

SB 1858

THE STATE SENATE  
Tuesday, February 16, 2010

Senate Bill No. 1858  
As Amended

SENATE BILL NO. 1858 - By: Paddock of the Senate and Coody of the House.

[ schools - textbook allocation - class size limitations - providing certain penalties - effective date - emergency ]

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

SECTION 1. AMENDATORY Section 7, Chapter 2, O.S.L. 2002

(70 O.S. Supp. 2009, Section 16-114a), is amended to read as

follows:

Section 16-114a. A. Based upon legislative appropriations, the State Board of Education shall determine the textbook allocation to be distributed to each school district in the state. Each year the textbook allocation for each school district shall be calculated and distributed in July and adjusted in December. The initial allocation shall be calculated based on the audited end-of-year average daily attendance of the preceding school year multiplied by Fifty-five Dollars (\$55.00). The initial allocation shall be calculated and distributed to each school district in July. The December adjustment shall be calculated by multiplying the audited first nine (9) weeks' average daily attendance for that current school year by Fifty-five Dollars (\$55.00) and subtracting from that

1 amount the amount of the initial allocation. The adjustment shall  
2 be calculated in December and distributed to each eligible school  
3 district no later than January 15. A school district shall receive  
4 an adjustment only if the adjustment figure as calculated in this  
5 section is greater than zero. The State Department of Education  
6 shall retain from the total amount appropriated for textbooks not  
7 less than one percent (1%) of the total amount to be used for the  
8 purpose of making the adjustments. If the amount appropriated,  
9 including the retained amount, is not sufficient to fully fund the  
10 adjusted allocation, each school district eligible for an adjustment  
11 shall receive a proportionate reduction in funding.

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

16 2. For the fiscal years ending June 30, 2011, and June 30,  
17 2012, school districts may expend textbook allocations, including  
18 any amounts retained from a prior fiscal year, for instructional  
19 expenses.

20 C. All textbooks distributed to a school district that have  
21 been destroyed by fire or other hazard shall be replaced by the  
22 State Board of Education. The total cost of all additional  
23 textbooks delivered to school districts to replace those destroyed

1 by fire or other hazard shall not exceed, for the entire state in  
2 any fiscal year, the aggregate sum of One Hundred Thousand Dollars  
3 (\$100,000.00), which sum shall be reserved for such purpose from any  
4 appropriation made to carry out the provision of this article for  
5 any fiscal year.

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

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

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

21 C. Beginning July 1, 2003, school districts that participate in  
22 consolidation or annexation pursuant to the provisions of the  
23 Oklahoma School Voluntary Consolidation and Annexation Act shall be

1 exempt from the provisions of Sections 18-113.1, 18-113.2 and 18-  
2 113.3 of this title for the year in which the consolidation or  
3 annexation occurs and for the next five (5) fiscal years.

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

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

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

13 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-10-10 - DO  
14 PASS, As Amended and Coauthored.