5,000,000 to \$10,000,000	12%
More than \$10,000,000	8%

F. For the purposes of paying State Aid for the ~~1990-91~~ 1991-92 school year, no child shall be included in the average daily membership of a school district for the ~~1988-89 or~~ 1989-90 or 1990-91 school year if the child is being served during the ~~1990-91~~ 1991-92 school year through the provisions of the Oklahoma Early Intervention Act. Funds generated by the State Aid Formula on behalf of students who are served through the provisions of the Oklahoma Early Intervention Act shall be transferred from Financial Support of Public Schools to the Oklahoma Early Intervention Revolving Fund created pursuant to Section ~~74~~ 13-124.1 of this ~~act~~ title.

~~G. Any monies deposited in the Common School Fund prior to June 30, 1991, pursuant to the provisions of Section 2 of Enrolled House Joint Resolution No. 1005 of the 1st Extraordinary Session of the~~

~~42nd Oklahoma Legislature shall be transferred by the State Treasurer to the State Department of Education for distribution to the school districts of the state pursuant to the provisions of this section. For the period of January 1, 1991 through June 30, 1991, the State Department of Education shall distribute to each school district the same amount of money that the district would have received if the funds were not deposited into the Common School Fund.~~

~~H. G.~~ State Aid shall be reallocated after the first nine (9) weeks of the ~~1990-91~~ 1991-92 school year based upon child counts for early childhood education programs pursuant to Section ~~61~~ 1-114 of this ~~act~~ title.

SECTION 40. It is the intent of the Legislature that the expenditures by the State Department of Education for the purposes of carrying out the provisions of the Oklahoma Early Intervention Act be made in cooperation with the other agencies designated for participation in this program and in accordance with the recommendations of the Interagency Coordinating Council for Early Childhood Intervention. The agencies designated for participation in this program shall provide continued support for the program as outlined by the Coordinating Council.

SECTION 41. Of the five hundred eighty (580.0) full-time-equivalent employees authorized in Section 37 of this act, one shall be designated as coordinator of support personnel concerns. Responsibilities of said coordinator shall include liaison with the Legislature, with organizations representing support personnel, and with the State Board of Education, and shall include dissemination of information to support personnel, including retirement information.

SECTION 42. The Legislature intends that each board of education make a good faith effort to increase the salary and

benefits for teachers and support personnel. Such efforts shall be on an annual basis.

SECTION 43. The salary level of certified instructional staff employed in the same school district in the 1990-91 school year shall not be reduced for the 1991-92 school year unless the hours or the duties of the employee are reduced proportionately.

SECTION 44. The State Public Common School Building Equalization Fund shall be subject to the administrative control of the State Board of Education. An amount not to exceed Three Hundred Sixty-one Thousand Dollars (\$361,000.00) may be disbursed by the State Board of Education to school districts for the purpose of defraying the cost of rebuilding public school buildings destroyed by fire or tornado as reported to the State Board of Education during the fiscal year ending June 30, 1991. No school district shall receive more than Forty Thousand Dollars (\$40,000.00) for such losses by fire or tornado occurring in said fiscal year, and no funds shall be disbursed to any school district in excess of actual losses less the sum of insurance coverage, federal reimbursement, and contributions for such purpose.

SECTION 45. State Aid funds shall be reduced or withheld by the State Board of Education in an amount necessary to require compliance with the provisions of Sections 13 through 35, 39 and 44 of this act.

SECTION 46. If funds appropriated in this act are not sufficient to fully fund the provisions of Sections 12 through 44 of this act, each school district which qualifies for funds pursuant to the provisions of this act shall take a proportionate reduction in funds.

SECTION 47. The appropriations made by Sections 1 through 7 and the reappropriation made by Section 9 of this act shall not be subject to fiscal year limitations and shall be available for

encumbrance and expenditure purposes for a period of thirty (30) months from July 1, 1991.

SECTION 48. The appropriation made by Section 8 and the reappropriation made by Section 10 of this act for Administrative and Support Functions of the State Department of Education shall be subject to fiscal year limitations and may be encumbered through June 30, 1992. Any unexpended funds remaining after November 15, 1992, shall lapse and be transferred to the credit of the proper fund for the then current fiscal year.

SECTION 49. The appropriations and reappropriation made by Sections 1 through 5 and Section 9 of this act for Financial Support of Public Schools shall become effective August 1, 1991.

SECTION 50. The appropriations made by Sections 6 through 8 and Section 10 of this act shall become effective July 1, 1991.

SECTION 51. It being immediately necessary for the preservation of the public peace, health and 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.

Passed the House of Representatives the 25th day of February, 1991.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1991.

President of the Senate