

ENROLLED SENATE
BILL NO. 664

By: Fields of the Senate

and

Holland, Bennett and Ritze
of the House

An Act relating to school administration; amending 70 O.S. 2001, Section 18-124, as last amended by Section 1 of Enrolled House Bill No. 1372 of the 1st Session of the 53rd Oklahoma Legislature, which relates to foundation aid; modifying certain percentages; modifying definition; and modifying exempted nonadministrative services.

SUBJECT: School funding

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 18-124, as last amended by Section 1 of Enrolled House Bill No. 1372 of the 1st Session of the 53rd Oklahoma Legislature, is amended to read as follows:

Section 18-124. A. Any school district with an average daily attendance (ADA) of more than one thousand five hundred (1,500) students for the preceding year which expends for administrative services in the 2005-06 school year or any school year thereafter, less expenditures for legal services, more than ~~six percent (6%)~~ five percent (5%) of the amount it expends for total expenditures, less expenditures for legal services, shall have the amount which exceeds the ~~six percent (6%)~~ five percent (5%) withheld the following year from the Foundation and Salary Incentive Aid for the school district.

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

C. Any school district with an average daily attendance (ADA) of five hundred (500) or fewer students for the preceding year which expends for administrative services in the 2005-06 school year or any school year thereafter, less expenditures for legal services, more than ~~ten percent (10%)~~ eight percent (8%) of the amount it expends for total expenditures, less expenditures for legal services, shall have the amount which exceeds the ~~ten percent (10%)~~ eight percent (8%) withheld the following year from the Foundation and Salary Incentive Aid for the school district.

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

1. Staff for the board of education;
2. The secretary/clerk for the board of education;
3. Staff relations;
4. Negotiations staff;
5. ~~Staff for~~ Immediate staff of the superintendent, any elementary superintendent or any assistant superintendent;
6. Any superintendent, elementary superintendent, or assistant superintendent;
7. Any employee of a school district employed as a director, coordinator, supervisor, or who has responsibility for administrative functions of a school district; and

8. Any consultant hired by the school district.

E. If an employee of a school district is employed in a position where part of the employee's time is spent as an administrator and part of the time is spent in nonadministrative functions, the percentage of time spent as an administrator shall be included as administrative services. ~~Except for a A~~ superintendent who spends part of the time performing exempted nonadministrative services such as teaching in the classroom, the serving as a principal, counselor, or library media specialist, can code up to forty percent (40%) of their salary to other nonadministrative functions. The total amount of time a superintendent of a school district spends performing services for a school district shall be included as administrative services even if part of the time the superintendent is performing nonexempted nonadministrative service functions and the. The total amount received by a superintendent from the school district as salary, for the performance of administrative and nonexempted nonadministrative services, shall be recorded under the code for superintendent salary as provided for in the Oklahoma Cost Accounting System.

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

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

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

Passed the Senate the 15th day of March, 2011.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2011.

Presiding Officer of the House
of Representatives