

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1169

By: Anderson

6  
7 COMMITTEE SUBSTITUTE

8 [ schools - School Consolidation Assistance Fund -  
9 effective date -

emergency ]

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11  
12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 70 O.S. 2001, Section 7-203, as  
14 last amended by Section 4, Chapter 278, O.S.L. 2006 (70 O.S. Supp.  
15 2008, Section 7-203), is amended to read as follows:

16 Section 7-203. A. There is hereby created in the State  
17 Treasury a fund to be designated the "School Consolidation  
18 Assistance Fund". The fund shall be a continuing fund, not subject  
19 to fiscal year limitations, and shall consist of any monies the  
20 Legislature may appropriate or transfer to the fund and any monies  
21 contributed for the fund from any other source, public or private.

22 B. All monies accruing to the credit of said fund are hereby  
23 appropriated and may be budgeted and expended by the State Board of  
24 Education for the purposes established by this section, the

1 Legislature and in accordance with rules promulgated by the State  
2 Board of Education. The purposes shall be to provide voluntarily or  
3 mandatorily consolidated school districts or districts who have  
4 received part or all of the territory and part or all of the  
5 students of a school district dissolved by voluntary annexation,  
6 during the first year of consolidation or annexation, except as  
7 provided for in subsection G of this section, with a single one-year  
8 allocation of funds needed for:

9 1. Purchase of uniform textbooks in cases where the several  
10 districts were not using the same textbooks prior to consolidation  
11 or annexation;

12 2. Employment of certified personnel required to teach courses  
13 of the district for which personnel from the districts consolidated  
14 or annexed are not certified and available;

15 3. Employment assistance for personnel of the several districts  
16 who are not employed by the consolidated or annexing district.

17 Employment assistance may include provision of a severance allowance  
18 for administrators, teachers and support personnel not to exceed  
19 eighty percent (80%) of the individual's salary or wages, exclusive  
20 of fringe benefits, for the school year preceding the consolidation  
21 or annexation. Personnel receiving such severance pay may  
22 accumulate one (1) year of creditable service for retirement  
23 purposes. Employment assistance may also include the payment of  
24 unemployment compensation benefits. The State Board of Education

1 shall provide a severance allowance to employees dismissed from  
2 employment due to annexation or consolidation of a school district  
3 in the year of the annexation or consolidation and who were denied a  
4 severance allowance or unemployment compensation benefits and the  
5 voluntary consolidation funding of the annexing or consolidating  
6 district or districts has been paid on or after July 1, 2003, at the  
7 maximum allowable amount. Application for a severance allowance  
8 shall be made to the Finance Division of the State Department of  
9 Education by the dismissed employee no later than September 1 of the  
10 fiscal year immediately following the fiscal year in which the  
11 annexation or consolidation occurred;

12 4. Furnishing and equipping classrooms and laboratories;

13 5. Purchase of additional transportation equipment; and

14 6. When deemed essential by the school district board of  
15 education to achieve consolidation or combination by annexation,  
16 renovation of existing school buildings and construction or other  
17 acquisition of school buildings.

18 C. The State Board of Education shall only make allocations  
19 from the fund to school districts formed from the combination of two  
20 or more of the districts whose boards of education notify the State  
21 Board of Education on or before June 30 of their intent to annex or  
22 consolidate and are subsequently combined by such means by January 1  
23 of the second year following the notification of intent.

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1 D. Allocations will be made to school districts formed by  
2 voluntary or mandatory consolidation ~~or which have received part or~~  
3 ~~all of the territory and students of a school district by annexation~~  
4 on the basis of combined average daily membership (ADM) of the  
5 ~~second~~ school year preceding the first year of operation of the  
6 school district resulting from the consolidation ~~or annexation~~;  
7 provided, not more than ~~one thousand (1,000)~~ two hundred (200) ADM  
8 of any one school district shall be counted in determining the  
9 combined ADM of any district formed by consolidation ~~or which has~~  
10 ~~received part or all of the territory and students of a school~~  
11 ~~district by annexation~~. The ADM of any one school district shall  
12 not be considered more than once for allocations from the fund when  
13 the school district ~~annexes to or~~ consolidates with two or more  
14 school districts. Allocations from the fund pursuant to this  
15 subsection shall be calculated by multiplying the combined ADM by  
16 Two Thousand Five Hundred Dollars (\$2,500.00).

17 E. ~~To calculate combined ADM in cases where a school district~~  
18 ~~annexes to two or more school districts, allocations from the fund~~  
19 ~~shall be based on the lesser of:~~

20 1. ~~The annexing school district's ADM as limited by this~~  
21 ~~section plus the number of students from the annexed school district~~  
22 ~~that the annexing school district will gain; or~~

23 2. ~~The ADM as limited by this section that the annexing school~~  
24 ~~district is gaining from the annexed school district plus the~~

1 ~~annexing school district's ADM as multiplied by the percentage of~~  
2 ~~students the annexing school district is receiving from the annexed~~  
3 ~~school district of all annexing school districts; provided the~~  
4 ~~annexing school district's ADM thus calculated shall not exceed one~~  
5 ~~thousand (1,000) Allocations will be made to school districts which~~  
6 ~~have received part or all of the territory and students of a school~~  
7 ~~district by annexation on the basis of ADM of the annexed school~~  
8 ~~district for the school year preceding the first year of operation~~  
9 ~~of the school district resulting from the annexation; provided, not~~  
10 ~~more than two hundred (200) ADM of the annexed district shall be~~  
11 ~~counted. Allocations from the fund pursuant to this subsection~~  
12 ~~shall be calculated by multiplying the allowable ADM by Five~~  
13 ~~Thousand Dollars (\$5,000.00); provided, allocations payable pursuant~~  
14 ~~to this subsection shall be no less than Four Hundred Thousand~~  
15 ~~Dollars (\$400,000.00) and no greater than One Million Dollars~~  
16 ~~(\$1,000,000.00).~~

17 F. ~~Allocations from the fund shall be calculated by multiplying~~  
18 ~~the combined ADM by:~~

19 1. ~~One Thousand Dollars (\$1,000.00) when two districts are~~  
20 ~~combined;~~

21 2. ~~One Thousand Two Hundred Dollars (\$1,200.00) when three~~  
22 ~~districts are combined;~~

23 3. ~~One Thousand Four Hundred Dollars (\$1,400.00) when four~~  
24 ~~districts are combined; and~~

1       4. ~~One Thousand Six Hundred Dollars (\$1,600.00) when five or~~  
2 ~~more districts are combined.~~

3 If monies in the School Consolidation Assistance Fund are  
4 insufficient to make allocations to all qualified combined  
5 districts, allocations shall be made based upon earliest date of  
6 application.

7       G. Any school district which was consolidated or which  
8 participated in an annexation in 2004 shall be eligible to receive  
9 funds from the School Consolidation Assistance Fund as provided in  
10 subsection F of this section.

11       SECTION 2. This act shall become effective July 1, 2009.

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

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