

1 ENGROSSED SENATE
2 BILL NO. 1858

By: Paddack of the Senate

3 and

4 Coody of the House

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6
7 [schools - textbook allocation - class size
8 limitations - providing certain penalties -
9 effective date -

10 emergency]

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

13 SECTION 1. AMENDATORY Section 7, Chapter 2, O.S.L. 2002
14 (70 O.S. Supp. 2009, Section 16-114a), is amended to read as
15 follows:

16 Section 16-114a. A. Based upon legislative appropriations, the
17 State Board of Education shall determine the textbook allocation to
18 be distributed to each school district in the state. Each year the
19 textbook allocation for each school district shall be calculated and
20 distributed in July and adjusted in December. The initial
21 allocation shall be calculated based on the audited end-of-year
22 average daily attendance of the preceding school year multiplied by
23 Fifty-five Dollars (\$55.00). The initial allocation shall be
24 calculated and distributed to each school district in July. The

1 December adjustment shall be calculated by multiplying the audited
2 first nine (9) weeks' average daily attendance for that current
3 school year by Fifty-five Dollars (\$55.00) and subtracting from that
4 amount the amount of the initial allocation. The adjustment shall
5 be calculated in December and distributed to each eligible school
6 district no later than January 15. A school district shall receive
7 an adjustment only if the adjustment figure as calculated in this
8 section is greater than zero. The State Department of Education
9 shall retain from the total amount appropriated for textbooks not
10 less than one percent (1%) of the total amount to be used for the
11 purpose of making the adjustments. If the amount appropriated,
12 including the retained amount, is not sufficient to fully fund the
13 adjusted allocation, each school district eligible for an adjustment
14 shall receive a proportionate reduction in funding.

15 B. 1. Any unused portion of the value of textbooks allowed to
16 a school district shall be cumulative and may be retained by the
17 school district the following fiscal year, in addition to the
18 allocation it is entitled to receive during such fiscal year.

19 2. For the fiscal years ending June 30, 2011, and June 30,
20 2012, school districts may expend textbook allocations, including
21 any amounts retained from a prior fiscal year, for instructional
22 expenses.

23 C. All textbooks distributed to a school district that have
24 been destroyed by fire or other hazard shall be replaced by the

1 State Board of Education. The total cost of all additional
2 textbooks delivered to school districts to replace those destroyed
3 by fire or other hazard shall not exceed, for the entire state in
4 any fiscal year, the aggregate sum of One Hundred Thousand Dollars
5 (\$100,000.00), which sum shall be reserved for such purpose from any
6 appropriation made to carry out the provision of this article for
7 any fiscal year.

8 SECTION 2. AMENDATORY 70 O.S. 2001, Section 18-113.4, as
9 amended by Section 5, Chapter 296, O.S.L. 2003 (70 O.S. Supp. 2009,
10 Section 18-113.4), is amended to read as follows:

11 Section 18-113.4. A. Beginning with the 1997-98 school year,
12 the penalties for exceeding class size limitations established in
13 Sections 18-113.1, 18-113.2 and 18-113.3 of this title shall not
14 apply if the class size limitations, as set forth in said sections,
15 are exceeded beginning after the first nine (9) weeks of the school
16 year. If the class size limitations are exceeded during the first
17 nine (9) weeks, the penalties shall apply.

18 B. For the purposes of calculating class size penalties
19 established in Sections 18-113.1, 18-113.2 and 18-113.3 of this
20 title, school districts shall use only the full-time-equivalency of
21 the instructional staff who are under contract to work the full
22 school year in question.

23 C. Beginning July 1, 2003, school districts that participate in
24 consolidation or annexation pursuant to the provisions of the

1 Oklahoma School Voluntary Consolidation and Annexation Act shall be
2 exempt from the provisions of Sections 18-113.1, 18-113.2 and 18-
3 113.3 of this title for the year in which the consolidation or
4 annexation occurs and for the next five (5) fiscal years.

5 D. For the fiscal years ending June 30, 2011, and June 30,
6 2012, the penalties for exceeding class size limitations established
7 in Sections 18-113.1, 18-113.2 and 18-113.3 of this title shall be
8 waived by the State Board of Education.

9 SECTION 3. This act shall become effective July 1, 2010.

10 SECTION 4. It being immediately necessary for the preservation
11 of the public peace, health and safety, an emergency is hereby
12 declared to exist, by reason whereof this act shall take effect and
13 be in full force from and after its passage and approval.

14 Passed the Senate the 3rd day of March, 2010.

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Presiding Officer of the Senate

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18 Passed the House of Representatives the ____ day of _____,
19 2010.

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Presiding Officer of the House
of Representatives

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