

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 HOUSE BILL NO. 4153

By: Wallace and Hilbert of the  
House

6 and

7 Thompson and Rader of the  
8 Senate

9  
10  
11 COMMITTEE SUBSTITUTE

12 An Act relating to education; specifying  
13 apportionment of certain appropriated funds;  
14 providing for the budgeting of funds in certain  
15 categories and amounts; requiring development of  
16 certain performance measures; requiring transfer of  
17 funds to the School Consolidation Assistance Fund;  
18 requiring transfer of funds to the Teachers'  
19 Retirement System Dedicated Revenue Revolving Fund;  
20 requiring the transfer of funds to the Teachers'  
21 Retirement System of Oklahoma for the Teachers'  
22 Retirement Credit; authorizing the reduction of  
23 certain apportionment under certain condition;  
24 limiting authority to reduce certain apportionments;  
requiring funds allocated for Education Leadership  
Oklahoma be expended for certain purposes; stating  
purpose for funds allocated for certain programs;  
stating purpose for funds allocated for Alternative  
and High Challenge Education; requiring transfer of  
Early Intervention funds; stating intent regarding  
expenditures for direct costs; prohibiting the State  
Department of Education from contracting for certain  
administrative costs in the Oklahoma Early  
Intervention Act; stating purpose for funds allocated  
for the Secure Schools Program; stating purpose for  
funds allocated for the Early Childhood Initiative;

1 providing for duties and compensation of employees of  
2 the State Department of Education; requiring the  
3 reduction or withholding of State Aid funds for  
4 certain purposes; authorizing the State Board of  
5 Education to request transfer of certain funds;  
6 authorizing the request of early allocations for  
7 certain funds; requiring proportional reductions of  
8 allocations under certain conditions; authorizing  
9 exemption from budgetary limits for unanticipated  
10 federal funds; providing procedures; requiring  
11 approval of exemption request under certain  
12 conditions; requiring budgeting of certain funds in  
13 certain years; providing lapse dates; requiring  
14 certain budgeting procedures; and prohibiting certain  
15 budgeting procedures.

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

17 SECTION 1. For the fiscal year ending June 30, 2021, the  
18 support of public school activities by the State Board of Education  
19 payable from monies appropriated and authorized by Sections 1  
20 through 12 of Enrolled Senate Bill No. 1922 of the 2nd Session of  
21 the 57th Oklahoma Legislature and by Section 1 of Enrolled Senate  
22 Bill No. 1921 of the 2nd Session of the 57th Oklahoma Legislature  
23 shall be apportioned as follows:

24 1. Funds appropriated and authorized by Sections 1 through 7 of  
Enrolled Senate Bill No. 1922 of the 2nd Session of the 57th  
Oklahoma Legislature and by Section 1 of Enrolled Senate Bill No.  
1921 of the 2nd Session of the 57th Oklahoma Legislature:

1	Local and State-supported Financial	
2	Support of Public Schools	\$2,300,970,699.00
3	SUBTOTAL, PARAGRAPH 1	\$2,300,970,699.00
4	2. Funds appropriated by Sections 8 through 11 of Enrolled	
5	Senate Bill No. 1922 of the 2nd Session of the 57th Oklahoma	
6	Legislature:	
7	Certified Employee Health Benefit	
8	Allowance	\$347,081,644.00
9	Support Personnel Health Benefit	
10	Allowance	\$188,455,377.00
11	Teachers' Retirement Credit	\$34,000,000.00
12	Purchase of Textbooks and	
13	Instructional Materials	\$33,000,000.00
14	Alternative and High Challenge	
15	Education	\$10,000,000.00
16	Education Leadership Oklahoma	\$4,900,000.00
17	Advanced Placement Incentives	\$1,000,000.00
18	Reading Sufficiency Act	\$11,000,000.00
19	Teacher and Leader Effectiveness	\$125,000.00
20	Required Assessments	\$4,205,685.00
21	Teach for America	\$2,000,000.00
22	Great Expectations	\$300,000.00
23	Street School	\$100,000.00
24	Ag in the Classroom	\$38,000.00

1	Imagine Math	\$1,000,000.00
2	Early Intervention	\$14,400,341.00
3	School Lunch Matching	\$3,500,000.00
4	Secure Schools Program	\$2,350,000.00
5	Early Childhood Initiative	\$12,000,000.00
6	SUBTOTAL, PARAGRAPH 2	\$669,456,047.00
7	3. Funds appropriated by Section 12 of Enrolled Senate Bill No.	
8	1922 of the 2nd Session of the 57th Oklahoma Legislature:	
9	Administrative and Support Functions of	
10	the State Department of Education	\$15,027,640.00
11	SUBTOTAL, PARAGRAPH 3	\$15,027,640.00
12	TOTAL State School Aid and Programs	\$2,985,454,386.00
13	SECTION 2. For the fiscal year ending June 30, 2021, 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, Including	\$18,246,524.00
18	Tax-sheltered Deferment Contracts and	
19	Longevity Payments Authorized by	
20	State Statutes Professional and	
21	Personal Services	\$16,250,280.00
22	Contracts Other Operating Funds	\$2,966,490,508.00
23	Expenditure of Federal Funds	\$1,043,058,509.00
24	TOTAL	\$4,044,045,822.00

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

3 SECTION 3. The funds appropriated in Sections 13 and 14 of  
4 Enrolled Senate Bill No. 1922 of the 2nd Session of the 57th  
5 Oklahoma Legislature in the amount of Three Million Six Hundred  
6 Thirty-seven Thousand Seven Hundred Fourteen Dollars (\$3,637,714.00)  
7 shall be transferred to the School Consolidation Assistance Fund.

8 SECTION 4. The funds appropriated in Sections 15 and 16 of  
9 Enrolled Senate Bill No. 1922 of the 2nd Session of the 57th  
10 Oklahoma Legislature in the amount of Three Million Six Hundred  
11 Thirty-seven Thousand Seven Hundred Fourteen Dollars (\$3,637,714.00)  
12 shall be transferred to the Teachers' Retirement System Dedicated  
13 Revenue Revolving Fund.

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

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

1 Placement Incentives, Reading Sufficiency, Teacher and Leader  
2 Effectiveness Programs, Alternative and High Challenge Education,  
3 Required Assessments, Street School, Ag in the Classroom, Imagine  
4 Math, and Great Expectations. Total amount of funds reduced shall  
5 not exceed the additional amount required to fully fund the employee  
6 contribution credits.

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

10 1. Two Million Dollars (\$2,000,000.00) shall be transferred to  
11 the Oklahoma National Board Certification Revolving Fund created in  
12 Section 6-204.4 of Title 70 of the Oklahoma Statutes for the purpose  
13 of awarding annual bonuses as directed; and

14 2. Two Million Nine Hundred Thousand Dollars (\$2,900,000.00)  
15 shall be transferred to the Oklahoma School Psychologist, Speech-  
16 language Pathologist, and Audiologist National Certification  
17 Revolving Fund created in Section 6-206.1 of Title 70 of the  
18 Oklahoma Statutes for the purpose of awarding annual bonuses as  
19 directed.

20 SECTION 8. The funds allocated in Section 1 of this act for  
21 Advanced Placement Incentives shall be expended for the purpose of  
22 providing assistance for students in financial need, grants to  
23 districts wanting to start new AP programs and expand professional  
24

1 development, pursuant to the provisions of Section 1210.703 of Title  
2 70 of the Oklahoma Statutes.

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

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

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

16 SECTION 12. The funds allocated in Section 1 of this act for  
17 Great Expectations shall be expended for scholarships to the Great  
18 Expectations Summer Institutes for Teachers offered by an  
19 institution within The Oklahoma State System of Higher Education  
20 pursuant to Section 6-194.2 of Title 70 of the Oklahoma Statutes.

21 SECTION 13. The funds allocated in Section 1 of this act for  
22 Alternative and High Challenge Education shall be expended for the  
23 purpose of operating the statewide system of alternative education  
24 programs as provided in Section 1210.568 of Title 70 of the Oklahoma

1 Statutes, and for encouraging school districts to participate in  
2 innovative alternative education programs.

3 SECTION 14. The funds allocated in Section 1 of this act for  
4 Early Intervention shall be transferred to the Early Intervention  
5 Fund 250. It is the intent of the Legislature that funding  
6 available for SoonerStart Early Intervention Services be expended  
7 for direct services to eligible infants, toddlers and their  
8 families. The State Department of Education shall not contract, pay  
9 or reimburse for administrative cost recovery personnel, accounting,  
10 and management information system costs, maintenance and operations  
11 at the state or local level or indirect costs which do not comply  
12 with the requirements of Section 13-125 of Title 70 of the Oklahoma  
13 Statutes.

14 SECTION 15. The funds allocated in Section 1 of this act for  
15 the Secure Schools Program is for the purpose of implementing a  
16 statewide K-12 public school mobile panic button system.

17 SECTION 16. The funds allocated in Section 1 of this act for  
18 the Early Childhood Initiative shall be expended for the purpose of  
19 funding the early childhood program pursuant to the provisions of  
20 Section 10-105.4 of Title 70 of the Oklahoma Statutes.

21 SECTION 17. The duties and compensation of employees, not  
22 otherwise prescribed by law, necessary to perform the duties imposed  
23 upon the State Department of Education by law shall be set by the  
24 State Board of Education.



1 SECTION 18. State Aid funds shall be reduced or withheld by the  
2 State Board of Education in an amount necessary to ensure compliance  
3 with the provisions of this act.

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

7 SECTION 20. The Superintendent of the State Board of Education  
8 may request through the Director of the Office of Management and  
9 Enterprise Services the early transfer by the Oklahoma Tax  
10 Commission of tax collections to the Education Reform Revolving Fund  
11 for the purpose of early allocation to the Board's disbursing funds  
12 to alleviate cash-flow problems.

13 SECTION 21. If funds appropriated in Sections 1 through 16 of  
14 Enrolled Senate Bill No. 1922 and Section 1 of Enrolled Senate Bill  
15 No. 1921 of the 2nd Session of the 57th Oklahoma Legislature are not  
16 sufficient to fully fund the provisions of this act, each school  
17 district which qualifies for funds, excluding Financial Support of  
18 Public Schools, pursuant to the provisions of this act shall take a  
19 proportionate reduction.

20 SECTION 22. A. The Superintendent of the State Board of  
21 Education may request, in the manner provided in this section, that  
22 receipt and expenditure of unanticipated federal funds awarded after  
23 July 1, 2020, be exempt from expenditure limitations and from  
24 budgetary limitations.

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

4           2. The Superintendent shall also file copies of the request for  
5 exemption and budget work program revisions with the Oklahoma House  
6 of Representatives Appropriations and Budget Committee Chair and the  
7 Oklahoma State Senate Appropriations Committee Chair. The House  
8 Appropriations and Budget Committee Chair and/or the Senate  
9 Appropriations Committee Chair shall notify the Office of Management  
10 and Enterprise Services of any noncompliance of the request with  
11 legislative intent within twelve (12) calendar days of their receipt  
12 of the exemption request.

13           B. The Office of Management and Enterprise Services shall  
14 approve the request for exemption unless both the Chair and Vice  
15 Chair of the Joint Legislative Committee on Budget and Program  
16 Oversight provide written notification to the Office of Management  
17 and Enterprise Services within twelve (12) calendar days of the  
18 Committee's receipt of the exemption request that the exemption  
19 subverts the intention and objectives of the Legislature in  
20 establishing the original limit. The Office of Management and  
21 Enterprise Services shall give written notice of approval or  
22 disapproval of each exemption to the agency, the Governor, the Chair  
23 of the House Appropriations and Budget Committee and the Chair of  
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1 the Senate Appropriations Committee within eighteen (18) calendar  
2 days of receiving the request.

3 SECTION 23. Appropriations made by Sections 1 through 16 of  
4 Enrolled Senate Bill No. 1922 of the 2nd Session of the 57th  
5 Oklahoma Legislature and Section 1 of Enrolled Senate Bill No. 1921  
6 of the 2nd Session of the 57th Oklahoma Legislature, not including  
7 appropriations made for capital outlay purposes, may be budgeted for  
8 the fiscal year ending June 30, 2021 (hereafter FY-21) or may be  
9 budgeted for the fiscal year ending June 30, 2022 (hereafter FY-22).  
10 Funds budgeted for FY-21 may be encumbered only through June 30,  
11 2021, and must be expended by November 15, 2021. Any funds  
12 remaining after November 15, 2021, and not budgeted for FY-22, shall  
13 lapse to the credit of the proper fund for the then current fiscal  
14 year. Funds budgeted for FY-22 may be encumbered only through June  
15 30, 2022. Any funds remaining after November 15, 2022, shall lapse  
16 to the credit of the proper fund for the then current fiscal year.  
17 These appropriations may not be budgeted in both fiscal years  
18 simultaneously. Funds budgeted in FY-21, and not required to pay  
19 obligations for that fiscal year, may be budgeted for FY-22, after  
20 the agency to which the funds have been appropriated has prepared  
21 and submitted a budget work program revision removing these funds  
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1 from the FY-21 budget work program and after such revision has been  
2 approved by the Office of Management and Enterprise Services.

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