

1 **SENATE FLOOR VERSION**

2 April 9, 2012

3 As Amended

4 ENGROSSED HOUSE

5 BILL NO. 3119

6 By: Hickman of the House

7 and

8 Stanislawski of the Senate

9 **[schools - School Consolidation Assistance Fund -**
10 **severance allowance]**

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

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

14 Section 7-203. A. There is hereby created in the State
15 Treasury a fund to be designated the "School Consolidation
16 Assistance Fund". The fund shall be a continuing fund, not subject
17 to fiscal year limitations, and shall consist of any monies the
18 Legislature may appropriate or transfer to the fund and any monies
19 contributed for the fund from any other source, public or private.

20 B. All monies accruing to the credit of the fund are hereby
21 appropriated and may be budgeted and expended by the State Board of
22 Education for the purposes established by this section, the
23 Legislature and in accordance with rules promulgated by the State
24 Board of Education. The purposes shall be to provide:

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

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

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

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

- 19 d. furnishing and equipping classrooms and laboratories,
- 20 e. purchase of additional transportation equipment, and
- 21 f. when deemed essential by the school district board of
22 education to achieve consolidation or combination by
23 annexation, renovation of existing school buildings

1 and construction or other acquisition of school
2 buildings; and

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

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

23 D. Allocations will be made to school districts formed by
24 voluntary or mandatory consolidation on the basis of combined

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

11 E. Allocations will be made to school districts which have
12 received part or all of the territory and students of a school
13 district by voluntary or mandatory annexation on the basis of ADM of
14 the annexed school district for the school year preceding the first
15 year of operation of the school district resulting from the
16 annexation; provided, not more than two hundred (200) ADM of the
17 annexed district shall be counted. Allocations from the fund
18 pursuant to this subsection shall be calculated by multiplying the
19 allowable ADM by Five Thousand Dollars (\$5,000.00). In no case
20 shall allocations payable pursuant to this subsection be greater
21 than One Million Dollars (\$1,000,000.00).

22 F. If monies in the School Consolidation Assistance Fund are
23 insufficient to make allocations to all qualified combined
24 districts, allocations shall be made based upon the determination of

1 the State Board of Education with preference given to school
2 district consolidation and annexation.

3 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-4-12 - DO
4 PASS, As Amended.

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