

STATE OF OKLAHOMA

1st Extraordinary Session of the 59th Legislature (2023)

COMMITTEE SUBSTITUTE  
FOR

SENATE BILL NO. 36x

By: Thompson (Roger) and Hall  
of the Senate

and

Wallace and Martinez of the  
House

COMMITTEE SUBSTITUTE

An Act relating to education; specifying apportionment of certain appropriated funds; providing for the budgeting of funds in certain categories and amounts; requiring development of certain performance measures; requiring transfers of certain funds; limiting authority to reduce certain apportionments; requiring certain funds to be expended for certain purposes; stating purposes for allocated funds; requiring certain transfer of funds; stating legislative intent regarding expenditures for direct costs; prohibiting the State Department of Education from contracting for certain administrative costs in certain program; providing for duties and compensation of employees of the State Department of Education; requiring the reduction or withholding of State Aid funds for certain purposes; authorizing the State Board of Education to request transfer of certain funds; authorizing the request of early allocations for certain funds; requiring proportional reductions of allocations under certain conditions; requiring participation in federal grant funding; authorizing exemption from budgetary limits for unanticipated federal funds; providing procedures; requiring approval of exemption request under certain conditions; requiring budgeting of certain funds in certain years; providing lapse dates; requiring certain budgeting procedures; prohibiting certain



1	Purchase of Textbooks and	
2	Instructional Materials	\$45,190,000.00
3	Alternative and High Challenge	
4	Education	\$14,000,000.00
5	Education Leadership Oklahoma	\$3,770,000.00
6	Advanced Placement Incentives	\$1,500,000.00
7	Reading Sufficiency Act	\$13,000,000.00
8	Required Assessments	\$9,205,685.00
9	Teach for America	\$2,000,000.00
10	Street School	\$180,000.00
11	Ag in the Classroom	\$38,000.00
12	Imagine Math	\$1,000,000.00
13	Imagine Reading	\$1,000,000.00
14	Oklahoma Arts Institute	\$320,000.00
15	Early Intervention	\$16,225,341.00
16	Secure Schools Program	\$2,350,000.00
17	Great Expectations	\$500,000.00
18	Child ID	\$500,000.00
19	Academic Standards Implementation	\$300,000.00
20	Teacher and Leader Effectiveness	\$250,000.00
21	Student Information Security	\$500,000.00
22	ACT Work Keys	\$250,000.00
23	Early Childhood Initiative	\$12,000,000.00
24	School Lunch Matching	\$3,500,000.00

1	Oklahoma School Security Initiative	\$1,400,000.00
2	Metrics Software	\$2,000,000.00
3	Inhalers for all schools	\$250,000.00
4	SUBTOTAL, PARAGRAPH 2	\$719,633,855.00

5       3. Funds appropriated by Section 10 of Enrolled House Bill No.  
6 1004 of the 1st Extraordinary Session of the 59th Oklahoma  
7 Legislature:

8	Administrative and Support	
9	Functions of the State Department	
10	of Education	\$19,145,366.00
11	SUBTOTAL, PARAGRAPH 3	\$19,145,366.00
12	TOTAL State School Aid and Programs	\$3,176,770,780.00

13       SECTION 2. For the fiscal year ending June 30, 2024, the State  
14 Board of Education shall budget all funds in the following  
15 categories and amounts:

16	<u>Category</u>	<u>Total</u>
17	Payroll, Salaries or Wages,	\$25,775,827.00
18	Including Tax-sheltered Deferment	
19	Contracts and Longevity Payments	
20	Authorized by State Statutes	
21	Professional and Personal Services	
22	Contracts	\$31,840,048.00
23	Other Operating Funds	\$3,908,491,664.00
24	Expenditure of Federal Funds	\$1,825,621,183.00

1 TOTAL \$5,791,728,722.00

2 The agency shall develop outcome-based performance measures for  
3 each budget category.

4 SECTION 3. The funds appropriated in Sections 12 and 13 of  
5 Enrolled House Bill No. 1004 of the 1st Extraordinary Session of the  
6 59th Oklahoma Legislature in the amount of Four Million One Hundred  
7 Nineteen Thousand Three Hundred Sixty-nine Dollars (\$4,119,369.00)  
8 shall be transferred to the School Consolidation Assistance Fund.

9 SECTION 4. The funds appropriated in Sections 14 and 15 of  
10 Enrolled House Bill No. 1004 of the 1st Extraordinary Session of the  
11 59th Oklahoma Legislature in the amount of Four Million One Hundred  
12 Nineteen Thousand Three Hundred Sixty-nine Dollars (\$4,119,369.00)  
13 shall be transferred to the Teachers' Retirement System Dedicated  
14 Revenue Revolving Fund.

15 SECTION 5. The funds allocated in Section 1 of this act  
16 specifically for the purpose of funding the Teachers' Retirement  
17 Credit shall be transferred to the Teachers' Retirement System of  
18 Oklahoma.

19 SECTION 6. If the funds allocated in Section 1 of this act  
20 specifically for the purpose of funding the Teachers' Retirement  
21 Credit are insufficient to fully fund the employee contribution  
22 credits provided for in Section 17-108.2 of Title 70 of the Oklahoma  
23 Statutes as invoiced by the Teachers' Retirement System of Oklahoma,  
24 the Department may reduce in equal proportions funds allocated in

1 Section 1 of this act to Education Leadership Oklahoma, Secure  
2 Schools Program, Teach for America, TLE Retention, Child ID,  
3 Advanced Teacher Training, Reading Sufficiency Act, Alternative and  
4 High Challenge Education, Required Assessments, Ag in the Classroom,  
5 Imagine Math, Imagine Reading, ACT WorkKeys, and Oklahoma Arts  
6 Institute. The total amount of funds reduced shall not exceed the  
7 additional amount required to fully fund the employee contribution  
8 credits.

9 SECTION 7. The funds allocated in Section 1 of this act for the  
10 purpose of funding Education Leadership Oklahoma shall be expended  
11 as follows:

12 1. Four Hundred Seventy Thousand Dollars (\$470,000.00) shall be  
13 transferred to the Oklahoma National Board Certification Revolving  
14 Fund created in Section 6-204.4 of Title 70 of the Oklahoma Statutes  
15 for the purpose of awarding annual bonuses as directed; and

16 2. Three Million Three Hundred Thousand Dollars (\$3,300,000.00)  
17 shall be transferred to the Oklahoma School Psychologist, Speech-  
18 Language Pathologist, and Audiologist National Certification  
19 Revolving Fund created in Section 6-206.1 of Title 70 of the  
20 Oklahoma Statutes for the purpose of awarding annual bonuses as  
21 directed.

22 SECTION 8. The funds allocated in Section 1 of this act for  
23 Advanced Placement Incentives shall be expended for the purpose of  
24 providing assistance for students in financial need, grants to

1 districts wanting to start new AP programs, and expanding  
2 professional development, pursuant to the provisions of Section  
3 1210.703 of Title 70 of the Oklahoma Statutes.

4 SECTION 9. The funds allocated in Section 1 of this act for the  
5 Reading Sufficiency Act shall be expended pursuant to the provisions  
6 of Section 1210.508A et seq. of Title 70 of the Oklahoma Statutes.

7 SECTION 10. The funds allocated in Section 1 of this act for  
8 Teacher and Leader Effectiveness shall be expended for the purpose  
9 of improving the effectiveness of teachers and leaders in the public  
10 school system through continued development, pursuant to Section 6-  
11 101.16 of Title 70 of the Oklahoma Statutes.

12 SECTION 11. The funds allocated in Section 1 of this act for  
13 Required Assessments shall be expended for the purpose of  
14 administering a statewide student assessment system for grades three  
15 through twelve, pursuant to Section 1210.508 of Title 70 of the  
16 Oklahoma Statutes.

17 SECTION 12. The funds allocated in Section 1 of this act for  
18 Alternative and High Challenge Education shall be expended for the  
19 purpose of operating the statewide system of alternative education  
20 programs as provided in Section 1210.568 of Title 70 of the Oklahoma  
21 Statutes, and for encouraging school districts to participate in  
22 innovative alternative education programs.

23 SECTION 13. The funds allocated in Section 1 of this act for  
24 Early Intervention shall be transferred to the Early Intervention

1 Fund 250. It is the intent of the Legislature that funding  
2 available for SoonerStart Early Intervention Services be expended  
3 for direct services to eligible infants, toddlers, and their  
4 families. The State Department of Education shall not contract,  
5 pay, or reimburse for administrative cost recovery personnel,  
6 accounting, management information system costs, and maintenance and  
7 operations at the state or local level or indirect costs which do  
8 not comply with the requirements of Section 13-125 of Title 70 of  
9 the Oklahoma Statutes.

10 SECTION 14. The funds allocated in Section 1 of this act for  
11 the Early Childhood Initiative shall be expended for the purpose of  
12 funding the early childhood program pursuant to the provisions of  
13 Section 10-105.4 of Title 70 of the Oklahoma Statutes.

14 SECTION 15. The funds allocated in Section 1 of this act for  
15 the Oklahoma Academic Standards Implementation shall be expended for  
16 the purpose of funding standards implementation pursuant to the  
17 provisions of Section 11-103.6 of Title 70 of the Oklahoma Statutes.

18 SECTION 16. The funds allocated in Section 1 of this act for  
19 Metrics Software shall be expended for the purpose of funding a  
20 statistical software suite for data management, advanced analytics,  
21 multivariate analysis and predictive analytics.

22 SECTION 17. The funds allocated in Section 1 of this act for the  
23 Oklahoma School Security Initiative shall be expended for the  
24



1 purpose of funding grants pursuant to Section 51.2b of Title 74 of  
2 the Oklahoma Statutes.

3 SECTION 18. The funds allocated in Section 1 of this act for  
4 inhalers shall be expended pursuant to the provisions of Section 1-  
5 116.3 of Title 70 of the Oklahoma Statutes.

6 SECTION 19. State Aid funds shall be reduced or withheld by the  
7 State Board of Education in an amount necessary to ensure compliance  
8 with the provisions of this act.

9 SECTION 20. The State Department of Education shall not decline,  
10 refuse participation in, or choose not to apply for any federal  
11 grant funding that had been received by the Department prior to FY  
12 2023 without joint approval from the President Pro Tempore of the  
13 Oklahoma State Senate and the Speaker of the Oklahoma House of  
14 Representatives.

15 SECTION 21. The State Board of Education is authorized to  
16 request the Office of Management and Enterprise Services to transfer  
17 appropriated funds to the appropriate dispensing fund.

18 SECTION 22. The State Superintendent of Public Instruction may  
19 request through the Director of the Office of Management and  
20 Enterprise Services the early transfer by the Oklahoma Tax  
21 Commission of tax collections to the Education Reform Revolving Fund  
22 for the purpose of early allocation to the Board's disbursing funds  
23 to alleviate cash-flow problems.

1       SECTION 23. If funds appropriated in Sections 1 through 15 of  
2 Enrolled Senate Bill No. 1004 of the 1st Extraordinary Session of  
3 the 59th Oklahoma Legislature are not sufficient to fully fund the  
4 provisions of this act, each school district which qualifies for  
5 funds, excluding Financial Support of Public Schools, pursuant to  
6 the provisions of this act shall take a proportionate reduction.

7       SECTION 24. A. The State Superintendent of Public Instruction  
8 may request, in the manner provided in this section, that receipt  
9 and expenditure of unanticipated federal funds awarded after July 1,  
10 2023, be exempt from expenditure limitations and from budgetary  
11 limitations.

12       1. The Superintendent shall make a request for exemption to the  
13 Office of Management and Enterprise Services in writing and file a  
14 revised budget work program.

15       2. The Superintendent shall also file copies of the request for  
16 exemption and budget work program revisions with the Oklahoma State  
17 Senate Appropriations Committee Chair and the Oklahoma House of  
18 Representatives Appropriations and Budget Committee Chair. The  
19 Senate Appropriations Committee Chair and/or the House  
20 Appropriations and Budget Committee Chair shall notify the Office of  
21 Management and Enterprise Services of any noncompliance of the  
22 request with legislative intent within twelve (12) calendar days of  
23 their receipt of the exemption request.

1       B. The Office of Management and Enterprise Services shall  
2 approve the request for exemption unless both the Chair and Vice  
3 Chair of the Joint Legislative Committee on Budget and Program  
4 Oversight provide written notification to the Office of Management  
5 and Enterprise Services within twelve (12) calendar days of the  
6 Committee's receipt of the exemption request that the exemption  
7 subverts the intention and objectives of the Legislature in  
8 establishing the original limit. The Office of Management and  
9 Enterprise Services shall give written notice of approval or  
10 disapproval of each exemption to the agency, the Governor, the Chair  
11 of the Senate Appropriations Committee and the Chair of the House  
12 Appropriations and Budget Committee within eighteen (18) calendar  
13 days of receiving the request.

14       SECTION 25. Appropriations made by this act, not including  
15 appropriations made for capital outlay purposes, may be budgeted for  
16 the fiscal year ending June 30, 2024 (hereafter FY-24) or may be  
17 budgeted for the fiscal year ending June 30, 2025 (hereafter FY-25).  
18 Funds budgeted for FY-24 may be encumbered only through June 30,  
19 2024, and must be expended by November 15, 2024. Any funds  
20 remaining after November 15, 2024, and not budgeted for FY-25, shall  
21 lapse to the credit of the proper fund for the then current fiscal  
22 year. Funds budgeted for FY-25 may be encumbered only through June  
23 30, 2025. Any funds remaining after November 15, 2025, shall lapse  
24 to the credit of the proper fund for the then current fiscal year.

1 These appropriations may not be budgeted in both fiscal years  
2 simultaneously. Funds budgeted in FY-24, and not required to pay  
3 obligations for that fiscal year, may be budgeted for FY-25, after  
4 the agency to which the funds have been appropriated has prepared  
5 and submitted a budget work program revision removing these funds  
6 from the FY-24 budget work program and after such revision has been  
7 approved by the Office of Management and Enterprise Services.

8 SECTION 26. This act shall become effective July 1, 2023.

9 SECTION 27. It being immediately necessary for the preservation  
10 of the public peace, health or safety, an emergency is hereby  
11 declared to exist, by reason whereof this act shall take effect and  
12 be in full force from and after its passage and approval.

13

14 59-lex-82x LG 5/23/2023 3:16:57 PM

15

16

17

18

19

20

21

22

23

24