

STATE OF OKLAHOMA

1st Session of the 43rd Legislature (1991)

HOUSE BILL NO. 1442

BY: BRYANT

AS INTRODUCED

AN ACT RELATING TO SCHOOLS; AMENDING 70 O.S. 1981, SECTION 8-106, AS AMENDED BY SECTION 1, CHAPTER 284, O.S.L. 1990 (70 O.S. SUPP. 1990, SECTION 8-106), WHICH RELATES TO DISPENSING WITH CERTAIN SCHOOLS AND SCHOOL DISTRICTS; REQUIRING DEPENDENT SCHOOL DISTRICTS TO CALL CERTAIN ELECTIONS; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION 1. AMENDATORY 70 O.S. 1981, Section 8-106, as amended by Section 1, Chapter 284, O.S.L. 1990 (70 O.S. Supp. 1990, Section 8-106), is amended to read as follows:

Section 8-106. A. Upon a majority vote of the electors in a school district voting at the annual school district election or at a special school district election called for such purpose and held not later than June 30, either a high school or a grade school, or both, shall be dispensed with for the ensuing year. An election for such purpose shall also be held upon petition for an election,

signed by forty percent (40%) of the school district electors. To calculate the sufficiency of the number of signatures on a petition, the forty percent (40%) figure shall be applied to the highest number of voters voting in a regular school election in the school district in the preceding five (5) years as determined by the secretary of the county election board. The secretary of the county election board shall certify the sufficiency of the number of signatures on the petition. The election shall be conducted by the county election board in accordance with Sections 13A-101 through 13A-111 of Title 26 of the Oklahoma Statutes. The secretary of the county election board shall notify the State Board of Education of the results of every election held to dispense with school.

B. All of the pupils who would be entitled to attend school in the grades dispensed with shall be transferred to another school district or districts maintaining courses of instruction which such pupils are entitled to pursue. The parent or guardian of each child desiring to be transferred from any school district dispensing with school shall be required to file an application for the transfer of the child or children of the parent or guardian with the county superintendent of schools, within ten (10) days after the results of the election are declared. The procedures for such transfers shall be the same as those for individual transfers.

C. In the 1992-93 school year, each dependent school district shall call an election for the purpose of deciding whether or not to dispense with the dependent district. An election for that purpose shall be held every five (5) years following the initial election. The elections shall be held pursuant to the provisions of Sections 13A-101 through 13A-111 of Title 26 of the Oklahoma Statutes.

~~C.~~ D. Any school district which dispenses with its entire school district for the ensuing year, as provided herein, shall be mandatorily annexed on July 1 by the State Board of Education to an adjacent school district or districts to which pupils of such

dispensed school district have been transferred. Provided, if a school district does not officially dispense with its school and fails to open or maintain a school for such ensuing year, the State Board of Education, except in cases where reasons over which the district had no control causes a normal delay in the opening or maintenance of such school, shall at its next regular meeting, annex such school district to an adjacent school district or districts to which pupils have been transferred. Provided further that if a school district does not have an average daily attendance that meets the State Board of Education regulations for accrediting purposes and does not dispense with its school by June 30, the State Board of Education shall annex such district to the high school transportation area in which the district is situated at the first regular or special meeting in July.

SECTION 2. This act shall become effective September 1, 1991.

43-1-6039

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