

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

HOUSE BILL NO. 1251

By: Bastin

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Sections 18-107, as amended by Section 3, Chapter 111, O.S.L. 1992 and 18-111 (70 O.S. Supp. 1994, Section 18-107), which relate to calculating average daily attendance and average daily membership; allowing certain pupils to be included in calculation for average daily membership; allowing certain students to be counted in the average daily attendance of a school district; 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. 1991, Section 18-107, as amended by Section 3, Chapter 111, O.S.L. 1992 (70 O.S. Supp. 1994, Section 18-107), is amended to read as follows:

Section 18-107. As used in this title:

1. "Average Daily Attendance" (ADA) means the legal average number of pupils, kindergarten through grade twelve, in a school district during a school year as determined pursuant to the provisions of Section 18-111 of this title. A day of school for kindergarten shall be two and one-half (2 1/2) hours.

2. "Average Daily Membership" (ADM) means the average number of pupils present and absent in a school district during a school year. Average Daily Membership shall be calculated by dividing the sum of the pupil's total days present and total days absent by the number of days taught. Provided, a pupil who has been absent twenty (20) consecutive days shall be taken off the roll beginning the 21st day and thereafter shall not be considered in ~~a district's~~ the average daily membership calculation for the district until the pupil is placed on the roll in the district. A pupil who completes the requirements for graduation from a school district in this state prior to the end of the school year shall be counted as present until the end of the school year for purposes of calculating ADM in accordance with this section.

3. "Total Adjusted Assessed Valuation" means the sum of public service property assessed valuation, personal property assessed valuation and real property assessed valuation as adjusted pursuant to the provisions of Section 18-109.1 of this title.

4. "Eighty-five percent (85%) of maximum allowable", for the purpose of assessing class size penalty pursuant to Sections 18-113.1 and 18-113.2 of this title, means eighty-five percent (85%) of ten percent (10%) of the preceding year's net assessed valuation of a school district. The calculation of indebtedness as provided for in paragraph a of subsection G of Section 18-113.1 and subparagraph a of paragraph 4 of subsection A of Section 18-113.2 of this title shall include the outstanding principal amount of bonds issued by the school district plus the principal amount of any bonds authorized by a vote of the people for issuance but not yet issued by the school district.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 18-111, is amended to read as follows:

Section 18-111. No pupil shall be counted in the average daily attendance of any district for the purpose set out in this article

unless said pupil is a legal resident of ~~said~~ the district as provided for in Section 1-113 of this title or has been transferred to ~~said~~ the district. A pupil moving from a school district during a school term shall be entitled to attend such school for the remainder of that school term. School districts shall not include out-of-state pupils in their average daily attendance for the purpose set out in this article. A student who completes the requirements for graduation from a school district in this state prior to the end of the school year shall be counted in the average daily attendance of that district until the end of the school year.

The following pupils shall not be counted: Those who have attained twenty-one (21) years of age by September 1 of that school year, or who have completed the twelfth grade, except as elsewhere provided for by law for veterans of World War II, the Korean War, or the Vietnam Conflict, and those who have not attained five (5) years of age by September 1 of that school year. In determining the ages of pupils for State Aid purposes, birth certificates shall be presented, if obtainable, as proof of age. Underage pupils who have been in legal school attendance in a public or private school in another state or in a Department of Defense School for military dependents may be legally enrolled and attend an Oklahoma school.

SECTION 3. This act shall become effective July 1, 1995.

SECTION 4. 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.

45-1-6138

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