

“WARNING”

It is a felony for anyone to sign an initiative or referendum petition with any name other than his own, or knowingly to sign his name more than once for the measure, or to sign such petition when he is not a legal voter.

NOT MORE THAN FORTY SIGNATURES ON ONE SHEET SHALL BE COUNTED



INITIATIVE PETITION

TO THE HONORABLE HENRY BELLMON,
GOVERNOR OF OKLAHOMA

We, the undersigned citizens and legal voters of the State of Oklahoma, respectfully order that the following proposed law shall be submitted to the legal voters of the State of Oklahoma for their approval or rejection at the regular general election to be held on the 3rd day of November, A.D. 1964, or at a special election which might be called for said purpose, and each for himself says:

“I have personally signed this petition; I am a legal voter of the State of Oklahoma; my residence and post office are correctly written after my name. The time for filing this petition expires ninety days from April 2, 1964. The question we herewith submit to our fellow voters is: Shall the following bill be approved?”

TITLE

AN ACT RELATING TO THE PAYMENT OF STATE AID TO SCHOOL DISTRICTS; AMENDING 70 O.S. 1961, § 18-4, AS AMENDED; INCREASING ALLOWANCE IN MINIMUM PROGRAM OF SCHOOL DISTRICTS FOR CERTAIN ITEMS OF EXPENDITURES; FIXING BASIS FOR CALCULATION FOR TEACHERS' SALARIES IN MINIMUM PROGRAM OF SCHOOL DISTRICTS; PROVIDING FOR PAYMENT OF STATE AID TO SCHOOL DISTRICTS FOR SPECIAL UNITS APPROVED BY THE STATE BOARD OF EDUCATION; AND FIXING EFFECTIVE DATE OF ACT.

Be it Enacted by the People of the State of Oklahoma:

SECTION 1. 70 O.S. 1961, § 18-4, as amended in 1963, relating to the payment of State Aid to school districts, is hereby amended to read as follows:

The amount of money that a school district may qualify for, which shall be designated as “State Equalization Aid” under the provisions of this Article, shall be determined by subtracting the amount of the Minimum Program Income from the cost of the Minimum Program. The Minimum Program and the Minimum Program Income shall be defined as follows:

1. Minimum Program:

a. The number of teachers, not to exceed the number employed, and not to exceed the number as provided by this Article, and the salary schedule, as hereinafter set forth.

The term “teacher,” as used in this Article, shall include any person regularly employed to instruct children, or to superintend or supervise such instruction, or to serve as principal, librarian, nurse, census and attendance supervisor, provided such person shall have been properly certified as provided by law.

b. All other legal items of expenditure from the General Fund exclusive of teachers' salaries, transportation, and capital outlay, at the rate of eighteen (18) cents per pupil per day in attendance during the next preceding year for all pupils; provided, that no school district shall receive less than Two Hundred Dollars (\$200.00) per teacher per year for such purpose.

Until a school district has met all requirements of the State Board of Education, not less than the Minimum Program allowance shall be appropriated and expended for the purpose of fulfilling such requirements.

c. Teachers' salaries in the Minimum Program, as defined in this Article, shall be calculated on a basis of training levels and years of teaching experience as hereinafter set out. The beginning basic salary allowable for a teacher with a bachelor's degree for any fiscal year shall be 75 percent of the national average instructional staff salary of public elementary and secondary schools for the second preceding year as determined by the State Board of Education. Three (3) percent of such basic salary (calculated to the nearest dollar) shall be added for each additional training level reached, and three (3) percent of such basic salary (calculated to the nearest dollar) shall also be added for each year of teaching experience in any school approved by the State Board of Education, or time spent in military service during the period of National emergency and having received an honorable discharge, but not to exceed the number of years hereinafter designated. For the purposes of this Section, training levels, with the maximum number of years of teaching experience allowable, shall be as follows:

- (1) Bachelor's degree, 10 years of teaching experience.
- (2) Bachelor's degree and 15 additional hours approved by the State Board of Education, 11 years of teaching experience.
- (3) Master's degree, 12 years of teaching experience.
- (4) Master's degree and 15 additional hours approved by the State Board of Education, 13 years of teaching experience.
- (5) Master's degree and 30 additional hours approved by the State Board of Education, 14 years of teaching experience.
- (6) Doctor's degree, 15 years of teaching experience.

Provided, that in the event legislative appropriations are insufficient to finance the minimum salary program, school districts or any individual shall not be liable for unpaid salary obligations resulting therefrom.

d. The administrative increments shall be as follows:

(1) A teacher serving as superintendent shall have State Aid calculated for the term of his or her contract but not to exceed two (2) months in addition to the school term as defined by this Article, and shall receive an increment of Three Dollars (\$3.00) per month per teacher not to exceed twenty (20) teachers.

(2) Principal's or teaching principal's increment shall be Three Dollars (\$3.00) per month per teacher, not to exceed twenty (20) teachers per principal, for the school term. Provided, however, that school districts not maintaining a high school and qualifying for eight (8) or more teachers under the provisions of this Article shall have State Aid calculated for the term of the principal's contract but not to exceed two (2) months in addition to the school term as defined in this Article.

(3) No school district shall be granted increments for both superintendent and principal unless said school district shall qualify for eight (8) or more teachers under the terms of this Article, and maintains an accredited high school.

(4) A school nurse with qualifications approved by the State Health Department of the State of Oklahoma shall qualify under the provisions of this Article in the same manner as a teacher with a Bachelor's degree without experience, unless she has had experience as a school nurse.

(5) A tradesman or technician, not having a college degree, who is employed as an instructor in an approved vocational trade and industrial program and who meets the qualifications for instructors

as set forth in the Oklahoma State Plan for Vocational Education, approved by the State Department of Education and U. S. Office of Education, shall qualify under the provisions of this Article in the same manner as a teacher with a Bachelor's Degree without experience.

e. Regardless of whether it qualifies for State Equalization Aid, any school district paying less than said minimum salary schedule to any teacher shall have the difference deducted from the amount of State Equalization Aid, Basic Aid, Operational Fund Aid, gross production tax, auto license fees, or any other funds which would otherwise be paid by the state to the school district. Provided, that any district paying to any teacher not having a Bachelor's Degree less than the amount specified in the said minimum salary schedule for a teacher with a Bachelor's Degree and no experience shall have the difference deducted from the amount of State Equalization Aid, Basic Aid, Operational Fund Aid, gross production tax, auto license fees, or any other funds which would otherwise be paid by the state to the school district. Any state funds otherwise payable to a school district shall be withheld from any school or school district which does not comply with the standards of the State Board of Education. Provided, that this paragraph shall not apply to salaries of teachers employed in excess of the number for which the school district qualifies in the Minimum Program.

f. Transportation, on the basis of the following scale, where the average number of legally transported pupils per square mile during the next preceding year was:

- (1) .30, Seventy-six Dollars (\$76.00) per year per pupil.
- (2) .60, Fifty-eight Dollars (\$58.00) per year per pupil.
- (3) 1.0, Forty-three Dollars (\$43.00) per year per pupil.
- (4) 2.5, Thirty-six Dollars (\$36.00) per year per pupil.
- (5) 3.5, Thirty-two Dollars (\$32.00) per year per pupil.
- (6) 4.5, Twenty-nine Dollars (\$29.00) per year per pupil.
- (7) 5.5, Twenty-six Dollars (\$26.00) per year per pupil.
- (8) 6.5, Twenty-four Dollars (\$24.00) per year per pupil.
- (9) 7.5, Twenty-two Dollars (\$22.00) per year per pupil.
- (10) 8.0 or more, Fifteen Dollars (\$15.00) per year per pupil.
- (11) When the density is less than .40, or when it is necessary to transport pupils to a school to which they can legally attend within an area assigned as provided by law, the State Board of Education is authorized to make special adjustments to meet the reasonable, but not to exceed the actual, cost of transportation.

(12) Districts having a density of less than 8.0 and more than .30 shall have a per pupil year allowance calculated to the nearest dollar corresponding to the actual density of the district.

(13) A district correction figure shall be determined by dividing the cost of transportation in the district for the previous six (6) years by the minimum program for transportation in the district for the previous six (6) years as calculated by the State Board of Education. Each succeeding year's cost and minimum program, respectively, for an additional year shall be used in determining a permanent district correction figure. The district correction figure shall not exceed 1.25.

(14) The amount of transportation for each district shall be determined by multiplying the average number of pupils legally transported daily by the district during the next preceding year by the appropriate amount per pupil set out in the foregoing schedule and the resulting product multiplied by the district correction figure. The average number of pupils per square mile shall be determined by dividing the number of legally transported pupils by the area served as calculated by the State Board of Education. Unless and until the district has provided safe and adequate transportation, not less than the Minimum Program allocation shall be spent for such purpose.

g. The total number of elementary teachers in any school district on which the State will pay State Aid shall, on the basis of the legal average daily attendance for the previous year, be as follows:

- (1) In school districts having fifteen (15) to twenty-seven (27) pupils, one (1) teacher.
- (2) In school districts having twenty-eight (28) to fifty-two (52) pupils; two (2) teachers.
- (3) In school districts having fifty-three (53) to seventy-seven (77) pupils; three (3) teachers.
- (4) In school districts having seventy-eight (78) to one hundred (100) pupils; four (4) teachers.
- (5) In school districts having one hundred one (101) to one hundred twenty-two (122) pupils; five (5) teachers.
- (6) In school districts having one hundred twenty-two (122) or more pupils; five (5) teachers shall be allowed for the first one hundred twenty-two (122) pupils, and one (1) additional teacher for each twenty-six (26) pupils or fraction thereof to the nearest tenth (10th) provided the district employs such additional teacher or fraction of a teacher.

h. The State Board of Education shall declare isolated, and approve for at least one (1) teacher, any school district whose school house is more than twelve (12) miles by commonly traveled road from the school house of another school district, or districts, able to provide educational facilities including transportation. The State Board of Education shall approve for at least one (1) teacher any school district where transportation is furnished and the school bus serving such territory was able, because of the conditions of the road, to travel the route during the previous year less than ninety percent (90%) of the days school was actually taught. State Aid shall not be calculated for any other school district except as provided by this Section where the attendance was less than fifteen (15) average daily attendance during the next preceding year unless the State Board of Education shall determine that the roads to another school are such that the pupils eligible to attend such school cannot safely attend another school. However, beginning July 1, 1964, no school shall be declared as isolated under the provisions of this paragraph unless at least six (6) pupils were in average daily attendance during the next preceding year.

i. The total number of teachers in an accredited junior and senior high school as approved by the State Board of Education in any district on which the State will pay State Aid shall, on the basis of the legal average daily attendance for the previous year, be as follows:

- (1) In school districts having forty (40) to fifty-four (54) pupils; three (3) teachers.
- (2) In school districts having fifty-five (55) to seventy-two (72) pupils; four (4) teachers.
- (3) In school districts having seventy-two (72) or more pupils; four (4) teachers for the first seventy-two (72) pupils and one (1) teacher for each additional twenty-six (26) pupils in average daily attendance, calculating fractions thereof to the nearest tenth (10th) provided that the district employs such additional teacher or fraction of a teacher.

j. Any accredited high school having fewer than forty (40) pupils shall be given State Aid for two (2) teachers if its school house is more than twelve (12) miles by the commonly traveled road from the school house of a district able to provide educational facilities for all high school pupils.

k. In determining the number of teachers for any school district maintaining a school or schools outside the limits of a city or incorporated town, such school shall be calculated as a separate unit by the State Board of Education, provided the school cannot be transported or combined with another school or schools. Provided, that any school district where the pupils attending a school within such district cannot legally or in the judgment of the State Board of Education attend another school within such district such school shall be calculated as a separate unit.

l. Any school maintaining a reimbursed vocational program shall receive State Equalization Aid on the basis of an additional one-half (1/2) teaching unit for each full time vocational teacher so employed for the term of the reimbursed contract.

m. A full term of school under the provisions of this Article shall consist of ten (10) school months in which school has been in session not less than one hundred eighty (180) days; provided, however, that five (5) days may be used for attendance at professional meetings. Provided, further, that a school district may maintain school for less than a full term only when other conditions beyond the control of school authorities make impossible the maintenance of said term, but shall have its State Aid reduced proportionately.

n. Any isolated, accredited high school district in the State offering twelve (12) years of instruction shall receive State Aid on the basis of a minimum of three (3) high school teachers.

o. If a school district operates a school located in a state institution for the pupils of school age incarcerated in such institution, the attendance of such children shall not be included in the attendance of other schools of such school district, unless the board of education requests the State Board of Education to include such attendance for the purpose of calculating the Minimum Program of the district. Provided, such attendance shall not be used for apportioning other miscellaneous revenue; but such school district shall be paid State Aid in the amount of the Minimum Program of such school regardless of whether the school district qualifies for State Equalization Aid as provided elsewhere in this Article.

p. Notwithstanding any provisions hereinabove contained to the contrary, the State Board of Education is hereby authorized to apportion, from any appropriation provided for the purpose of this Article, an amount equal to the Minimum Program for the State Reformatory Schools computed on the same basis as the Minimum Program for school districts, and shall disburse same under rules and regulations as established by said board.

q. In addition to the number of teachers on which the State will pay State Aid, the State Board of Education shall also pay State Aid to school districts for special units approved by the State Board of Education on the basis of the legal average daily attendance for the previous year as follows:

- (1) In each school district maintaining twelve (12) years of approved instruction, one (1) teaching unit for a superintendent.
- (2) In each school district having not less than 100 pupils, 5/10 teaching unit for a principal; and in each school district having 325 or more pupils, one (1) teaching unit for a principal for the first 325 pupils, and one (1) additional teaching unit for a principal for each additional 400 pupils or major fraction thereof.
- (3) In each school district having 51 to 150 pupils, 2/10 teaching unit for a counselor; in each school district having 151 to 250 pupils, 4/10 teaching unit for a counselor; in each school district having 251 to 300 pupils, 6/10 teaching unit for a counselor; in each school district having 301 to 600 pupils, one teaching unit for a counselor, and an additional teaching unit for a counselor for each additional 600 pupils or major fraction thereof.

(4) One library teaching unit for each 1,250 pupils in average daily attendance or major fraction thereof.

2. The Minimum Program Income shall be:

a. The net assessed valuation of the school district multiplied by fifteen (15) mills. A ten per cent (10%) deduction shall be allowed for delinquent taxes.

b. County Apportionment

c. Gross Production Tax

d. Intangible Tax

e. State Apportionment

Each of the above-mentioned items of Minimum Program Income from (b) to (e), inclusive, shall be the amount actually collected from such source during the next preceding fiscal year calculated on a per capita basis on the unit provided by law for the distribution of each such revenue.

f. Basic Aid, actual amount allocated by the State Board of Education.

g. Auto License and Farm Truck Tax, actual collections during the previous year computed on a per capita average daily attendance basis.

h. Transfer Fees, as are now or shall hereafter be provided by law, in an amount equal to the amount which has been or should have been so appropriated in the budgets of the sending districts for the use and benefit of the receiving district.

i. And all other revenue which actually was, or which legally should have been, collected during the preceding year, except the following items: Proceeds from the sale of property, proceeds from the sale of oil and gas royalties or leases and bonuses in connection therewith when placed in the Sinking Fund by Resolution, surplus cash, taxes in process of collection, student laboratory and supply fees, income from athletic contests, plays, programs, and other student activities, tuition for junior college or approved nursery and kindergarten instruction, income from cafeterias and bookstores, State Aid for special education programs, reimbursement for approved vocational programs, reimbursements for utilities and custodial services, Federal Aid to districts from Indian Education, Federal Aid payable under Public Law 874 and 815 of the 81st Congress as amended, Federal Aid payable under Public Law 864 of the 85th Congress, as amended, and Federal grants received because of Federal flood control, forest reserves and submarginal lands shall be placed in the General Revenue Fund as nonchargeable income.

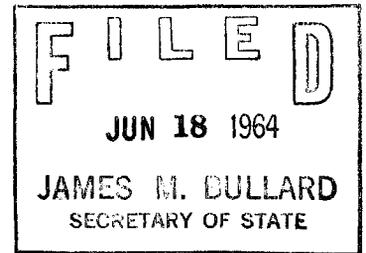
j. Seventy-five per cent (75%) of the amount received by the school district from the proceeds of the County levy during the next preceding fiscal year, as levied under Section 9 (b) Article X, Oklahoma Constitution.

k. Notwithstanding the foregoing, the amount to be charged as Minimum Program Income from gross production tax shall be the actual collection from such source during the current year if any producing oil or gas wells in the county are plugged because of the inundation of a part of the county as a result of the construction of a dam on a federal project; and the State Board of Education is hereby authorized to adjust the State Equalization Aid for each school district located therein for the school year 1959-60, so it will equal the amount of State Equalization Aid that would have been paid during such year if the actual collections for the current year had been used as Minimum Program Income.

SECTION 2. The preceding Section shall not be effective until the 1st day of July following approval of this Act, but shall be in full force and effect on and after said date.



STATE OF OKLAHOMA
OFFICE OF THE ATTORNEY GENERAL
OKLAHOMA CITY



CHARLES NESBITT
ATTORNEY GENERAL

June 18, 1964

Honorable James M. Bullard
Secretary of State
State Capitol
Oklahoma City, Oklahoma

Dear Sir:

You are hereby notified that pursuant to the discretion and duty lodged in and imposed upon the Attorney General by 34 O.S. 1961 § 9, he has examined the proposed Ballot Title to State Question No. 422, Initiative Petition No. 275, which, together with a copy of said petition, was delivered to him on June 16, 1964, by Mr. Ferman Phillips, Executive Secretary of the Oklahoma Education Association, and from said examination the Attorney General finds that said ballot title is in legal form and in harmony with the law. Said proposed ballot title is as follows:

BALLOT TITLE

STATE QUESTION NO. 422

INITIATIVE PETITION NO. 275

THE GIST OF THE PROPOSITION IS AS FOLLOWS:

Shall a Bill

relating to the payment of State Aid to school districts; amending 70 O.S. 1961, § 18-4, as amended; increasing allowance in minimum program of school districts for certain items of expenditures; fixing basis for calculation for teachers' salaries in minimum program of school districts; providing for payment of State Aid to school districts for additional teaching units approved by the State

Board of Education; and fixing effective date of
Act,

be approved by the people?

. . .
. . . YES
. . .

SHALL THE PROPOSED BILL BE APPROVED?

. . .
. . . NO.
. . .

Very truly yours,

FOR THE ATTORNEY GENERAL

Fred Hansen
Fred Hansen
Assistant Attorney General

FH:mr