

1 STATE OF OKLAHOMA

2 2nd Session of the 53rd Legislature (2012)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 3119

By: Hickman

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 7-203, which relates to the School
10 Consolidation Assistance Fund; modifying certain
11 term; defining term; deleting provision for payment
12 of severance allowance for certain employees;
13 providing an effective date; and declaring an
14 emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 7-203, is
17 amended to read as follows:

18 Section 7-203. A. There is hereby created in the State
19 Treasury a fund to be designated the "School Consolidation
20 Assistance Fund". The fund shall be a continuing fund, not subject
21 to fiscal year limitations, and shall consist of any monies the
22 Legislature may appropriate or transfer to the fund and any monies
23 contributed for the fund from any other source, public or private.
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1 B. All monies accruing to the credit of the fund are hereby
2 appropriated and may be budgeted and expended by the State Board of
3 Education for the purposes established by this section, the
4 Legislature and in accordance with rules promulgated by the State
5 Board of Education. The purposes shall be to provide:

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

11 a. purchase of uniform ~~textbooks~~ instructional material
12 in cases where the several districts were not using
13 the same ~~textbooks~~ instructional material prior to
14 consolidation or annexation. For purposes of this
15 section, "instructional material" shall have the same
16 meaning as provided for in Section 16-102 of this
17 title,

18 b. employment of certified personnel required to teach
19 courses of the district for which personnel from the
20 districts consolidated or annexed are not certified
21 and available,

22 c. employment assistance for personnel of the several
23 districts who are not employed by the consolidated or
24 annexing district. Employment assistance may include

1 provision of a severance allowance for administrators,
2 teachers and support personnel not to exceed eighty
3 percent (80%) of the individual's salary or wages,
4 exclusive of fringe benefits, for the school year
5 preceding the consolidation or annexation. Personnel
6 receiving such severance pay may accumulate one (1)
7 year of creditable service for retirement purposes.
8 Employment assistance may also include the payment of
9 unemployment compensation benefits. ~~The State Board
10 of Education shall provide a severance allowance to
11 employees dismissed from employment due to annexation
12 or consolidation of a school district in the year of
13 the annexation or consolidation and who were denied a
14 severance allowance or unemployment compensation
15 benefits and the voluntary consolidation funding of
16 the annexing or consolidating district or districts
17 has been paid on or after July 1, 2003, at the maximum
18 allowable amount. Application for a severance
19 allowance shall be made to the Finance Division of the
20 State Department of Education by the dismissed
21 employee no later than September 1 of the fiscal year
22 immediately following the fiscal year in which the
23 annexation or consolidation occurred,~~

24 d. furnishing and equipping classrooms and laboratories,

- e. purchase of additional transportation equipment, and
- f. when deemed essential by the school district board of education to achieve consolidation or combination by annexation, renovation of existing school buildings and construction or other acquisition of school buildings; and

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

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

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
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1 shall allocations payable pursuant to this subsection be greater
2 than One 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 the determination of
6 the State Board of Education with preference given to school
7 district consolidation and annexation.

8 SECTION 2. This act shall become effective July 1, 2012.

9 SECTION 3. 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.

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