

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 SENATE BILL 1858

By: Paddack

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5  
6 AS INTRODUCED

7 An Act relating to schools; amending Section 7,  
8 Chapter 2, O.S.L. 2002 (70 O.S. Supp. 2009, Section  
9 16-114a), which relates to textbook allocation and  
10 adjustment; authorizing school districts to expend  
11 certain allocations for instructional expenses during  
12 certain fiscal years; amending 70 O.S. 2001, Section  
13 18-113.4, as amended by Section 5, Chapter 296,  
14 O.S.L. 2003 (70 O.S. Supp. 2009, Section 18-113.4),  
15 which relates to class size limitations; providing  
16 waiver of certain penalties during certain fiscal  
17 years; providing an effective date; and declaring an  
18 emergency.

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

20 SECTION 1. AMENDATORY Section 7, Chapter 2, O.S.L. 2002  
21 (70 O.S. Supp. 2009, Section 16-114a), is amended to read as  
22 follows:

23 Section 16-114a. A. Based upon legislative appropriations, the  
24 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

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

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

22 2. For the fiscal years ending June 30, 2011, and June 30,  
23 2012, school districts may expend textbook allocations, including  
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1 any amounts retained from a prior fiscal year, for instructional  
2 expenses.

3 C. All textbooks distributed to a school district that have  
4 been destroyed by fire or other hazard shall be replaced by the  
5 State Board of Education. The total cost of all additional  
6 textbooks delivered to school districts to replace those destroyed  
7 by fire or other hazard shall not exceed, for the entire state in  
8 any fiscal year, the aggregate sum of One Hundred Thousand Dollars  
9 (\$100,000.00), which sum shall be reserved for such purpose from any  
10 appropriation made to carry out the provision of this article for  
11 any fiscal year.

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

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

22 B. For the purposes of calculating class size penalties  
23 established in Sections 18-113.1, 18-113.2 and 18-113.3 of this  
24 title, school districts shall use only the full-time-equivalency of

1 the instructional staff who are under contract to work the full  
2 school year in question.

3 C. Beginning July 1, 2003, school districts that participate in  
4 consolidation or annexation pursuant to the provisions of the  
5 Oklahoma School Voluntary Consolidation and Annexation Act shall be  
6 exempt from the provisions of Sections 18-113.1, 18-113.2 and 18-  
7 113.3 of this title for the year in which the consolidation or  
8 annexation occurs and for the next five (5) fiscal years.

9 D. For the fiscal years ending June 30, 2011, and June 30,  
10 2012, the penalties for exceeding class size limitations established  
11 in Sections 18-113.1, 18-113.2 and 18-113.3 of this title shall be  
12 waived by the State Board of Education.

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

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

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