

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   2nd Session of the 56th Legislature (2018)

4 COMMITTEE SUBSTITUTE  
5 FOR  
6 HOUSE BILL NO. 3540

By: Caldwell

7  
8                                   COMMITTEE SUBSTITUTE

9                   An Act relating to schools; amending 70 O.S. 2011,  
10                   Section 5-135.4, as amended by Section 1, Chapter  
11                   133, O.S.L. 2017 (70 O.S. Supp. 2017, Section 5-  
12                   135.4), which relates to the School District  
13                   Transparency Act; directing additional data to be  
14                   included on State Department of Education website;  
15                   requiring link from district website to Department  
16                   website in certain cases; providing for listing of  
17                   information on district website in certain cases;  
18                   mandating Department inform certain groups about  
19                   availability of data annually; providing an effective  
20                   date; and declaring an emergency.

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

22                   SECTION 1.           AMENDATORY           70 O.S. 2011, Section 5-135.4, as  
23                   amended by Section 1, Chapter 133, O.S.L. 2017 (70 O.S. Supp. 2017,  
24                   Section 5-135.4), is amended to read as follows:

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

27                   B.   By ~~January 30, 2011~~ July 1, 2018, the State Department of  
28                   Education shall make school district and school site expenditure and

1 revenue data available on its website. Data shall be made available  
2 in an open-structured data format that may be downloaded by the  
3 public and that allows the user to systematically sort, search, and  
4 access all data without any fee or charge for access. If a school  
5 district has a website, the district shall include a link from the  
6 district homepage to the Department's Oklahoma Cost Accounting  
7 System (OCAS) website for school district financial information  
8 where the district's financial information is available or shall  
9 provide the information listed in subsection C of this section  
10 within one click of the district's website homepage.

11 C. The ~~database~~ website shall provide information on school  
12 district and school site expenditures and revenue of state, federal,  
13 and local funds, whether appropriated or nonappropriated, excluding  
14 payments of voluntary payroll deductions for employees to receiving  
15 parties. The ~~database~~ website shall further provide information,  
16 including, but not limited to, the following:

- 17 1. Identification of the school district;
- 18 2. The ~~Oklahoma Cost Accounting System (OCAS)~~ code designation  
19 for each expenditure;
- 20 3. The name and principal location of the entity or recipient  
21 of the funds, excluding release of information relating to an  
22 individual's place of residence and release of information  
23 prohibited by subsection D of Section 24A.7 of Title 51 of the  
24 Oklahoma Statutes or by federal law relating to privacy rights;

1       4. The amount of funds expended;

2       5. The type of transaction;

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

4       7. The budgeted and audited actual expenditure figures for each  
5 fiscal year, ensuring each set of figures can be identified as  
6 budgeted or audited figures; and

7       8. The per-pupil spending figure, derived by dividing total  
8 current expenditures by the total number of students enrolled for  
9 each school year.

10       D. The Department shall make the data available on its website  
11 within one hundred twenty (120) days of transmission of the  
12 expenditures to the Department by the school district.

13       E. School districts shall provide information requested by the  
14 Department to accomplish the purposes of this section.

15       F. If a school district maintains a website, the district shall  
16 provide the information required in subsection C of this section in  
17 the manner prescribed in subsection B of this section on the  
18 district website.

19       G. Nothing in this section shall require the disclosure of  
20 information which is required to be kept confidential by state or  
21 federal law.

22       H. The disclosure of information required by this section shall  
23 create no liability whatsoever, civil or criminal, to the State of  
24 Oklahoma, the State Department of Education, school districts, or

1 any employee thereof for disclosure of required information or for  
2 any error or omission in the disclosure.

3 I. The Department shall annually inform parents, schools and  
4 other stakeholders about the availability of school district and  
5 school site expenditure and revenue data on its website and how to  
6 use the website.

7 SECTION 2. This act shall become effective July 1, 2018.

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

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13 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/27/2018  
14 - DO PASS, As Amended.  
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