

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 HOUSE BILL 2080

By: Caldwell (Chad)

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5  
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2021,  
8 Section 18-124, which relates to State Aid; removing  
9 certain limitation on administrative services  
10 expenditures; modifying school attendance  
11 requirements for certain limitation; updating  
12 definition for administrative services; deleting  
13 outdated reference; providing an effective date; and  
14 declaring an emergency.

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

16 SECTION 1. AMENDATORY 70 O.S. 2021, Section 18-124, is  
17 amended to read as follows:

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

1 ~~(5%) withheld the following year from the Foundation and Salary~~  
2 ~~Incentive Aid for the school district.~~

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

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

22 ~~D.~~ C. For purposes of this section, "administrative services"  
23 means ~~costs associated with:~~

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1       ~~1. Staff expenditures for the administration of schools and~~  
2 ~~school districts including, but not limited to, expenditures for the~~  
3 ~~board of education;~~

4       ~~2. The secretary/clerk for the board of education;~~

5       ~~3. Staff relations;~~

6       ~~4. Negotiations staff;~~

7       ~~5. Immediate staff of the superintendent, any elementary~~  
8 ~~superintendent or any assistant superintendent;~~

9       ~~6. Any superintendent, elementary superintendent, or assistant~~  
10 ~~superintendent;~~

11       ~~7. Any employee of a school district employed as a director,~~  
12 ~~coordinator, supervisor, or who has responsibility for~~  
13 ~~administrative functions of a school district; and~~

14       ~~8. Any consultant hired by the school district administration~~  
15 ~~of school districts, superintendent and other school district~~  
16 ~~administrative employees and support staff, principals and other~~  
17 ~~school administrative employees and administrative support staff,~~  
18 ~~full-time department chairpersons, graduation expenses, and business~~  
19 ~~and central offices expenditures including, but not limited to,~~  
20 ~~fiscal services, budgeting, payroll, purchasing, storage, material~~  
21 ~~distribution, planning, research, evaluation, staff recruitment, and~~  
22 ~~data processing.~~

23       ~~E. D.~~ If an employee of a school district is employed in a  
24 position where part of the employee's time is spent as an

1 administrator and part of the time is spent in nonadministrative  
2 functions, the percentage of time spent as an administrator shall be  
3 included as administrative services. A superintendent who spends  
4 part of the time performing exempted nonadministrative services such  
5 as teaching in the classroom, serving as a principal, counselor, or  
6 library media specialist, can code up to forty percent (40%) of  
7 their salary to other nonadministrative functions. The total amount  
8 of time a superintendent of a school district spends performing  
9 services for a school district shall be included as administrative  
10 services even if part of the time the superintendent is performing  
11 nonexempted nonadministrative service functions. The total amount  
12 received by a superintendent from the school district as salary, for  
13 the performance of administrative and nonexempted nonadministrative  
14 services, shall be recorded under the code for superintendent salary  
15 as provided for in the Oklahoma Cost Accounting System.

16 ~~F.~~ E. Each school site within a school district shall take  
17 steps to ensure that the administrative costs for the school comply  
18 with the expenditure limits established for school districts in this  
19 section.

20 ~~G.~~ F. Funds withheld pursuant to the provisions of this section  
21 shall be distributed through the State Aid formula to the districts  
22 not so penalized.

23 ~~H.~~ ~~For the 2003-04 and 2004-05 school year, school districts~~  
24 ~~shall report to the State Department of Education the costs~~

1 ~~associated with administrative services for the school district as~~  
2 ~~defined in subsection D of this section.~~

3 SECTION 2. This act shall become effective July 1, 2023.

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

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