

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 1172

By: Sears and Casey of the
House

4 and

5 Jolley and Treat of the
6 Senate

7
8
9 AS INTRODUCED

10 An Act relating to education; making appropriations
11 to the State Board of Education; stating purposes;
12 authorizing certain expenditures; stating purpose;
13 specifying the apportionment of certain funds which
14 were appropriated; providing for the budgeting of
15 funds in certain categories and amounts; requiring
16 transfer of funds to the School Consolidation
17 Assistance Fund; requiring transfer of funds to the
18 Teachers' Retirement System Dedicated Revenue
19 Revolving Fund; requiring the transfer of funds to
20 the Teachers' Retirement System of Oklahoma for the
21 Teachers' Retirement Credit; requiring funds
22 allocated for Education Leadership Oklahoma to be
23 transferred and expended for certain purposes;
24 stating purposes for funds allocated for Reform
Implementation; stating purposes for funds allocated
for Alternative and High Challenge Education;
stating purpose for funds allocated for Financial
Literacy; requiring transfer of Early Intervention
funds; stating intent regarding cost reimbursement
for indirect administrative costs in the Oklahoma
Early Intervention Act; stating purpose for funds
allocated for the Early Childhood Initiative;
stating purpose for funds allocated for the Parent
Training Program; stating purpose for funds
allocated for the Rural Infant Stimulation
Environment (RISE) Program; providing for duties and
compensation of employees of the State Department of
Education; providing budgetary limitations;

1 requiring the reduction or withholding of State Aid
2 funds for certain purposes; authorizing the State
3 Board of Education to request certain transfer of
4 funds; providing for certain proportional reduction
5 of funds; requiring budgeting of certain funds in
6 certain years; providing lapse dates; requiring
7 certain budgeting procedures; prohibiting certain
8 budgeting procedures; and providing an effective
9 date.

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

11 SECTION 1. There is hereby appropriated to the State Board of
12 Education from any monies not otherwise appropriated from the
13 General Revenue Fund of the State Treasury for the fiscal year
14 ending June 30, 2016, the sum of _____ Dollars (\$0.00) or
15 so much thereof as may be necessary for the financial support of
16 public schools.

17 SECTION 2. There is hereby appropriated to the State Board of
18 Education from any monies not otherwise appropriated from the
19 Education Reform Revolving Fund created in Section 34.89 of Title 62
20 of the Oklahoma Statutes, the sum of _____ Dollars
21 (\$0.00) or so much thereof as may be necessary for the financial
22 support of public schools.

23 SECTION 3. The State Board of Education is hereby authorized to
24 expend during the fiscal year ending June 30, 2016, from the Common
Education Technology Revolving Fund of the State Treasury, the sum

1 of _____ Dollars (\$0.00) or so much thereof as may be
2 necessary for the financial support of public schools.

3 SECTION 4. There is hereby appropriated to the State Board of
4 Education, from any monies not otherwise appropriated from the
5 Mineral Leasing Fund of the State Treasury for the fiscal year
6 ending June 30, 2016, the sum of _____ Dollars (\$0.00) or so
7 much thereof as may be necessary for the financial support of public
8 schools.

9 SECTION 5. There is hereby appropriated to the State Board of
10 Education, from any monies not otherwise appropriated from the
11 Mineral Leasing Fund of the State Treasury for the fiscal year
12 ending June 30, 2014, the sum of _____ Dollars (\$0.00) or so
13 much thereof as may be necessary for the financial support of public
14 schools.

15 SECTION 6. There is hereby appropriated to the State Board of
16 Education from the Oklahoma Education Lottery Trust Fund of the
17 State Treasury for the fiscal year ending June 30, 2016, the sum of
18 _____ Dollars (\$0.00) or so much thereof as may be necessary
19 for financial support of public schools.

20 SECTION 7. There is hereby appropriated to the State Board of
21 Education from the Oklahoma Education Lottery Trust Fund of the
22 State Treasury for the fiscal year ending June 30, 2014, the sum of
23 _____ Dollars (\$0.00) or so much thereof as may be necessary
24 for financial support of public schools.

1 SECTION 8. There is hereby appropriated to the State Board of
2 Education from any monies not otherwise appropriated from the
3 General Revenue Fund of the State Treasury for the fiscal year
4 ending June 30, 2016, the sum of _____ Dollars (\$0.00) or
5 so much thereof as may be necessary for the support of public school
6 activities.

7 SECTION 9. There is hereby appropriated to the State Board of
8 Education from any monies not otherwise appropriated from the
9 General Revenue Fund of the State Treasury for the fiscal year
10 ending June 30, 2014, the sum of _____ Dollars (\$0.00) or so
11 much thereof as may be necessary for the purchase of textbooks and
12 instructional materials.

13 SECTION 10. There is hereby appropriated to the State Board of
14 Education from any monies not otherwise appropriated from the
15 General Revenue Fund of the State Treasury for the fiscal year
16 ending June 30, 2016, the sum of _____ Dollars (\$0.00) or so
17 much thereof as may be necessary for administrative and support
18 functions of the State Department of Education.

19 SECTION 11. There is hereby appropriated to the State Board of
20 Education from any monies not otherwise appropriated from the
21 Oklahoma Education Lottery Trust Fund of the State Treasury for the
22 fiscal year ending June 30, 2016, the sum of _____ Dollars
23 (\$0.00) or so much thereof as may be necessary for transfer to the
24 School Consolidation Assistance Fund.

1 SECTION 12. There is hereby appropriated to the State Board of
2 Education from any monies not otherwise appropriated from the
3 Oklahoma Education Lottery Trust Fund of the State Treasury for the
4 fiscal year ending June 30, 2014, the sum of _____ Dollars
5 (\$0.00) or so much thereof as may be necessary for transfer to the
6 School Consolidation Assistance Fund.

7 SECTION 13. There is hereby appropriated to the State Board of
8 Education from any monies not otherwise appropriated from the
9 Oklahoma Education Lottery Trust Fund of the State Treasury for the
10 fiscal year ending June 30, 2016, the sum of _____ Dollars
11 (\$0.00) or so much thereof as may be necessary for transfer to the
12 Teachers' Retirement System Dedicated Revenue Revolving Fund.

13 SECTION 14. There is hereby appropriated to the State Board of
14 Education from any monies not otherwise appropriated from the
15 Oklahoma Education Lottery Trust Fund of the State Treasury for the
16 fiscal year ending June 30, 2014, the sum of _____ Dollars
17 (\$0.00) or so much thereof as may be necessary for transfer to the
18 Teachers' Retirement System Dedicated Revenue Revolving Fund.

19 SECTION 15. For the fiscal year ending June 30, 2016, the
20 support of public school activities by the State Board of Education
21 payable from monies appropriated and authorized by Sections 1
22 through 10 of this act shall be apportioned as follows:

23 1. Funds appropriated and authorized by Sections 1 through 7 of
24 this act:

1	Local and State-supported Financial Support	
2	of Public Schools.....	\$0.00
3	SUBTOTAL, PARAGRAPH 1.....	\$0.00
4	2. Funds appropriated by Sections 8 and 9 of this act:	
5	Certified Employee Health Benefit	
6	Allowance.....	\$0.00
7	Support Personnel Health Benefit	
8	Allowance.....	\$0.00
9	Teachers' Retirement Credit.....	\$0.00
10	Education Leadership Oklahoma.....	\$0.00
11	Reform Implementation.....	\$0.00
12	Purchase of Textbooks and	
13	Instructional Materials.....	\$0.00
14	Alternative and High Challenge	
15	Education.....	\$0.00
16	Financial Literacy	\$0.00
17	Early Intervention.....	\$0.00
18	Early Childhood Initiative.....	\$0.00
19	Parent Training Program.....	\$0.00
20	School Lunch Matching.....	\$0.00
21	School Lunch Programs.....	\$0.00
22	Rural Infant Stimulation	
23	Environment Program.....	\$0.00
24	Oklahoma Arts Institute.....	\$0.00

1 Driver Education.....\$0.00
 2 AG in the Classroom.....\$0.00
 3 Recreation Therapy Grants.....\$0.00
 4 SUBTOTAL, PARAGRAPH 2.....\$0.00

5 3. Funds appropriated by Section 10 of this act:

6 Administrative and Support Functions
 7 of the State Department of Education.....\$0.00
 8 SUBTOTAL, PARAGRAPH 3.....\$0.00
 9 TOTAL State School Aid and Programs.....\$0.00

10 SECTION 16. For the fiscal year ending June 30, 2016, the State
 11 Board of Education shall budget all funds in the following
 12 categories and amounts:

<u>Category</u>	<u>Total</u>
14 Payroll, Salaries or Wages, Including	
15 Tax-sheltered Deferment Contracts and	
16 Longevity Payments Authorized by	
17 State Statutes	\$0.00
18 Professional and Personal Services	
19 Contracts	0.00
20 Other Operating Funds	0.00
21 Expenditure of Federal Funds	<u>0.00</u>
22 TOTAL	\$0.00

23
24

1 SECTION 17. The funds appropriated in Sections 11 and 12 of
2 this act in the amount of _____ Dollars (\$0.00) shall be
3 transferred to the School Consolidation Assistance Fund.

4 SECTION 18. The funds appropriated in Sections 13 and 14 of
5 this act in the amount of _____ Dollars (\$0.00) shall be
6 transferred to the Teachers' Retirement System Dedicated Revenue
7 Revolving Fund.

8 SECTION 19. The funds allocated in Section 15 of this act
9 specifically for the purpose of funding the Teachers' Retirement
10 Credit shall be transferred to the Teachers' Retirement System of
11 Oklahoma.

12 SECTION 20. The funds allocated in Section 15 of this act for
13 the purpose of funding Education Leadership Oklahoma shall be
14 expended as follows:

15 1. _____ Dollars (\$0.00) shall be
16 transferred to the Oklahoma National Board Certification Revolving
17 Fund created in Section 6-204.4 of Title 70 of the Oklahoma Statutes
18 for the purpose of awarding annual bonuses as directed; and

19 2. _____ Dollars (\$0.00) shall be
20 transferred to the Oklahoma School Psychologist, Speech-Language
21 Pathologist, and Audiologist National Certification Revolving Fund
22 created in Section 6-206.1 of Title 70 of the Oklahoma Statutes for
23 the purpose of awarding annual bonuses as directed.

24

1 SECTION 21. The funds allocated in Section 15 of this act for
2 Reform Implementation shall be expended as follows:

3 1. _____ Dollars (\$0.00) for ACE Remediation shall be
4 allocated by the State Department of Education to school districts
5 for the purpose of funding school districts on a per-hour per-
6 student basis for the costs associated with providing remediation to
7 students pursuant to the provisions of Section 1210.522 of Title 70
8 of the Oklahoma Statutes. The State Board of Education shall
9 determine the per-hour per-student dollar amount to be allocated to
10 school districts;

11 2. _____ Dollars (\$0.00) for the Advanced Placement
12 Incentives shall be expended for one-time equipment or materials,
13 grants, subsidized training, school incentives, exam fee
14 reimbursement, Advancement Through Individual Determination (AVID),
15 National Math and Science Initiative (NMSI) and administrative
16 costs. The amount of funds expended for administrative costs shall
17 not exceed _____ Dollars (\$0.00);

18 3. _____ Dollars (\$0.00) for Reading Sufficiency.
19 Funds shall be expended for costs associated with multiple ongoing
20 assessments and remediation pursuant to the provisions of Sections
21 1210.508C and 1210.508D of Title 70 of the Oklahoma Statutes;

22 4. _____ Dollars (\$0.00) for the Charter Schools
23 Incentive Fund shall be transferred to the Charter Schools Incentive
24

1 Fund for use pursuant to the provisions of Section 3-144 of Title 70
2 of the Oklahoma Statutes;

3 5. _____ Dollars (\$0.00) for development and
4 implementation of standards. Funds shall be used to provide
5 professional development to schools throughout the state;

6 6. _____ Dollars (\$0.00) for STEM-Ready schools.
7 Funds shall be used to prepare teachers in selected Oklahoma schools
8 in Science, Technology, Engineering and Math;

9 7. _____ Dollars (\$0.00) for Think Through Math.
10 Funds shall be used to develop and implement a technology-based
11 intervention and remediation program in mathematics;

12 8. _____ Dollars (\$0.00) for Staff Development for
13 schools shall be allocated on an average daily attendance basis for
14 the purpose of teacher education and staff development pursuant to
15 rules that shall be promulgated by the State Board of Education;

16 9. _____ Dollars (\$0.00) for Teacher and Leader
17 Effectiveness (TLE) Development of Value Added Component. Funds
18 shall be used to implement the provisions of Section 6-101.16 of
19 Title 70 of the Oklahoma Statutes;

20 10. _____ Dollars (\$0.00) for 3rd Grade Reading
21 Readiness shall be used to implement the provisions of Section
22 1210.508C of Title 70 of the Oklahoma Statutes;

23 11. _____ Dollars (\$0.00) for Oklahoma Student
24 Information System Data. Funds shall be used to support the data

1 systems development and integration and other activities as outlined
2 in the State Longitudinal Data Systems (SLDS) grant;

3 12. _____ Dollars (\$0.00) for student testing;

4 13. _____ Dollars (\$0.00) shall be allocated for
5 the Teach for America program; and

6 14. _____ Dollars (\$0.00) shall be used for School
7 Competitive Grants Pool. These funds shall be made available on a
8 statewide competitive application basis as specified by the State
9 Department of Education.

10 SECTION 22. The funds allocated in Section 15 of this act for
11 Alternative and High Challenge Education shall be expended for the
12 purpose of operating the statewide system of alternative education
13 programs as provided in Section 1210.568 of Title 70 of the Oklahoma
14 Statutes, and for encouraging school districts to participate in
15 innovative alternative education programs. The funds shall be
16 expended as follows:

17 1. _____ Dollars (\$0.00) for statewide programs; and

18 2. _____ Dollars (\$0.00) for program evaluation,

19 technical assistance and staff development conducted by the
20 contracted technical assistance provider as provided for in Section
21 1210.568 of Title 70 of the Oklahoma Statutes.

22 SECTION 23. The funds allocated in Section 15 of this act for
23 Financial Literacy shall be used to implement the provisions of
24 Section 11-103.6h of Title 70 of the Oklahoma Statutes.

1 SECTION 24. The funds allocated in Section 15 of this act for
2 Early Intervention shall be transferred to the fund designated
3 within the Office of Management and Enterprise Services as the Early
4 Intervention Fund 250. It is the intent of the Legislature that
5 funding available for SoonerStart Early Intervention Services be
6 expended for direct services to eligible infants, toddlers and their
7 families. The State Department of Education shall not contract, pay
8 or reimburse for administrative cost recovery personnel, accounting,
9 and management information system costs, maintenance and operations
10 at the state or local level or indirect costs which do not comply
11 with the requirements of Section 13-125 of Title 70 of the Oklahoma
12 Statutes.

13 SECTION 25. The funds allocated in Section 15 of this act for
14 the Early Childhood Initiative shall be expended for the purpose of
15 funding the early childhood program pursuant to the provisions of
16 Section 10-105.4 of Title 70 of the Oklahoma Statutes.

17 SECTION 26. The funds allocated in Section 15 of this act for
18 the Parent Training Program, as authorized in Section 10-105.3 of
19 Title 70 of the Oklahoma Statutes, shall be expended for the
20 continuation and expansion of the Oklahoma Parents as Teachers
21 Program.

22 SECTION 27. The funds allocated for the Rural Infant
23 Stimulation Environment (RISE) Program in Section 15 of this act
24 shall be used for capital expenditures and operations for a school

1 designed to serve children with disabilities from birth to five (5)
2 years of age.

3 SECTION 28. The duties and compensation of employees, not
4 otherwise prescribed by law, necessary to perform the duties imposed
5 upon the State Department of Education by law shall be set by the
6 State Board of Education. The State Department of Education for the
7 fiscal year ending June 30, 2016, shall be subject to the following
8 budgetary limitations on full-time-equivalent employees and
9 expenditures excluding expenditures for capital and special
10 projects, except as may be authorized pursuant to the provisions of
11 Section 3603 of Title 74 of the Oklahoma Statutes:

<u>Budgetary Limitation</u>	<u>Amount</u>
12 Full-Time-Equivalent Employees	0.0
14 Lease-Purchase Agreements	\$0.00

15 SECTION 29. State Aid funds shall be reduced or withheld by the
16 State Board of Education in an amount necessary to ensure compliance
17 with the provisions of this act.

18 SECTION 30. The State Board of Education is authorized to
19 request the Office of Management and Enterprise Services to transfer
20 appropriated funds to the appropriate dispensing fund.

21 SECTION 31. If funds appropriated in this act are not
22 sufficient to fully fund the provisions of this act, each school
23 district which qualifies for funds, excluding Financial Support of
24

1 Public Schools, pursuant to the provisions of this act shall take a
2 proportionate reduction.

3 SECTION 32. Appropriations made by this act, not including
4 appropriations made for capital outlay purposes, may be budgeted for
5 the fiscal year ending June 30, 2016 (hereafter FY-16) or may be
6 budgeted for the fiscal year ending June 30, 2017 (hereafter FY-17).
7 Funds budgeted for FY-16 may be encumbered only through June 30,
8 2016, and must be expended by November 15, 2016. Any funds
9 remaining after November 15, 2016, and not budgeted for FY-17, shall
10 lapse to the credit of the proper fund for the then current fiscal
11 year. Funds budgeted for FY-17 may be encumbered only through June
12 30, 2017. Any funds remaining after November 15, 2017, shall lapse
13 to the credit of the proper fund for the then current fiscal year.
14 These appropriations may not be budgeted in both fiscal years
15 simultaneously. Funds budgeted in FY-16, and not required to pay
16 obligations for that fiscal year, may be budgeted for FY-17, after
17 the agency to which the funds have been appropriated has prepared
18 and submitted a budget work program revision removing these funds
19 from the FY-16 budget work program and after such revision has been
20 approved by the Office of Management and Enterprise Services.

21 SECTION 33. This act shall become effective July 1, 2015.

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