

1 S+TATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 CONFERENCE COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL 514

By: Wilcoxson of the Senate

and

Coody of the House

6  
7  
8 CONFERENCE COMMITTEE SUBSTITUTE

9  
10 An Act relating to schools; amending 70 O.S. 2001,  
11 Section 18-201.1, as last amended by Section 10,  
12 Chapter 432, O.S.L. 2005 (70 O.S. Supp. 2007, Section  
13 18-201.1), which relates to weighted membership for  
14 calculation of Foundation Aid; requiring State  
15 Department of Education to determine amount of funds  
16 allocated for certain purpose for certain school  
17 districts; requiring certain school districts to  
18 expend such funds at certain school sites and for  
19 purpose of improving Academic Performance Index;  
20 providing an effective date; and declaring an  
21 emergency.

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

23 SECTION 1. AMENDATORY 70 O.S. 2001, Section 18-201.1, as  
24 last amended by Section 10, Chapter 432, O.S.L. 2005 (70 O.S. Supp.  
2007, Section 18-201.1), is amended to read as follows:

Section 18-201.1 A. Beginning with the 1997-98 school year,  
and each school year thereafter, the weighted membership of a school  
district for calculation of Foundation Aid purposes pursuant to  
paragraph 1 of subsection D of Section 18-200.1 of this title shall

1 be the sum of the weighted pupil grade level calculation, the  
2 weighted pupil category calculation, the weighted district  
3 calculation and the weighted teacher experience and degree  
4 calculation. The weighted membership of a school district for  
5 calculation of Salary Incentive Aid purposes pursuant to paragraph 3  
6 of subsection D of Section 18-200.1 of this title shall be the sum  
7 of the weighted pupil grade level calculation, the weighted pupil  
8 category calculation, the weighted district calculation, and the  
9 weighted teacher experience and degree calculation.

10 B. The weighted calculations provided for in subsection A of  
11 this section shall be based on the highest weighted average daily  
12 membership of the first nine (9) weeks of the current school year,  
13 the preceding school year or the second preceding school year of a  
14 school district, unless otherwise specified. The highest of the  
15 three (3) weighted average daily memberships shall be used  
16 consistently in all of the calculations. The average daily  
17 membership data used for all calculations in paragraphs 1, 2, 3 and  
18 4 of this subsection shall be the same as used in the calculation of  
19 the State Aid Formula. The weighted calculations provided for in  
20 subsection A of this section shall be determined as follows:

21 1. The weighted pupil grade level calculation shall be  
22 determined by taking the highest average daily membership and  
23 assigning weights to the pupils according to grade attended as  
24 follows:

1	GRADE LEVEL	WEIGHT
2	a. Half-day early childhood programs	.7
3	b. Full-day early childhood programs	1.3
4	c. Half-day kindergarten	1.3
5	d. Full-day kindergarten	1.5
6	e. First and second grade	1.351
7	f. Third grade	1.051
8	g. Fourth through sixth grade	1.0
9	h. Seventh through twelfth grade	1.2
10	i. Out-of-home placement	1.50

11 Multiply the membership of each subparagraph of this paragraph by  
12 the weight assigned to such subparagraph of this paragraph and add  
13 the totals together to determine the weighted pupil grade level  
14 calculation for a school district. Determination of the pupils  
15 eligible for the early childhood program weight shall be pursuant to  
16 the provisions of Section 1-114 of this title. The pupils eligible  
17 for the out-of-home placement pupil weight shall be students who are  
18 not residents of the school district in which they are receiving  
19 education pursuant to the provisions of subsection D of Section 1-  
20 113 of this title. Such weight may be claimed by the district  
21 providing educational services to such student for the days that  
22 student is enrolled in that district. If claimed, the out-of-home  
23 placement weight shall be in lieu of the pupil grade level and any  
24 pupil category weights for that student. Provided, if a student

1 resides in a juvenile detention center that is restricted to less  
2 than twelve (12) beds, the out-of-home placement pupil weight for  
3 such students shall be calculated as follows: for a center with six  
4 (6) beds - 3.0; for a center with eight (8) beds - 2.3 and for a  
5 center with ten (10) beds - 1.80.

6 2. The weighted pupil category calculation shall be determined  
7 by assigning a weight to the pupil category as follows:

8	CATEGORY	WEIGHT
9	a. Vision Impaired	3.8
10	b. Learning Disabilities	.4
11	c. Deaf or Hard-of-Hearing	2.9
12	d. Deaf and Blind	3.8
13	e. Educable Mentally Handicapped	1.3
14	f. Emotionally Disturbed	2.5
15	g. Gifted	.34
16	h. Multiple Handicapped	2.4
17	i. Physically Handicapped	1.2
18	j. Speech Impaired	.05
19	k. Trainable Mentally Handicapped	1.3
20	l. Bilingual	.25
21	m. Special Education Summer Program	1.2
22	n. Economically Disadvantaged	.25
23	o. Optional Extended School Year	
24	Program	As determined by

1 the State Board

2 of Education

3 Except as otherwise provided, multiply the number of pupils approved  
4 in the school year with the highest average daily membership in each  
5 category by the weight assigned to such category and add the totals  
6 together to determine the weighted pupil category calculation for a  
7 school district. The State Department of Education shall determine  
8 the amount of funds allocated for the economically disadvantaged  
9 pupil category weight for each school district with an average daily  
10 membership of greater than thirty five thousand (35,000) and each  
11 such district shall expend such funds at the school site in which  
12 the pupil approved for the category weight is enrolled and for the  
13 purpose of improving the school site's Academic Performance Index as  
14 provided in Section 3-150 of this title. For the 1996-97 school  
15 year, the number to be multiplied by the weight assigned to the  
16 gifted category in subparagraph g of this paragraph shall be the  
17 lesser of (1) the sum of the number of students who scored in the  
18 top three percent (3%) on any national standardized test of  
19 intellectual ability plus the number of students identified as  
20 gifted pursuant to subparagraphs a through d of paragraph 1 of  
21 Section 1210.301 of this title or (2) the sum of the number of  
22 students who scored in the top three percent (3%) on any national  
23 standardized test of intellectual ability plus eight percent (8%) of  
24 the total average daily membership of the school district for the

1 preceding school year. For the 1997-98 school year and subsequent  
2 school years, the number to be multiplied by the weight assigned to  
3 the gifted category in subparagraph g of this paragraph shall be the  
4 lesser of (1) the sum of the number of students who scored in the  
5 top three percent (3%) on any national standardized test of  
6 intellectual ability plus the number of students identified as  
7 gifted pursuant to subparagraphs a through d of paragraph 1 of  
8 Section 1210.301 of this title, or (2) the sum of the number of  
9 students who scored in the top three percent (3%) on any national  
10 standardized test of intellectual ability plus eight percent (8%) of  
11 the total average daily membership of the school district for the  
12 first nine (9) weeks of the school year.

13 3. The weighted district calculation shall be determined by  
14 determining the calculations for each school district for both the  
15 small school district formula and the district sparsity - isolation  
16 formula, applying whichever is the greater of the calculations of  
17 the two formulas and then applying the restrictions pursuant to  
18 subparagraph c of this paragraph.

19 a. Small school district formula:  $529 \text{ minus the average}$   
20  $\text{daily membership divided by } 529 \text{ times } .2 \text{ times total}$   
21  $\text{average daily membership.}$

22 The small school district formula calculation shall apply  
23 only to school districts whose highest average daily  
24 membership is less than 529 pupils. School districts which

1 are consolidated or annexed after July 1, 2003, pursuant to  
2 the Oklahoma School Voluntary Consolidation and Annexation  
3 Act shall have the weighted district size calculation for  
4 the three (3) school years following the fiscal year in  
5 which such consolidation occurred calculated to be the sum  
6 of the individual consolidated districts computed as if the  
7 consolidation had not taken place. Thereafter, any such  
8 district which is consolidated pursuant to the Oklahoma  
9 School Voluntary Consolidation and Annexation Act shall not  
10 qualify for the weighted district calculation unless the  
11 district can satisfy the specifications herein. Subject to  
12 the provisions of subparagraph c of this paragraph, the  
13 resulting number shall be counted as additional students  
14 for the purpose of calculating State Aid.

15 b. District sparsity - isolation formula:

16 The district sparsity - isolation formula calculation shall  
17 apply only to school districts:

18 (1) whose total area in square miles is greater than  
19 the average number of square miles for all school  
20 districts in this state; and

21 (2) whose areal density is less than one-fourth (1/4)  
22 of the state average areal density. Areal  
23 density shall be determined by dividing the  
24

1 school district's average daily membership by the  
2 school district's total area in square miles.  
3 The district sparsity - isolation formula calculation shall  
4 be calculated as follows:

5 The school district student cost factor multiplied by  
6 the school district area factor. The resulting  
7 product shall be multiplied by the school district's  
8 average daily membership. Subject to the provisions  
9 of subparagraph c of this paragraph, the resulting  
10 number shall be counted as additional students for the  
11 purpose of calculating State Aid.

12 The school district student cost factor shall be calculated  
13 as follows:

14 The school district's average daily membership shall  
15 be categorized into the following grade level groups  
16 and applied to the appropriate formulas as computed  
17 below:

18 Grade Level Group

19 Grades K-5 Divide 74 by the sum of the Grade  
20 Level ADM plus 23,  
21 add .85 to the quotient, then  
22 multiply the sum by the Grade  
23 Level ADM.

24 Grades 6-8 Divide 122 by the sum of the Grade

1 Level ADM plus 133,  
2 add .85 to the quotient, then  
3 multiply the sum by the Grade  
4 Level ADM.

5 Grades 9-12 Divide 292 by the sum of the Grade  
6 Level ADM plus 128,  
7 add .78 to the quotient, then  
8 multiply the sum by the Grade  
9 Level ADM.

10 The sum of the grade level group's average daily  
11 membership shall be divided by the school district's  
12 average daily membership. The number one (1.0) shall  
13 be subtracted from the resulting quotient.

14 The school district area cost factor shall be calculated as  
15 follows:

16 Subtract the state average district area from the  
17 district area, then divide the remainder by the state  
18 average district area;

19 however, the district area cost factor shall not exceed one  
20 (1.0).

21 The State Board of Education shall define geographical barriers  
22 whose location in a school district would inhibit the district from  
23 consolidation or annexation. The Board shall make available an  
24 application process, review applications, and for districts the

1 Board deems necessary allow additional square miles to be used for  
2 the purposes of calculations used for the weighted district sparsity  
3 - isolation formula. Provided, that the additional square miles  
4 allowed for geographical barriers shall not exceed thirty percent  
5 (30%) of the district's actual size.

6 c. State Aid funds which a district is calculated to  
7 receive as a result of the weighted district  
8 calculation shall be restricted as follows:

9 If, after the weighted district calculation is  
10 applied, the district's projected per pupil  
11 revenue exceeds one hundred fifty percent (150%)  
12 of the projected state average per pupil revenue,  
13 then the district's State Aid shall be reduced by  
14 an amount that will restrict the district's  
15 projected per pupil revenue to one hundred fifty  
16 percent (150%) of the projected state average per  
17 pupil revenue. Provided, in applying the  
18 restriction provided in this division, the  
19 district's State Aid shall not be reduced by an  
20 amount greater than by the amount of State Aid  
21 which was generated by the weighted district  
22 calculation.

23 The July calculation of the projected per pupil  
24 revenue shall be determined by dividing the highest of

1 the district's preceding two years average daily  
2 membership (ADM) as weighted by the pupil grade level,  
3 the pupil category, the district and the teacher  
4 experience degree index calculations for projected  
5 State Aid into the district's projected total revenues  
6 including projected funds for the State Aid Formula  
7 for the preceding year, net assessed valuation for the  
8 preceding calendar year times thirty-nine (39) mills,  
9 county revenues excluding the county four-mills  
10 revenues for the second preceding year, other state  
11 appropriations for the preceding year and the  
12 collections for the preceding year of state  
13 apportionment, motor vehicle revenue, gross production  
14 tax and R.E.A. tax.

15 The December calculation of the projected per pupil  
16 revenue shall be determined by dividing the highest of  
17 the district's first nine (9) weeks of the current  
18 school year or the two preceding school years average  
19 daily membership (ADM) as weighted by the pupil grade  
20 level, the pupil category, the district and the  
21 teacher experience degree index calculations for  
22 projected State Aid into the district's projected  
23 total revenues including funds for the December  
24 calculation of the current year State Aid Formula, net

1 assessed valuation for the current calendar year times  
2 thirty-nine (39) mills, county revenues excluding the  
3 county four-mills revenue for the preceding year,  
4 other state appropriations for the preceding year and  
5 the collections for the preceding year of state  
6 apportionment, motor vehicle revenue, gross production  
7 tax and R.E.A. tax.

8 The district's projected total revenues for each  
9 calculation shall exclude the following collections  
10 for the second preceding year: federal revenue,  
11 insurance loss payments, reimbursements, recovery of  
12 overpayments and refunds, unused reserves, prior  
13 expenditures recovered, prior year surpluses, and  
14 other local miscellaneous revenues.

15 4. The weighted teacher experience and degree calculation shall  
16 be determined in accordance with the teacher experience and degree  
17 index. The State Department of Education shall determine an index  
18 for each state teacher by using data supplied in the school  
19 district's teacher personnel reports of the preceding year and  
20 utilizing the index as follows:

21 TEACHER EXPERIENCE - DEGREE INDEX

22 EXPERIENCE	BACHELOR'S	MASTER'S	DOCTOR'S
	DEGREE	DEGREE	DEGREE
23			
24 0 - 2	.7	.9	1.1

1	3 - 5	.8	1.0	1.2
2	6 - 8	.9	1.1	1.3
3	9 - 11	1.0	1.2	1.4
4	12 - 15	1.1	1.3	1.5
5	Over 15	1.2	1.4	1.6

6       The school district teacher index for each school district shall  
7 be determined by subtracting the weighted average state teacher from  
8 the weighted average district teacher. Multiply the school district  
9 teacher index if greater than zero by .7 and then multiply that  
10 product by the sum of the district's weighted pupil grade level  
11 calculation provided in paragraph 1 of this subsection and the  
12 weighted pupil category calculation provided in subparagraph n of  
13 paragraph 2 of this subsection to determine the weighted teacher  
14 experience and degree calculation.

15       SECTION 2. This act shall become effective July 1, 2008.

16       SECTION 3. It being immediately necessary for the preservation  
17 of the public peace, health and safety, an emergency is hereby  
18 declared to exist, by reason whereof this act shall take effect and  
19 be in full force from and after its passage and approval.

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