

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 3157

By: Hickman of the House

3
4 and

Ford of the Senate
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8 An Act relating to schools; amending 70 O.S. 2011,
Sections 7-202, 7-203 and 7-204, which relate to the
9 Oklahoma School Consolidation and Annexation Act;
expanding application of Act to school districts that
10 have entered into certain additional mutual
contracts; defining terms; adding certain additional
11 mutual contracts; establishing a limit on the amount
paid and the time period of payment for certain
12 mutual contracts; expanding eligibility for certain
funding preferences to school districts that entered
13 into certain additional mutual contracts; providing
an effective date; and declaring an emergency.

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16 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
entire bill and insert

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18 "An Act relating to schools; amending 70 O.S. 2011, Sections 7-202,
19 7-203 and 7-204, which relate to the Oklahoma School Consolidation
and Annexation Act; expanding application of Act to school districts
20 that have entered into certain additional mutual contracts; defining
terms; adding certain additional mutual contracts; establishing a
21 limit on the amount paid and the time period of payment for certain
mutual contracts; limiting certain assistance to districts with
certain average daily membership that have not entered into a mutual
22 contract for certain number of years; expanding eligibility for
certain funding preferences to school districts that entered into
23 certain additional mutual contracts; providing an effective date;
and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 7-202, is amended to read as follows:

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

B. For purposes of the Oklahoma School Consolidation and Annexation Act, "school employee" means a superintendent, administrator, program director, school nurse, human resources personnel, payroll clerk or other payroll personnel, district treasurer, encumbrance clerk, activity fund clerk, library media specialist or any other person who provides administrative support services. School employee shall not mean any person who is a principal, classroom teacher or nonclassified optional personnel as defined in Section 17-101 of this title.

1 SECTION 2. AMENDATORY 70 O.S. 2011, Section 7-203, is
2 amended to read as follows:

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

9 B. All monies accruing to the credit of the fund are hereby
10 appropriated and may be budgeted and expended by the State Board of
11 Education for the purposes established by this section, the
12 Legislature and in accordance with rules promulgated by the State
13 Board of Education. The purposes shall be to provide:

14 1. Voluntarily or mandatorily consolidated school districts or
15 districts ~~who~~ which have received part or all of the territory and
16 part or all of the students of a school district dissolved by
17 voluntary or mandatory annexation, during the first year of
18 consolidation or annexation with a single one-year allocation of
19 funds needed for:

20 a. purchase of uniform textbooks in cases where the
21 several districts were not using the same textbooks
22 prior to consolidation or annexation,

23 b. employment of certified personnel required to teach
24 courses of the district for which personnel from the

1 districts consolidated or annexed are not certified
2 and available,

3 c. employment assistance for personnel of the several
4 districts who are not employed by the consolidated or
5 annexing district. Employment assistance may include
6 provision of a severance allowance for administrators,
7 teachers and support personnel not to exceed eighty
8 percent (80%) of the individual's salary or wages,
9 exclusive of fringe benefits, for the school year
10 preceding the consolidation or annexation. Personnel
11 receiving such severance pay may accumulate one (1)
12 year of creditable service for retirement purposes.
13 Employment assistance may also include the payment of
14 unemployment compensation benefits. The State Board
15 of Education shall provide a severance allowance to
16 employees dismissed from employment due to annexation
17 or consolidation of a school district in the year of
18 the annexation or consolidation and who were denied a
19 severance allowance or unemployment compensation
20 benefits and the voluntary consolidation funding of
21 the annexing or consolidating district or districts
22 has been paid on or after July 1, 2003, at the maximum
23 allowable amount. Application for a severance
24 allowance shall be made to the Finance Division of the

1 State Department of Education by the dismissed
2 employee no later than September 1 of the fiscal year
3 immediately following the fiscal year in which the
4 annexation or consolidation occurred,

- 5 d. furnishing and equipping classrooms and laboratories,
- 6 e. purchase of additional transportation equipment, and
- 7 f. when deemed essential by the school district board of
8 education to achieve consolidation or combination by
9 annexation, renovation of existing school buildings
10 and construction or other acquisition of school
11 buildings; and

12 2. Assistance to school districts which have entered into a
13 mutual contract with a ~~superintendent~~ school employee as authorized
14 pursuant to Section 5-106A of this title in paying the salary or
15 wages of the ~~superintendent~~ school employee. The assistance shall
16 equal not more than fifty percent (50%) of the salary or wages ~~of~~
17 ~~the superintendent~~ for each school employee with whom the districts
18 have entered into a mutual contract for not more than three (3)
19 consecutive years for each contract. In no case shall the total
20 amount of assistance paid over the three-year period for a contract
21 with a superintendent be more than One Hundred Fifty Thousand
22 Dollars (\$150,000.00) ~~per~~. In no case shall the total amount of
23 assistance paid over the three-year period for a contract with one
24 or multiple school employees other than a superintendent be more

1 than Fifty Thousand Dollars (\$50,000.00). In no case shall any
2 school district be eligible to receive assistance pursuant to this
3 paragraph for more than one three-year time period for each mutual
4 contract; and

5 3. Assistance to school districts which have entered into a
6 mutual contract with a school employee other than a superintendent
7 shall be provided only to:

8 a. districts with an average daily membership of less
9 than five hundred (500) for two (2) of the preceding
10 three (3) school years, and

11 b. districts which have not entered into a mutual
12 contract with a school employee other than a
13 superintendent for the last three (3) school years.

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

24

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

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

24

1 F. If monies in the School Consolidation Assistance Fund are
2 insufficient to make allocations to all qualified combined
3 districts, allocations shall be made based upon the determination of
4 the State Board of Education with preference given to school
5 district consolidation and annexation.

6 SECTION 3. AMENDATORY 70 O.S. 2011, Section 7-204, is
7 amended to read as follows:

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

20 SECTION 4. This act shall become effective July 1, 2016.

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

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2 ~~superintendent~~ school employee as authorized pursuant to Section 5-
3 106A of this title.

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5 Annexation Act, "school employee" means a superintendent,
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11 courses of the district for which personnel from the
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22 of the public peace, health and safety, an emergency is hereby
23 declared to exist, by reason whereof this act shall take effect and
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1 Passed the House of Representatives the 7th day of March, 2016.

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3 _____
4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2016.

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8 _____
9 Presiding Officer of the Senate