

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 SENATE BILL 394

By: Loveless

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 18-124, which relates to withholding of
9 certain expenditures; modifying certain definition to
include certain school positions; providing an
effective date; and declaring an emergency.

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

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 18-124, is
14 amended to read as follows:

15 Section 18-124. A. Any school district with an average daily
16 attendance (ADA) of more than one thousand five hundred (1,500)
17 students for the preceding year which expends for administrative
18 services in the 2005-06 school year or any school year thereafter,
19 less expenditures for legal services, more than five percent (5%) of
20 the amount it expends for total expenditures, less expenditures for
21 legal services, shall have the amount which exceeds the five percent
22 (5%) withheld the following year from the Foundation and Salary
23 Incentive Aid for the school district.

1 B. Any school district with an average daily attendance (ADA)
2 of more than five hundred (500) students but not more than one
3 thousand five hundred (1,500) students for the preceding year which
4 expends for administrative services in the 2005-06 school year or
5 any school year thereafter, less expenditures for legal services,
6 more than seven percent (7%) of the amount it expends for total
7 expenditures, less expenditures for legal services, shall have the
8 amount which exceeds the seven percent (7%) withheld the following
9 year from the Foundation and Salary Incentive Aid for the school
10 district.

11 C. Any school district with an average daily attendance (ADA)
12 of five hundred (500) or fewer students for the preceding year which
13 expends for administrative services in the 2005-06 school year or
14 any school year thereafter, less expenditures for legal services,
15 more than eight percent (8%) of the amount it expends for total
16 expenditures, less expenditures for legal services, shall have the
17 amount which exceeds the eight percent (8%) withheld the following
18 year from the Foundation and Salary Incentive Aid for the school
19 district.

20 D. For purposes of this section, "administrative services"
21 means costs associated with:

- 22 1. Staff for the board of education;
- 23 2. The secretary/clerk for the board of education;
- 24 3. Staff relations;

1 4. Negotiations staff;

2 5. Immediate staff of the superintendent, any elementary
3 superintendent or any assistant superintendent;

4 6. Any superintendent, elementary superintendent, or assistant
5 superintendent;

6 7. Any employee of a school district employed as a principal,
7 vice principal, director, coordinator, supervisor, or who has
8 responsibility for administrative functions of a school district;
9 and

10 8. Any consultant hired by the school district.

11 E. If an employee of a school district is employed in a
12 position where part of the employee's time is spent as an
13 administrator and part of the time is spent in nonadministrative
14 functions, the percentage of time spent as an administrator shall be
15 included as administrative services. A superintendent who spends
16 part of the time performing exempted nonadministrative services such
17 as teaching in the classroom, ~~serving as a principal,~~ counselor, or
18 library media specialist, can code up to forty percent (40%) of
19 their salary to other nonadministrative functions. The total amount
20 of time a superintendent of a school district spends performing
21 services for a school district shall be included as administrative
22 services even if part of the time the superintendent is performing
23 nonexempted nonadministrative service functions. The total amount
24 received by a superintendent from the school district as salary, for

1 the performance of administrative and nonexempted nonadministrative
2 services, shall be recorded under the code for superintendent salary
3 as provided for in the Oklahoma Cost Accounting System.

4 F. Each school site within a school district shall take steps
5 to ensure that the administrative costs for the school comply with
6 the expenditure limits established for school districts in this
7 section.

8 G. Funds withheld pursuant to the provisions of this section
9 shall be distributed through the State Aid formula to the districts
10 not so penalized.

11 H. For the 2003-04 and 2004-05 school year, school districts
12 shall report to the State Department of Education the costs
13 associated with administrative services for the school district as
14 defined in subsection D of this section.

15 SECTION 2. This act shall become effective July 1, 2017.

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

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