

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 1002

By: Haney and Hobson of the
Senate

and

Mass and Bonny of the
House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to education; making appropriations to the State Board of Education; stating purposes; authorizing certain expenditures for certain purposes; making a reappropriation to the State Board of Education; redesignating the purpose; making an appropriation to the State Board of Education from the Constitutional Reserve Fund; specifying the apportionment of certain funds which were appropriated; requiring the development of certain performance measures; providing for the budgeting of funds in certain categories and amounts; providing an exception of certain appropriated funds from certain amounts; providing that certain allocated funds be made available on a statewide competitive application basis; providing exceptions; requiring the transfer of funds for the Teacher Retirement Credit to the Teachers' Retirement System of Oklahoma; requiring funds allocated for the Virtual Internet School in Oklahoma Network (VISION) Act to be used for certain purposes; stating purposes for funds allocated for the Parent Training Program; stating purpose for funds allocated for the Advanced Placement Program; limiting funding for administrative costs; stating purposes for funds allocated for Alternative and High Challenge Education; requiring certain funds be allocated on a competitive application basis; requiring funds allocated for Psychometric Services to be provided to school districts on a contractual basis for certain time period; specifying purposes for funds allocated for Staff Development; authorizing use of funds for school districts for certain purpose; requiring certain apportionment of funds allocated for Instructional, Cooperative and Technological Education; requiring funds to be awarded to certain nonprofit arts center; giving priority to certain arts centers; requiring funds allocated for the funding of Community Education Grants to be expended on a contractual basis to certain consortium groups for certain purposes; stating intent regarding cost reimbursement for indirect administrative costs in the Early Intervention Act; requiring the transfer of certain funds allocated for Education Leadership Oklahoma to

be transferred and expended for certain purposes; requiring funds allocated for the Oklahoma Ambassador of Teaching to be used for certain purposes; amending 70 O.S. 2001, Section 18-103.1, which relates to regional education service centers; updating fiscal references; requiring expenditure of certain funds in certain amount; prohibiting the reduction of salary levels of certain instructional staff except under certain conditions; requiring funds allocated for Administrative and Support Functions of the State Department of Education to be expended for certain purposes; requiring the Oklahoma Cost Accounting System to account for costs by curricular subject area; providing for duties and compensation of employees of the State Department of Education; providing budgetary limitations; providing designations for the State Department of Education's full-time-equivalent employees; providing for responsibilities of certain designated employees of the Department; requiring the reduction or withholding of State Aid funds for certain purposes; providing for certain proportional reduction of funds; requiring certain funds to be expended by certain date; providing lapse date; authorizing certain funds be expended after certain date for certain purpose and under certain conditions; providing an effective date; and declaring an 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, 2003, the sum of One Billion One Hundred Eighteen Million Eighty-four Thousand Seven Hundred Twenty-two Dollars (\$1,118,084,722.00) or so much thereof as may be necessary for the financial support of public schools.

SECTION 2. There is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Education Reform Revolving Fund created in Section 41.29b of Title 62 of the Oklahoma Statutes, the sum of Four Hundred Thirty-seven Million Nine Hundred Fourteen Thousand Eight Hundred Seventy-three

Dollars (\$437,914,873.00) or so much thereof as may be necessary for the financial support of public schools.

SECTION 3. 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, 2001, the sum of One Million One Hundred Ninety-seven Thousand One Hundred Ninety-five Dollars (\$1,197,195.00) or so much thereof as may be necessary for the financial support of public schools.

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, 2003, the sum of One Million Eight Hundred Five Thousand Dollars (\$1,805,000.00) or so much thereof as may be necessary for the financial support of public schools.

SECTION 5. The State Board of Education is hereby authorized to expend during the fiscal year ending June 30, 2003, from the Common Education Technology Revolving Fund of the State Treasury, the sum of Twenty-two Million Three Hundred Seventeen Thousand Two Hundred Sixty-one Dollars (\$22,317,261.00) or so much thereof as may be necessary for the financial support of public schools.

SECTION 6. REAPPROPRIATION AND REDESIGNATION The amount of Three Hundred Thousand Dollars (\$300,000.00) of the original appropriation of One Million Dollars (\$1,000,000.00) appropriated to the Charter Schools Incentive Fund by Section 15, Chapter 351, O.S.L. 1999, from any monies not otherwise appropriated from the Constitutional Reserve Fund of the State Treasury, for the financial support of charter school applicants and charter schools, is hereby reappropriated and redesignated for the financial support of public schools. If, on the effective date of this act, any of the amount originally appropriated, as adjusted by expenditures, encumbrances and transfers, results in an unencumbered balance less than the

reappropriated and redesignated amount, that reappropriated and redesignated amount is reduced to the unencumbered amount.

SECTION 7. 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, 2003, the sum of Two Hundred Sixty-seven Million Nine Hundred Fifty-seven Thousand Two Hundred Sixty-six Dollars (\$267,957,266.00) or so much thereof as may be necessary for the support of public school activities.

SECTION 8. Pursuant to the provisions of paragraph 4 of Section 23 of Article X of the Oklahoma Constitution which relate to a decrease in the General Revenue Fund there is hereby appropriated to the State Board of Education from any monies not otherwise appropriated from the Constitutional Reserve Fund the sum of Thirty-three Million Dollars (\$33,000,000.00) or so much thereof as may be necessary for the purchase of textbooks.

SECTION 9. 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, 2003, the sum of Two Hundred Seventy-one Thousand Four Hundred Twenty-seven Dollars (\$271,427.00) or so much thereof as may be necessary to perform the duties imposed upon the Office of Accountability by law.

SECTION 10. 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, 2003, the sum of Twenty-one Million Four Hundred Seventy-seven Thousand Eight Hundred Fourteen Dollars (\$21,477,814.00) or so much thereof as may be necessary for Administrative and Support Functions of the State Department of Education.

SECTION 11. 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, 2003, the sum of Forty Million One Hundred Twenty-eight Thousand One Hundred Twenty-nine Dollars (\$40,128,129.00) or so much thereof as may be necessary for the Certified Employee Health Benefit Allowance.

SECTION 12. 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, 2003, the sum of Fifty-eight Million Three Hundred Ninety-three Thousand Fifty-six Dollars (\$58,393,056.00) or so much thereof as may be necessary for the Support Personnel Health Benefit Allowance.

SECTION 13. Beginning July 1, 2002, the support of public school activities by the State Board of Education payable from monies appropriated and authorized by Sections 1 through 12 of this act, shall be apportioned as follows:

1. Funds appropriated and authorized by Sections 1 through 6 of this act:

Local and State Supported Financial

| | |
|---------------------------|--------------------|
| Support of Public Schools | \$1,581,619,051.00 |
| SUBTOTAL, PARAGRAPH 1 | \$1,581,619,051.00 |

2. Funds appropriated by Sections 7 through 9, 11 and 12 of this act:

| | |
|-------------------------------|------------------|
| Purchase of Textbooks | \$ 33,000,000.00 |
| Psychometric Services | 842,985.00 |
| Staff Development | 15,586,461.00 |
| Advanced Placement Incentives | 3,930,915.00 |
| Teacher Consultant Stipends | 986,173.00 |
| Teacher Salary Increase | 157,926,749.00 |
| Teacher Retirement Credit | 33,493,450.00 |

| | |
|---|---------------------|
| Certified Employee Health Benefit Allowance | 40,128,129.00 |
| Support Personnel Health Benefit Allowance | 58,393,056.00 |
| School Lunch Matching | 3,708,794.00 |
| School Lunch Programs | 3,191,734.00 |
| Homebound Children | 1,133,680.00 |
| Alternative and High Challenge Education | 19,504,014.00 |
| Adult Education Matching | 2,312,856.00 |
| Driver Education | 1,049,934.00 |
| Early Intervention | 12,523,991.00 |
| Community Education Grants | 475,150.00 |
| Parent Training Program | 2,812,173.00 |
| Special Education Assistance | 1,124,957.00 |
| School/Community Network for Arts-in-Education | 123,037.00 |
| Instructional, Cooperative and Technological Education | 1,347,729.00 |
| Summer Arts Institute | 451,408.00 |
| AG in the Classroom | 47,518.00 |
| Office of Accountability | 271,427.00 |
| Oklahoma Ambassador of Teaching | 36,112.00 |
| Education Leadership Oklahoma | 3,877,300.00 |
| Vision Project | <u>1,470,146.00</u> |
| SUBTOTAL, PARAGRAPH 2 | \$399,749,878.00 |

3. Funds appropriated by Section 10 of this act:

Administrative and Support Functions of the

| | |
|-------------------------------------|----------------------|
| State Department of Education | \$ 21,477,814.00 |
| SUBTOTAL, PARAGRAPH 3 | <u>21,477,814.00</u> |
| TOTAL State School Aid and Programs | \$2,002,846,743.00 |

The agency shall develop outcome-based performance measures for each budget category.

SECTION 14. For the fiscal year ending June 30, 2003, the State Board of Education shall budget all funds in the following categories and amounts:

| <u>Category</u> | <u>Total</u> |
|--|-----------------------|
| Payroll, Salaries or Wages, Including Tax-sheltered Deferment Contracts and Longevity Payments Authorized by State Statutes | \$17,894,871.00 |
| Professional and Personal Services Contracts | 31,277,420.00 |
| Purchase of Equipment | 1,951,500.00 |
| Expenditure of Federal Funds | <u>532,840,051.00</u> |
| TOTAL | \$2,586,810,585.00 |

Any funds appropriated to the State Board of Education in any other legislation during the 2nd Session of the 48th Oklahoma Legislature for the fiscal year ending June 30, 2003, shall not be subject to the category and budget amounts set forth in this section.

SECTION 15. Funds allocated in Section 13 of this act, except for Financial Support of Public Schools, Purchase of Textbooks, Psychometric Services, Staff Development, Teacher Consultant Stipends, School Lunch Matching, School Lunch Programs, Homebound Children, Adult Education Matching, Driver Education, Early Intervention, Comprehensive School Based Services Grants in Alternative and High Challenge Education, Special Education Assistance, Alternative Education Academies, and Administrative and Support Functions shall be made available on a statewide competitive application basis.

SECTION 16. The funds allocated in Section 13 of this act specifically for the purpose of funding the Teacher Retirement Credit shall be transferred to the Teachers' Retirement System of Oklahoma.

SECTION 17. Of the funds allocated in Section 13 of this act, One Million Four Hundred Seventy Thousand One Hundred Forty-six Dollars (\$1,470,146.00) shall be expended to implement the

provisions of the Virtual Internet School in Oklahoma Network (VISION) Act, which provides for the establishment of the Virtual Internet School in Oklahoma Network Pilot Program.

SECTION 18. The funds allocated in Section 13 of this act for the Parent Training Program as authorized in Section 10-105.3 of Title 70 of the Oklahoma Statutes, shall be used as follows: Seventy Thousand Nine Hundred Two Dollars (\$70,902.00) shall be expended for the salaries, benefits, technical assistance and administrative costs incurred by the State Board of Education for contracting technical assistance in field operations for the coordination of the Oklahoma Parents as Teachers Program; Two Million Five Hundred Forty Thousand One Hundred Seventy-seven Dollars (\$2,540,177.00) shall be expended for the continuation and expansion of the Oklahoma Parents as Teachers Program; Seventeen Thousand Seven Hundred Twenty-five Dollars (\$17,725.00) shall be expended for program evaluation conducted by the Child Service Demonstration Center; One Hundred Forty-two Thousand Five Hundred Dollars (\$142,500.00) shall be expended for the establishment of the Oklahoma Parents as Teachers Program in public housing projects; Forty Thousand Eight Hundred Sixty-nine Dollars (\$40,869.00) shall be expended for the early childhood technical assistance provided by the State Department of Education.

SECTION 19. The funds allocated in Section 13 of this act specifically for the purpose of funding the Advanced Placement Program shall be used for one-time equipment or materials, grants, subsidized training, school incentives, exam fee reimbursement, and administrative costs. Funds for administrative costs shall not exceed Fifty-two Thousand Two Hundred Fifty Dollars (\$52,250.00).

SECTION 20. The funds allocated in Section 13 of this act for Alternative and High Challenge Education shall be used for purposes of establishing and initiating education programs at the local school district level and for encouraging the local districts to

participate in innovative educational programs. No less than Seventeen Million Eight Hundred Fifty-two Thousand Two Hundred Three Dollars (\$17,852,203.00) shall be expended to meet the provisions of the Statewide System of Alternative Education Programs created as directed by Section 1210.568 of Title 70 of the Oklahoma Statutes. The funds shall be expended as follows: Sixteen Million Six Hundred Ninety Thousand Two Hundred Ninety-two Dollars (\$16,690,292.00) for programs; Eight Hundred Ninety-three Thousand Sixty-two Dollars (\$893,062.00) for program evaluation, technical assistance and staff development conducted by the technical assistance provider contracted by the State Board of Education as provided for in Section 1210.568 of Title 70 of the Oklahoma Statutes; One Hundred Ninety Thousand Dollars (\$190,000.00) for an arts component; and Seventy-eight Thousand Eight Hundred Fifty Dollars (\$78,850.00) for the salaries, benefits and administrative costs incurred by the State Board of Education in administering the Alternative Education Programs and Alternative Academies. The remaining funds allocated shall be provided to school districts on a competitive application basis pursuant to the provisions of the rules promulgated by the State Board of Education.

SECTION 21. The funds allocated in Section 13 of this act for Psychometric Services shall be provided to school districts by the State Board of Education on a contractual basis for the continuance of Psychometric Services as funded by the program in the prior year.

SECTION 22. The funds allocated in Section 13 of this act for Staff Development are provided for teacher training, in-service teacher education and staff development plans. The funds for Staff Development shall be used to fund the Professional Development Centers as follows: Eighty-eight Thousand One Hundred Forty-six Dollars (\$88,146.00) to Ardmore (10-I-019), Eighty-eight Thousand One Hundred Forty-six Dollars (\$88,146.00) to Lawton (16-I-008), Eighty-eight Thousand One Hundred Forty-six Dollars (\$88,146.00) to

Norman (14-I-029), Eighty-eight Thousand One Hundred Forty-six Dollars (\$88,146.00) to Stillwater (60-I-016), Eighty-eight Thousand One Hundred Forty-six Dollars (\$88,146.00) to Woodward (77-I-001), Eighty-eight Thousand One Hundred Forty-six Dollars (\$88,146.00) to Bartlesville (74-I-030), and Eighty-eight Thousand One Hundred Forty-six Dollars (\$88,146.00) to McAlester (61-I-080). The sum of Eight Hundred Thirty-seven Thousand Five Hundred Dollars (\$837,500.00) shall provide for scholarships to the Great Expectations Summer Institutes for Teachers offered by an institution within The Oklahoma State System of Higher Education pursuant to Section 6-194.2 of Title 70 of the Oklahoma Statutes. From the funds provided for the Great Expectations Summer Institutes for Teachers, the State Board of Education shall establish an elementary level Great Expectations Demonstration Project. The Project shall be established at an elementary school in the state which is participating in the Great Expectations Program and has shown significant progress while under that Program. The sum of Two Million Seven Hundred Forty-five Thousand Five Hundred Dollars (\$2,745,500.00) shall be transferred to the Professional Development Institutes Revolving Fund created in Section 6-204.5 of Title 70 of the Oklahoma Statutes and shall be expended for the purpose of developing, offering and administering Professional Development Institutes in Reading for elementary school teachers as directed in Section 6-200 of Title 70 of the Oklahoma Statutes. The sum of Five Million Eighty-seven Thousand Seven Hundred Ninety-six Dollars (\$5,087,796.00) shall be used for costs associated with multiple ongoing assessments and remediation as contained in Section 1210.508D of Title 70 of the Oklahoma Statutes. The sum of One Million Two Hundred Forty-eight Thousand Three Hundred Dollars (\$1,248,300.00) shall be used to provide a comprehensive professional development program for teachers and other school personnel on neuro-developmentally based student learning

differences. The program shall provide research-based knowledge and skills training to help educators recognize, understand and manage students with differences in learning. The Board shall select a public, private, or nonprofit provider on a competitive bid basis to conduct the program. The remainder shall be allocated on an average daily attendance basis for the purpose of teacher education staff development pursuant to rules established by the State Board of Education. Five percent (5%) of the funds allocated by average daily attendance for Staff Development may be used by local districts for the administration of the staff development program.

SECTION 23. A portion of the funds allocated in Section 13 of this act for Instructional, Cooperative and Technological Education shall be apportioned as follows:

1. Five Hundred Thirty-five Thousand Three Hundred Eighty-four Dollars (\$535,384.00) for Small School Cooperatives shall be awarded on a competitive application basis pursuant to the provisions of Section 18-125 of Title 70 of the Oklahoma Statutes. Up to Two Hundred Thirty-seven Thousand Five Hundred Dollars (\$237,500.00) may be used for telecommunications and other purposes as determined by the State Department of Education. No cooperative program shall receive more than a total of Fifty-seven Thousand Dollars (\$57,000.00) each year from the allocation set out in this section. Each calculated award shall be reduced by twenty-five percent (25%) for each district participating whose second preceding year per-child revenue, less federal revenue, is greater than one hundred fifty percent (150%) of the state average;

2. Fifty-three Thousand Fifty-nine Dollars (\$53,059.00) shall be expended on a contractual basis to the Chickasha Public School District (26-I-001) 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;

3. Fifty Thousand Seven Hundred Nine Dollars (\$50,709.00) shall be expended on a contractual basis for the Oklahoma Science and Engineering Fair;

4. Three Hundred Eighty-five Thousand Five Hundred Seventy-seven Dollars (\$385,577.00) 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 statewide;

5. Two Hundred Eighty-five Thousand Dollars (\$285,000.00) shall be awarded to independent school districts which meet the average daily attendance required to obtain a small school incentive grant pursuant to Section 18-125 of Title 70 of the Oklahoma Statutes for costs incurred for expanding the number of grades; and

6. Thirty-eight Thousand Dollars (\$38,000.00) shall be awarded to a nonprofit arts center located in Oklahoma that has been selected by the John F. Kennedy Performing Arts Center for a Special Educator Professional Development Program. The State Board of Education shall give priority to any arts center which received funding in the prior year if the operations of the arts center are deemed satisfactory by the Board.

SECTION 24. Of the funds allocated in Section 13 of this act specifically for the purpose of funding Community Education Grants, the sum of Forty-seven Thousand Five Hundred Dollars (\$47,500.00) shall be expended on a contractual basis to a community education consortium group which is associated with an institution in The Oklahoma State System of Higher Education, for the purpose of providing coordination services for community education programs, providing statistical data and information about community education programs to the State Board of Education and to enhance accountability of community education programs.

SECTION 25. It is the intent of the Legislature that funding available for SoonerStart Early Intervention Services be applied to

the provision of direct services to eligible infant, toddlers and their families. The Oklahoma State Department of Education is specifically prohibited from contracting for, paying or reimbursing administrative cost recovery personnel, accounting, and management information system costs, maintenance and operations at the state or local level or indirect costs which fail to comply with the requirements of Section 13-125 of Title 70 of the Oklahoma Statutes.

SECTION 26. Of the funds appropriated to the State Board of Education in Section 7 of this act and allocated in Section 13 of this act specifically for the purpose of funding Education Leadership Oklahoma, the sum of Seven Hundred Twenty-seven Thousand Three Hundred Dollars (\$727,300.00) shall be transferred to the Education Leadership Oklahoma Revolving Fund created in Section 6-204.3 of Title 70 of the Oklahoma Statutes and shall be expended for the purpose of providing assistance and scholarships. Of the funds allocated in Section 13 of this act specifically for the purpose of funding Education Leadership Oklahoma, the sum of Three Million One Hundred Fifty Thousand Dollars (\$3,150,000.00) shall be transferred to the Oklahoma National Board Certification Revolving Fund created in Section 6-204.4 of Title 70 of the Oklahoma Statutes for the purpose of awarding annual bonuses as directed. The remaining funds in the Education Leadership Oklahoma Revolving Fund shall be used to provide program development and evaluation by the Oklahoma Commission for Teacher Preparation and curriculum enhancement and monitoring programs for teacher applicants on a contract basis with an institution within The Oklahoma State System of Higher Education.

SECTION 27. Funds allocated in Section 13 of this act for the Oklahoma Ambassador of Teaching shall be used to enhance the Teacher of the Year Program and to assist the Teacher of the Year in acting as an ambassador for teaching.

SECTION 28. AMENDATORY 70 O.S. 2001, Section 18-103.1, is amended to read as follows:

Section 18-103.1 The State Department of Education shall operate and maintain regional education service centers for the education and psycho-educational evaluation of children recommended for placement in special education programs and prescriptive teaching programs. The State Board of Education is hereby authorized to promulgate rules required to operate the services described in this section. The Board is hereby directed to provide such services to all Oklahoma school districts. The Board, without approval of the Oklahoma Legislature, shall not cease the operation or maintenance or reduce ~~the funding below the 2001 fiscal year general revenue funds budgeted for that purpose for the 2002 fiscal year~~ for Regional Education Service Centers. Funds provided for the fiscal year ending June 30, 2003 for the Regional Education Service Centers and allocated to the Regional Education Service Centers from administrative and support functions of the State Department of Education shall be no less than Five Million Two Hundred Thirty-eight Thousand Two Hundred Thirty-seven Dollars (\$5,238,237.00). Any regional education service center may contract with any school district, cooperative program between school districts, or any other governmental entity for psycho-educational evaluation and related services. Funds shall be allocated by the State Board of Education to operate the twenty-one (21) regional education service centers established by the Regional Education Service Center Act and to operate their satellites. Funds provided for the ~~2002~~ fiscal year ending June 30, 2003 for the Child Service Demonstration Center and allocated to the Child Service Demonstration Center for Administrative and Support Functions of the State Department of Education shall be no less than ~~Four Hundred Six Thousand Five Hundred Forty-four Dollars (\$406,544.00)~~ Three Hundred Eighty-six Thousand Two Hundred Seventeen Dollars (\$386,217.00), and funds provided for the ~~2002~~ fiscal year ending June 30, 2003 for Region X and allocated to Region X for administrative and support functions

of the State Department of Education shall be no less than ~~Forty-two Thousand Five Hundred Thirty Dollars (\$42,530.00)~~ Forty Thousand Four Hundred Three Dollars (\$40,403.00).

SECTION 29. The salary and fringe benefit level of certified instructional staff employed in the same school district in the 2001-02 school year shall not be decreased for the 2002-03 school year unless the hours or the duties of the employee are reduced proportionately.

SECTION 30. The amount of One Hundred Ninety-three Thousand Two Hundred Thirty Dollars (\$193,230.00) of the funds allocated in Section 13 of this act for Administrative and Support Functions of the State Department of Education shall be available for continued implementation of the Oklahoma Cost Accounting System. Said System shall account for costs by curricular subject area for the 1991-92 and subsequent school years.

SECTION 31. The amount of Forty-eight Thousand Dollars (\$48,000.00) of the funds allocated in Section 13 of this act for Administrative and Support Functions of the State Department of Education shall be expended to ensure school district participation in the National Assessment of Educational Progress.

SECTION 32. The amount of Two Hundred Forty-five Thousand Seven Hundred Dollars (\$245,700.00) of the funds allocated in Section 13 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 material for geography instruction.

SECTION 33. The amount of Three Hundred Thirty-three Thousand Dollars (\$333,000.00) of the funds allocated in Section 13 of this act for Administrative and Support Functions of the State Department of Education shall be used for reimbursement for costs associated with the Eighth Grade Reading Test pursuant to Section 1210.515 of Title 70 of the Oklahoma Statutes.

SECTION 34. 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, 2003, 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 | 511.0 |
| Lease-Purchase Agreements | \$965,000.00 |

SECTION 35. Of the five hundred eleven (511.0) full-time-equivalent employees authorized in Section 34 of this act, eighty-seven and seventy-five one-hundredths (87.75) shall be employed to provide services under the provisions of the Oklahoma Early Intervention Act. Prior to February 1, 2003, the Superintendent of Public Instruction shall file a report with the Education Oversight Board on the Oklahoma Early Intervention Program.

SECTION 36. Of the five hundred eleven (511.0) full-time-equivalent employees authorized in Section 34 of this act, three (3.0) shall be designated for the Parent Training Program as authorized in Section 18 of this act.

SECTION 37. Of the five hundred eleven (511.0) full-time-equivalent employees authorized in Section 34 of this act, seven (7.0) shall be employed to provide services under the provisions of the Oklahoma School Testing Program Act pursuant to the provisions of Section 1210.508 of Title 70 of the Oklahoma Statutes.

SECTION 38. Of the five hundred eleven (511.0) full-time-equivalent employees authorized in Section 34 of this act, one (1.0) shall be designated as coordinator of support personnel concerns. Responsibilities of the 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 but not limited to retirement information.

SECTION 39. Of the five hundred eleven (511.0) full-time-equivalent employees authorized in Section 34 of this act, eleven (11.0) shall be designated for the State Aid Section of Financial Services. These designated full-time-equivalent employees shall be responsible for processing data and other functions directly associated with the student identification system as authorized in subsection E of Section 18-200.1 of Title 70 of the Oklahoma Statutes.

SECTION 40. 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 this act.

SECTION 41. If funds appropriated in this act are not sufficient to fully fund the provisions of this act, each school district which qualifies for funds pursuant to the provisions of this act shall take a proportionate reduction of funds.

SECTION 42. Appropriations made by this act, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2003 (hereafter FY-03), or may be budgeted for the fiscal year ending June 30, 2004 (hereafter FY-04). Funds budgeted for FY-03 may be encumbered only through June 30, 2003, and must be expended by November 15, 2003. Any funds remaining after November 15, 2003, and not budgeted for FY-04, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-04 may be encumbered only through June 30, 2004. Any funds remaining after November 15, 2004, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-03, and not required to pay

obligations for that fiscal year, may be budgeted for FY-04, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-03 budget work program and after such revision has been approved by the Office of State Finance.

SECTION 43. This act shall become effective July 1, 2002.

SECTION 44. 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.

48-2-3346

CSP

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