

STATE OF OKLAHOMA

1st Session of the 49th Legislature (2003)

HOUSE BILL HB1642

By: Blackwell

AS INTRODUCED

An Act relating to schools; granting school districts an exemption from certain requirements upon declaration of a financial emergency; requiring resolution to set forth criteria; providing example of certain criteria; requiring resolution to set forth other action; providing for notification of the State Board of Education; directing the Board to record notifications and issue an annual list; limiting exemption to certain time period; authorizing the Board to grant an extension; limiting number of extensions; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-129 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. If a school district board of education declares through adoption of a resolution that the school district is experiencing a financial emergency, the school district shall be exempt from the following statutory and regulatory requirements:

1. Class size limitations as set forth in Sections 18-113.1, 18-113.2, and 18-113.3 of this title;

2. Alternative education programs as set forth in Section 1210.568 of this title; and

3. Certification and staffing level standards for Library Media Specialist.

B. The resolution adopted by the board of education shall set forth the criteria used by the board to establish a financial emergency. One criteria that may be used, but is not required, is

the inability of the school district to finance the contract salaries of teachers employed by the school district. The resolution shall also outline any other steps the board is taking to manage the financial emergency.

C. Upon adoption of a resolution, the board of education shall notify the State Board of Education of the action and forward a copy of the resolution to the Board. The Board shall keep a record of each notification and shall annually compile a list of every school district that has taken action to declare a financial emergency in the last year.

D. The exemptions granted pursuant to this section shall be valid for not more than two (2) years from the date of adoption of a resolution declaring a financial emergency by the board of education. If after two years, the board of education determines that the school district is still experiencing a financial emergency, the board may seek a two-year extension from the State Board of Education. The Board may, upon application from the board of education, grant an extension to the emergency exemption if the Board determines that the school district is still experiencing a financial emergency. The Board may grant only one extension for each school district.

SECTION 2. This act shall become effective July 1, 2003.

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

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