

# An Act

ENROLLED SENATE  
BILL NO. 1048

By: Thompson, Rader and Sharp  
of the Senate

and

Wallace, Hilbert and  
Hasenbeck of the House

An Act relating to education; specifying apportionment of certain funds which were appropriated; prohibiting supplantation; requiring certain reports; stating contents of reports; requiring posting of information on certain website; providing for the budgeting of funds in certain categories and amounts; requiring development of certain performance measures; requiring transfer of funds to the School Consolidation Assistance Fund; requiring transfer of funds to the Teachers' Retirement System Dedicated Revenue Revolving Fund; requiring the transfer of funds to the Teachers' Retirement System of Oklahoma for the Teachers' Retirement Credit; requiring funds allocated for Education Leadership Oklahoma to be transferred and expended for certain purposes; specifying purposes for funds allocated for Reform Implementation; 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 Early Childhood Initiative; stating purpose for funds allocated for the Secure Schools 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 certain transfer of funds; providing for certain proportional reduction of funds; requiring budgeting of certain funds in certain years; providing lapse dates; requiring certain budgeting procedures; providing an effective date; and declaring an emergency.

SUBJECT: State Department of Education

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

SECTION 1. Of the funds appropriated in Section 1 of Enrolled House Bill 2765 of the 1st Session of the 57th Oklahoma Legislature, Fifty-eight Million Eight Hundred Fifty-eight Thousand Five Hundred Three Dollars (\$58,858,503.00) shall be used for the purpose of providing an increase in compensation for certified personnel as defined by Section 26-103 of Title 70 of the Oklahoma Statutes. The salary increase provided for in this section shall be in addition to, and not as a replacement for, the step increase indicated for the certified employee pursuant to the State Minimum Salary Schedule, as provided in Section 18-114.14 of Title 70 of the Oklahoma Statutes.

By December 31, 2019, school districts shall report to the State Department of Education the amount of increase in compensation each teacher received as a result of these funds.

No later than February 1, 2020, the State Department of Education shall make this data available on its website for public viewing and shall submit a report to the President Pro Tempore of the Senate and the Speaker of the House of Representatives.

SECTION 2. For the fiscal year ending June 30, 2020, the support of public school activities by the State Board of Education payable from monies appropriated and authorized by Sections 1-8 Of Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature shall be apportioned as follows:

1. Funds appropriated and authorized by Sections 1 through 7 of Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature:

Local and State-supported Financial Support of Public Schools	\$2,411,771,057.00
SUBTOTAL, PARAGRAPH 1	\$2,411,771,057.00

2. Funds appropriated by Sections 8 through 11 of Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature:

Certified Employee Health Benefit Allowance	\$322,414,199.00
Support Personnel Health Benefit Allowance	\$180,277,721.00
Teachers' Retirement Credit	\$24,175,685.00
Education Leadership Oklahoma	\$6,575,000.00
Reform Implementation	\$25,868,000.00
Purchase of Textbooks and Instructional Materials	\$33,000,000.00
Alternative and High Challenge Education	\$11,000,000.00
Early Intervention	\$14,400,341.00
Early Childhood Initiative	\$12,000,000.00
School Lunch Matching	\$3,500,000.00
Great Expectation	\$400,000.00
Secure Schools Program	\$3,000,000.00
SUBTOTAL, PARAGRAPH 2	\$636,610,946.00

3. Funds appropriated by Section 12 of Enrolled House Bill 2765 of the 1st Session of the 57th Oklahoma Legislature:

Administrative and Support Functions of the State Department of Education	\$16,246,097.00
SUBTOTAL, PARAGRAPH 3	\$16,246,097.00
TOTAL State School Aid and Programs	\$3,064,628,100.00

SECTION 3. For the fiscal year ending June 30, 2020, the State Board of Education shall budget all funds in the following categories and amounts:

<u>Category</u>	<u>Total</u>
Payroll, Salaries or Wages, Including Tax -sheltered deferment Contracts and Longevity Payments Authorized by State Statutes	\$16,246,097.00
Professional and Personal Services Contracts	\$70,000,000.00
Other Operating Funds	\$2,984,704,957.00
Expenditure of Federal Funds	\$700,000,000.00
TOTAL	\$3,770,951,054.00

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

SECTION 4. The funds appropriated in Sections 13 and 14 of Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature in the amount of Three Million One Hundred Sixty-one Thousand Four Hundred Seventy-seven Dollars (\$3,161,477.00) shall be transferred to the School Consolidation Assistance Fund.

SECTION 5. The funds appropriated in Sections 15 and 16 of Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature in the amount of Three Million One Hundred Sixty-one Thousand Four Hundred Seventy-seven Dollars (\$3,161,477.00) shall be transferred to the Teachers' Retirement System Dedicated Revenue Revolving Fund.

SECTION 6. The funds allocated in Section 2 of this act specifically for the purpose of funding the Teachers' Retirement Credit shall be transferred to the Teachers' Retirement System of Oklahoma.

SECTION 7. The funds allocated in Section 2 of this act for the purpose of funding Education Leadership Oklahoma shall be expended as follows:

1. Two Million Nine Hundred Fifty Thousand Dollars (\$2,950,000.00) shall be transferred to the Oklahoma National Board Certification Revolving Fund created in Section 6-204.2 of Title 70 of the Oklahoma Statutes for the purpose of awarding annual bonuses as directed; and

2. Three Million Six Hundred Twenty-five Thousand Dollars (\$3,625,000.00) shall be transferred to the Oklahoma School Psychologist, Speech-language Pathologist, and Audiologist National Certification Revolving Fund created in Section 6-206.1 of Title 70 of the Oklahoma Statutes for the purpose of awarding annual bonuses as directed.

SECTION 8. The funds allocated in Section 2 of this act for Reform Implementation shall be expended as follows:

1. One Million Three Hundred Thousand Dollars (\$1,300,000.00) for the Advanced Placement Teacher Training and Test Fee Assistance for the purpose of providing assistance for students in financial need, grants to districts wanting to start new AP programs and expand professional development, pursuant to the provisions of Section 1210.703 of Title 70 of the Oklahoma Statutes;

2. Twelve Million Dollars (\$12,000,000.00) for Reading Sufficiency pursuant to the provisions of Section 1210.508 of Title 70 of the Oklahoma Statutes;

3. One Hundred Fifty Thousand Dollars (\$150,000.00) for the Teacher Induction Program for the purpose of providing professional development, support and coaching to mentor teachers, pursuant to the provisions of Section 6-195 of Title 70 of the Oklahoma Statutes;

4. One Hundred Fifty Thousand Dollars (\$150,000.00) for development and implementations of standards for the purpose of developing frameworks and other materials to help teachers understand the standards and for training around the state, pursuant to Section 11-103.6 of Title 70 of the Oklahoma Statutes;

5. Two Hundred Fifty Thousand Dollars (\$250,000.00) for Teacher and Leader Effectiveness Programs for the purpose of improving the effectiveness of teachers and leaders in the public school system through continued development, pursuant to Section 6-101.16 of Title 70 of the Oklahoma Statutes;

6. Nine Million Six Hundred Thousand Dollars (\$9,600,000.00) for required assessments for the purpose of administering a state wide student assessment system for grades 3-8 and in high school, pursuant to Section 1210.508 of Title 70 of the Oklahoma Statutes;

7. Two Million Dollars (\$2,000,000.00) shall be allocated for the Teach for America Program;

8. One Hundred Eighty Thousand Dollars (\$180,000.00) shall be allocated for Street School;

9. Two Hundred Thousand Dollars (\$200,000.00) shall be allocated for the Oklahoma Arts Institute; and

10. Thirty-eight Thousand Dollars (\$38,000.00) shall be allocated for Ag in the Classroom.

SECTION 9. The funds allocated in Section 2 of this act for Alternative and High Challenge Education shall be expended for the purpose of operating the statewide system of alternative education programs as provided in Section 1210.568 of Title 70 of the Oklahoma Statutes, and for encouraging school districts to participate in innovative alternative education programs.

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

SECTION 11. The funds allocated in Section 2 of this act for the Secure Schools Program is for the purpose of implementing a statewide K-12 public school mobile panic button system.

SECTION 12. The funds allocated in Section 2 of this act for the Early Childhood Initiative shall be expended for the purpose of funding the early childhood program pursuant to the provisions of Section 10-105.4 of Title 70 of the Oklahoma Statutes.

SECTION 13. The duties and compensation of employees, not otherwise prescribed by law, necessary to perform the duties imposed upon the State Department of Education by law shall be set by the State Board of Education.

SECTION 14. State Aid funds shall be reduced or withheld by the State Board of Education in an amount necessary to ensure compliance with the provisions of this act.

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

SECTION 16. If funds appropriated in Sections 1 through 16 of Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature are not sufficient to fully fund the provisions of this act, each school district which qualifies for funds, excluding Financial Support of Public Schools, pursuant to the provisions of this act shall take a proportionate reduction.

SECTION 17. Appropriations made by Sections 1 through 16 of Enrolled House Bill No. 2765 of the 1st Session of the 57th Oklahoma Legislature, not including appropriations made for capital outlay purposes, may be budgeted for the fiscal year ending June 30, 2020 (hereafter FY-20) or may be budgeted for the fiscal year ending June 30, 2021 (hereafter FY-21). Funds budgeted for FY-20 may be encumbered only through June 30, 2020, and must be expended by November 15, 2020. Any funds remaining after November 15, 2020, and not budgeted for FY-21, shall lapse to the credit of the proper fund for the then current fiscal year. Funds budgeted for FY-21 may be encumbered only through June 30, 2021. Any funds remaining after November 15, 2021, shall lapse to the credit of the proper fund for the then current fiscal year. These appropriations may not be budgeted in both fiscal years simultaneously. Funds budgeted in FY-20, and not required to pay obligations for that fiscal year, may be budgeted for FY-21, after the agency to which the funds have been appropriated has prepared and submitted a budget work program revision removing these funds from the FY-20 budget work program and after such revision has been approved by the Office of Management and Enterprise Services.

SECTION 18. This act shall become effective July 1, 2019.

SECTION 19. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.



Passed the Senate the 21st day of May, 2019.

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Presiding Officer of the Senate

Passed the House of Representatives the 23rd day of May, 2019.

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Presiding Officer of the House  
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_