

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 HOUSE BILL 1577

 By: Caldwell

7 AS INTRODUCED

8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 5-135.4, which relates to the School District
10 Transparency Act; requiring State Department of
11 Education to include on its website an itemized
12 accounting of vacant or unused properties of school
 districts; defining certain terms; requiring each
 school district to submit information to Department
 by certain date; providing an effective date; and
 declaring an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-135.4, is
17 amended to read as follows:

18 Section 5-135.4 A. This section shall be known and may be
19 cited as the "School District Transparency Act".

20 B. ~~By January 30, 2011, the~~ The State Department of Education
21 shall make school district expenditure data available on its
22 website. Data shall be made available in an open-structured data
23 format that may be downloaded by the public and that allows the user
24

1 to systematically sort, search, and access all data without any fee
2 or charge for access.

3 C. The database shall provide information on school district
4 expenditures of state, federal, and local funds, whether
5 appropriated or nonappropriated, excluding payments of voluntary
6 payroll deductions for employees to receiving parties. The database
7 shall further provide information, including, but not limited to,
8 the following:

9 1. Identification of the school district;

10 2. The Oklahoma Cost Accounting System (OCAS) code designation
11 for each expenditure;

12 3. The name and principal location of the entity or recipient
13 of the funds, excluding release of information relating to an
14 individual's place of residence and release of information
15 prohibited by subsection D of Section 24A.7 of Title 51 of the
16 Oklahoma Statutes or by federal law relating to privacy rights;

17 4. The amount of funds expended;

18 5. The type of transaction;

19 6. A descriptive purpose of the funding action or expenditure;

20 7. Copies of all credit card statements, identified by
21 department responsible for each credit card;

22 8. The budgeted and audited actual expenditure figures for each
23 fiscal year, ensuring each set of figures can be identified as
24 budgeted or audited figures; and

1 9. The per-pupil spending figure, derived by dividing total
2 expenditures by the total number of students enrolled for each
3 school year.

4 D. The database shall also include an itemized accounting of
5 all vacant or unused properties owned, leased or otherwise under the
6 direct control or management of the school district. For purposes
7 of this subsection only, "vacant" or "unused" means a physical
8 structure that is currently unoccupied by school district personnel.
9 This definition includes structures originally constructed as office
10 space or a school building but that is currently being used for
11 storage, but shall not include warehouses, barns or other structures
12 intended for storage or vehicle maintenance.

13 E. The Department shall make the data available on its website
14 within one hundred twenty (120) days of transmission of the
15 expenditures to the Department by the school district.

16 ~~E.~~ F. School districts shall provide information requested by
17 the Department to accomplish the purposes of this section. Each
18 school district shall submit to the Department the information
19 described in subsection D of this section by January 1, 2018.

20 ~~F.~~ G. If a school district maintains a website, the district
21 shall provide the information required in subsection C of this
22 section in the manner prescribed in subsection B of this section on
23 the district website.

1 ~~G.~~ H. Nothing in this section shall require the disclosure of
2 information which is required to be kept confidential by state or
3 federal law.

4 ~~H.~~ I. The disclosure of information required by this section
5 shall create no liability whatsoever, civil or criminal, to the
6 State of Oklahoma, the State Department of Education, school
7 districts, or any employee thereof for disclosure of required
8 information or for any error or omission in the disclosure.

9 SECTION 2. This act shall become effective July 1, 2017.

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

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15 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/21/2017
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