

05/17/2011 03:53:32 PM

HOUSE OF REPRESENTATIVES
CONFERENCE COMMITTEE REPORT

Mr. President:
Mr. Speaker:

The Conference Committee, to which was referred

HB2115

By: Hickman of the House and Ford of the Senate

Title: Schools; allowing expenditure from School Consolidation Assistance Fund to school districts that have entered into a mutual contract for a superintendent; effective date; emergency.

Together with Engrossed Senate Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recede from Amendments No. 1, No. 2, No. 3, No. 4, No. 5 and No. 6.
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

House Action _____ Date _____ Senate Action _____ Date _____

HOUSE CONFEREES

Armes _____ Sullivan

Billy ~~_____~~ Walker

Finny D. Walker

Blackwell *_____*

Brown *Mike Brown*

Cox *Douglas G. Cox M.P.*

Dank *David M. Dank*

DeWitt *Hale DeWitt*

Denney _____

Dorman *Joe Dorman*

Hoskin *Chris Hoskin*

Liebmann *Dmy Liebmann*

Martin (Scott) *Scott C. Martin*

McPeak _____

Peters *Jon Peters*

Sears *Earl Sears*

HB2115 CCR A

SENATE CONFEREES

Ballenger

Branan

Brinkley

Burrage

Crain

Ford

Halligan

Ivester

Jolley

Justice

Marlatt

Mazzei

Myers

Newberry

Nichols

Paddack

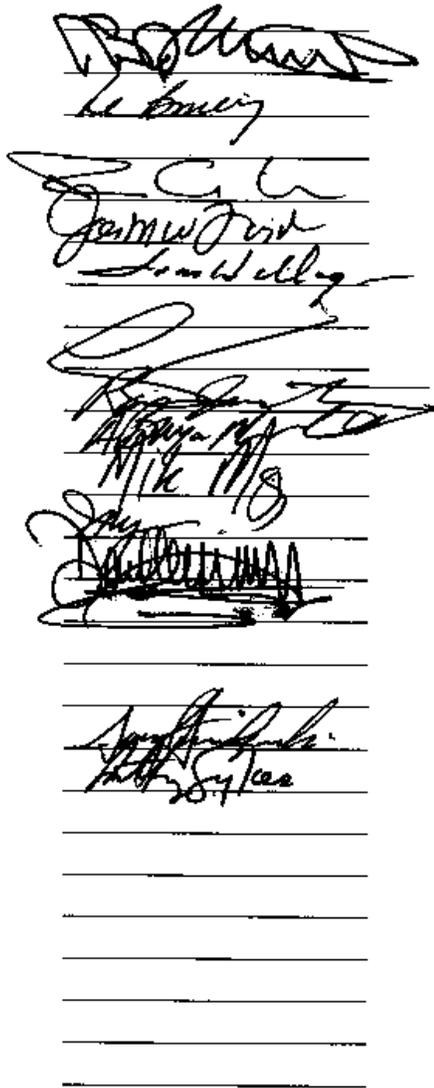
Rice

Stanislawski

Sykes

Wilson

Wyrick



House Action _____ Date _____ Senate Action _____ Date _____

House Action _____ Date _____ Senate Action _____ Date _____

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 CONFERENCE COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 HOUSE BILL NO. 2115

By: Hickman and Denney of the
House

7 and

8 Ford, Branam and Fields of
9 the Senate

10 CONFERENCE COMMITTEE SUBSTITUTE

11 An Act relating to schools; amending 70 O.S. 2001,
12 Sections 7-202, 7-203 and 7-204, as last amended by
13 Sections 3, 4 and 5, Chapter 448, O.S.L. 2009 (70
14 O.S. Supp. 2010, Sections 7-202, 7-203 and 7-204),
15 which relate to the Oklahoma School Consolidation and
16 Annexation Act; expanding application of the act;
17 providing for the expenditure of funds for assistance
18 to school districts that have entered into a mutual
19 contract for a superintendent; establishing amount of
20 assistance; setting maximum amount of assistance;
21 providing a limitation; requiring certain
22 notification; deleting minimum allocation amount;
23 modifying basis for making allocations in certain
24 circumstances; allowing certain school districts to
get preference for allocations from certain funds;
providing an effective date; and declaring an
emergency.

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

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 7-202, as
2 last amended by Section 3, Chapter 448, O.S.L. 2009 (70 O.S. Supp.
3 2010, Section 7-202), is amended to read as follows:

4 Section 7-202. The provisions of the Oklahoma School
5 Consolidation and Annexation Act shall apply only to school
6 districts whose entire territory has been annexed to one or more
7 existing school districts or which have been created by the
8 consolidation of two or more existing school districts in accordance
9 with the provisions of Section 7-101 et seq. of this title or to
10 school districts which have entered into a mutual contract with a
11 superintendent as authorized pursuant to Section 5-106A of this
12 title.

13 SECTION 2. AMENDATORY 70 O.S. 2001, Section 7-203, as
14 last amended by Section 4, Chapter 448, O.S.L. 2009 (70 O.S. Supp.
15 2010, 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~~ the fund are
23 hereby appropriated and may be budgeted and expended by the State
24 Board of 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~~:

3 1. Voluntarily or mandatorily consolidated school districts or
4 districts who have received part or all of the territory and part or
5 all of the students of a school district dissolved by voluntary or
6 mandatory annexation, during the first year of consolidation or
7 annexation with a single one-year allocation of funds needed for:

8 ~~1. Purchase~~

9 a. purchase of uniform textbooks in cases where the
10 several districts were not using the same textbooks
11 prior to consolidation or annexation~~†~~

12 ~~2. Employment~~

13 b. employment of certified personnel required to teach
14 courses of the district for which personnel from the
15 districts consolidated or annexed are not certified
16 and available~~†~~

17 ~~3. Employment~~

18 c. employment assistance for personnel of the several
19 districts who are not employed by the consolidated or
20 annexing district. Employment assistance may include
21 provision of a severance allowance for administrators,
22 teachers and support personnel not to exceed eighty
23 percent (80%) of the individual's salary or wages,
24 exclusive of fringe benefits, for the school year

1 preceding the consolidation or annexation. Personnel
2 receiving such severance pay may accumulate one (1)
3 year of creditable service for retirement purposes.
4 Employment assistance may also include the payment of
5 unemployment compensation benefits. The State Board
6 of Education shall provide a severance allowance to
7 employees dismissed from employment due to annexation
8 or consolidation of a school district in the year of
9 the annexation or consolidation and who were denied a
10 severance allowance or unemployment compensation
11 benefits and the voluntary consolidation funding of
12 the annexing or consolidating district or districts
13 has been paid on or after July 1, 2003, at the maximum
14 allowable amount. Application for a severance
15 allowance shall be made to the Finance Division of the
16 State Department of Education by the dismissed
17 employee no later than September 1 of the fiscal year
18 immediately following the fiscal year in which the
19 annexation or consolidation occurred~~+~~l

20 ~~4. Furnishing~~

21 d. furnishing and equipping classrooms and laboratories~~+~~l

22 ~~5. Purchase~~

23 e. purchase of additional transportation equipment~~+~~l and

24 ~~6. When~~

1 f. when deemed essential by the school district board of
2 education to achieve consolidation or combination by
3 annexation, renovation of existing school buildings
4 and construction or other acquisition of school
5 buildings; and

6 2. Assistance to school districts which have entered into a
7 mutual contract with a superintendent as authorized pursuant to
8 Section 5-106A of this title in paying the salary or wages of the
9 superintendent. The assistance shall equal not more than fifty
10 percent (50%) of the salary or wages of the superintendent for not
11 more than three (3) consecutive years. In no case shall the total
12 amount of assistance paid over the three-year period be more than
13 One Hundred Fifty Thousand Dollars (\$150,000.00) nor shall any
14 school district be eligible to receive assistance pursuant to this
15 paragraph for more than one three-year time period.

16 C. The State Board of Education shall only make allocations
17 from the fund to school districts formed from the combination of two
18 or more of the districts whose boards of education notify the State
19 Board of Education on or before June 30 of their intent to annex or
20 consolidate and are subsequently combined by such means by January 1
21 of the second year following the notification of intent. The boards
22 of education which have entered into a mutual contract with a
23 superintendent shall notify the Board on or before June 30 of the
24

1 year preceding the school year the mutual contract will become
2 effective.

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

15 E. Allocations will be made to school districts which have
16 received part or all of the territory and students of a school
17 district by voluntary or mandatory annexation on the basis of ADM of
18 the annexed school district for the school year preceding the first
19 year of operation of the school district resulting from the
20 annexation; provided, not more than two hundred (200) ADM of the
21 annexed district shall be counted. Allocations from the fund
22 pursuant to this subsection shall be calculated by multiplying the
23 allowable ADM by Five Thousand Dollars (\$5,000.00). In no case
24 shall allocations payable pursuant to this subsection be ~~less than~~

1 ~~Four Hundred Thousand Dollars (\$400,000.00) or~~ greater than One
2 Million Dollars (\$1,000,000.00).

3 F. 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~~ the determination of the State Board of Education with
7 preference given to school district consolidation and annexation.

8 SECTION 3. AMENDATORY 70 O.S. 2001, Section 7-204, as
9 last amended by Section 5, Chapter 448, O.S.L. 2009 (70 O.S. Supp.
10 2010, Section 7-204), is amended to read as follows:

11 Section 7-204. Consolidated districts and districts combined by
12 annexation which are created pursuant to the Oklahoma School
13 Consolidation and Annexation Act and districts that have entered
14 into a mutual contract with a superintendent shall have for three
15 (3) subsequent consecutive years after consolidation ~~or~~, annexation
16 or the effective date of the mutual contract preference for
17 allocations from funds appropriated to the State Board of Education
18 for Community Education, Alternative and High Challenge Schools,
19 School/Community Network for Arts-in-Education, Instructional
20 Cooperative and Technical Education, Advanced Placement Incentives,
21 and for all other allocations made by the Board on a competitive
22 basis.

23 SECTION 4. This act shall become effective July 1, 2011.
24

1 SECTION 5. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval.

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