



OKLAHOMA STATE
BOARD *of* EDUCATION

September 28, 2023

Holly Hankins
Records Management Clerk
Legislative Service Bureau/Legislative Office of Fiscal Transparency
2300 N. Lincoln Blvd, Room 107
Oklahoma City, OK 73105
holly.hankins@oklegislature.gov

Dear Ms. Hankins:

On behalf of the State Board of Education, I write to inform you that the School Capital Improvements Budget for 2024 is \$0.

The Board is mandated to file the budget with your office under 70 O.S. § 18-162. The budget is based on a statewide master four-year capital improvement plan, which is in turn based on local districts' four-year capital improvement plan. *See id.* § 18-153.

The budget does not exist because all school districts have been exempt from filing the underlying reports since 2015. The Legislature exempted school districts from filing capital improvement plans unless they received a certain designation under the federal No Child Left Behind Act. *See id.* § 3-153. The No Child Left Behind Act, in turn, was replaced by the federal Every Student Succeeds Act (ESSA) in 2015. *See* Every Student Succeeds Act, Pub. L. No. 114-95, 129 Stat. 1802 (2015). Thus, the designation that requires school districts to file the underlying reports no longer exists.

The State Department of Education will begin discussions with the Legislature about how the existing statutory framework could be updated to meet the goals of the Legislature and the Department. In the meantime, the statutory exemption for underlying reports compels the Board to adopt a budget of \$0.

Thank you for your interest in the ongoing work of the Board and the Department. We look forward to continue working with you and with LOFT to improve legislative reports.

Sincerely,

Ryan Walters
Chair, State Board of Education
State Superintendent of Public Instruction