

1 ENGROSSED SENATE  
2 BILL NO. 2211

By: Jolley of the Senate  
and  
Cox of the House

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5  
6 [ schools - forfeiture of State Aid - effective  
7 date -  
8 emergency ]  
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11 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

12 SECTION 1. AMENDATORY 70 O.S. 2001, Section 18-116, is  
13 amended to read as follows:

14 Section 18-116. A. Any school district which willfully  
15 operates school buses contrary to the rules and regulations  
16 prescribed by the State Board of Education shall forfeit its State  
17 Aid for the time of noncompliance. All State Aid funds shall be  
18 withheld from any school district that does not comply with the  
19 standards of the State Board of Education for accrediting.

20 B. Any school district that willfully pays a teacher less than  
21 the minimum salary required by law including the five percent (5%)  
22 increments for special education or alternative education shall  
23 forfeit a portion of its State Aid equal to the amount that the  
24 teacher was underpaid. The amount to be forfeited shall be deducted

1 from the State Aid payment following confirmation of the  
2 underpayment by the State Department of Education.

3 C. 1. No more than fifty percent (50%) of the funds  
4 apportioned to school districts under the provisions of this article  
5 shall be paid by the state unless and until there has been filed  
6 with the State Board of Education on forms prescribed by such Board  
7 an itemized sworn account of the expenditures and revenues of the  
8 school district during the next preceding fiscal year and a teacher  
9 personnel report for the current year.

10 2. All State Aid paid to a district whose district budget, as  
11 filed with the State Auditor and Inspector, shows that the  
12 appropriations of the district, plus the State Aid and other cash  
13 funds for which the district qualifies, will not enable it to  
14 maintain a full term of school as defined by this article, shall be  
15 credited against the State Aid of the district or districts to which  
16 the first district shall be annexed, if annexation is required. It  
17 is intended that the balance of any unexpended State Aid or other  
18 revenue originally allocated to an annexed district shall be paid to  
19 the receiving district.

20 D. School districts receiving State Aid shall not spend any of  
21 these funds except by regularly issued warrants. The warrants shall  
22 be issued against properly approved encumbrances in the manner  
23 provided by law. All encumbrances shall be approved by the board of  
24 education of the school district at a regular meeting or a special

1 meeting called for that purpose. All original copies of  
2 encumbrances as represented by purchase orders, shall be filed in  
3 either numerical or alphabetical order, with the original paid  
4 invoice or invoices attached, accompanied by a signed and dated  
5 receiving copy verifying receipt of goods or services. It shall be  
6 unlawful to register or pay the warrant unless such warrant conforms  
7 to the statutes regulating the allowance and issuance thereof. Said  
8 treasurer shall purchase, by treasurer's check, all warrants issued.

9 E. All board of education members, employees, or other  
10 officials of school districts required to make reports to the State  
11 Board of Education or other agencies under the provisions of this  
12 article, and all persons lawfully charged with the duty of making  
13 records of original entry, such as teachers' registers,  
14 transportation records, and financial records, which form the basis,  
15 in whole or in part, of said reports, shall exercise the highest  
16 degree of diligence, accuracy, and good faith in making said records  
17 and reports reflect the truth. Teachers' registers shall be marked  
18 daily in ink, by the teacher or principal in charge of rooms or  
19 groups of pupils. Provided, the State Board of Education may  
20 authorize alternate systems of accounting for pupils' attendance in  
21 districts using data processing methods.

22 F. The State Board of Education shall revoke the certificate of  
23 any teacher, principal, or superintendent who knowingly or willfully  
24 violates any of the provisions of this article.

1 G. Any official involved in the execution of this article who  
2 shall fail or refuse to carry out any of the provisions thereof  
3 shall be liable on his official bond, if any, for the monetary  
4 damages resulting from said failure to act, and in addition thereto  
5 shall be subject to removal from office for neglect of duty under  
6 the provisions of law relating to the removal of public officials.

7 H. Any person or firm who shall knowingly or willfully violate  
8 any of the provisions of this article shall be guilty of a  
9 misdemeanor. Any public official or public employee violating any  
10 of the provisions of this article shall be subject to the penalties  
11 for a misdemeanor and in addition thereto shall forfeit his position  
12 or office. Any officer or employee of the State Board of Education  
13 who knowingly or willfully apportioned or disburses any monies  
14 appropriated by this article contrary to the provisions of this  
15 article shall be subject to the penalties for a misdemeanor and in  
16 addition shall forfeit his office or position.

17 I. The State Board of Education shall prescribe the form of all  
18 records, reports and applications for State Aid necessary to the  
19 proper administration of this article, and it shall be the duty of  
20 all, school district superintendents, and boards of education of  
21 school districts to make such reports fully and completely at the  
22 time and in the manner prescribed by the State Board of Education.  
23 The State Board of Education shall also have authority and it shall  
24 be its duty to promulgate rules and regulations, not inconsistent

1 with the provisions hereof, relative to the distribution of funds  
2 and for the administration of this article. Such regulations and  
3 rules shall apply alike to all school districts.

4 J. Any school district that is not in compliance with the  
5 standards and requirements established by the State Board of  
6 Education related to the state student record system as provided in  
7 Section 3-160 of this title shall forfeit its State Aid for the time  
8 of noncompliance.

9 SECTION 2. This act shall become effective July 1, 2010.

10 SECTION 3. 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 9th 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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