

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1372

By: Holland

4
5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,
8 Section 18-124, as amended by Section 16, Chapter
9 434, O.S.L. 2003 (70 O.S. Supp. 2010, Section 18-
10 124), which relates to expenditure limits for school
11 district administrative services; modifying
12 definition of administrative services; providing an
13 effective date; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2001, Section 18-124, as
16 amended by Section 16, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2010,
17 Section 18-124), is amended to read as follows:

18 Section 18-124. A. Any school district with an average daily
19 attendance (ADA) of more than one thousand five hundred (1,500)
20 students for the preceding year which expends for administrative
21 services in the 2005-06 school year or any school year thereafter,
22 less expenditures for legal services, more than six percent (6%) of
23 the amount it expends for total expenditures, less expenditures for
24 legal services, shall have the amount which exceeds the six percent

1 (6%) withheld the following year from the Foundation and Salary
2 Incentive Aid for the school district.

3 B. Any school district with an average daily attendance (ADA)
4 of more than five hundred (500) students but not more than one
5 thousand five hundred (1,500) students for the preceding year which
6 expends for administrative services in the 2005-06 school year or
7 any school year thereafter, less expenditures for legal services,
8 more than eight percent (8%) of the amount it expends for total
9 expenditures, less expenditures for legal services, shall have the
10 amount which exceeds the eight percent (8%) withheld the following
11 year from the Foundation and Salary Incentive Aid for the school
12 district.

13 C. Any school district with an average daily attendance (ADA)
14 of five hundred (500) or fewer students for the preceding year which
15 expends for administrative services in the 2005-06 school year or
16 any school year thereafter, less expenditures for legal services,
17 more than ten percent (10%) of the amount it expends for total
18 expenditures, less expenditures for legal services, shall have the
19 amount which exceeds the ten percent (10%) withheld the following
20 year from the Foundation and Salary Incentive Aid for the school
21 district.

22 D. For purposes of this section, "administrative services"
23 means costs associated with:

24 1. Staff for the board of education;

- 1 2. The secretary/clerk for the board of education;
 - 2 3. Staff relations;
 - 3 4. Negotiations staff;
 - 4 5. Staff for the superintendent, any elementary superintendent
 - 5 or any assistant superintendent;
 - 6 6. Any superintendent, elementary superintendent, or assistant
 - 7 superintendent;
 - 8 7. Any employee of a school district employed as a director,
 - 9 coordinator, supervisor, or who has responsibility for
 - 10 administrative functions of a school district; and
 - 11 8. Any consultant hired by the school district.
- 12 E. If an employee of a school district is employed in a
- 13 position where part of the employee's time is spent as an
- 14 administrator and part of the time is spent in nonadministrative
- 15 functions, the percentage of time spent as an administrator shall be
- 16 included as administrative services. Except for a superintendent
- 17 who spends part of the time teaching in the classroom, the total
- 18 amount of time a superintendent of a school district spends
- 19 performing services for a school district shall be included as
- 20 administrative services even if part of the time the superintendent
- 21 is performing nonadministrative service functions and the total
- 22 amount received by a superintendent from the school district as
- 23 salary shall be recorded under the code for superintendent salary as
- 24 provided for in the Oklahoma Cost Accounting System.

1 F. Each school site within a school district shall take steps
2 to ensure that the administrative costs for the school comply with
3 the expenditure limits established for school districts in this
4 section.

5 G. Funds withheld pursuant to the provisions of this section
6 shall be distributed through the State Aid formula to the districts
7 not so penalized.

8 H. For the 2003-04 and 2004-05 school year, school districts
9 shall report to the State Department of Education the costs
10 associated with administrative services for the school district as
11 defined in subsection D of this section.

12 SECTION 2. This act shall become effective July 1, 2011.

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

17

18 53-1-5385 KB 01/09/11

19

20

21

22

23

24