

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1783

By: Miller (Ken), Dank, Jones  
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AS INTRODUCED

An Act relating to schools; creating the Administrative Reorganization and Consolidation Act; creating the Administrative Reorganization and Consolidation Commission; providing termination date; stating responsibilities of the Commission; providing for membership, officers, vacancies, meeting and travel reimbursement; requiring the Commission to develop guidelines and standards by certain date; stating purpose of guidelines; directing the Commission to study certain issues; providing for certain guideline standards; requiring the Commission to develop a list of recommendations by a certain date; requiring submission of list; providing for legislative approval; providing for submission of list to State Board of Education; providing for implementation of recommendations; allowing certain school district to voluntarily administratively consolidate; providing for submission of a plan; directing the Board to implement a joint countywide board of education pilot program; providing for selection of counties to participate in pilot program; requiring the Board to issue a report; directing the Commission to make certain recommendations; directing the Board to promulgate rules; limiting construction of act relating to closure of schools; prohibiting closure of schools until certain time; providing for codification; 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 7-301 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Administrative Reorganization and Consolidation Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7-302 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created to continue until July 1, 2012, the Administrative Reorganization and Consolidation Commission. The Commission shall be responsible for establishing guidelines for the administrative reorganization and consolidation of school district administration and shall make specific recommendations to the State Board of Education of school districts that meet one or more of the guideline standards and shall be administratively reorganized or consolidated. The Commission shall also monitor the progress of the implementation of the recommendations and if necessary modify the guidelines.

B. The Commission shall consist of seven (7) members who shall be appointed on or before September 1, 2005, as follows:

1. One member appointed by the State Superintendent of Public Instruction who shall be a parent of a student in a public school in the state;

2. Two members appointed by the Governor, of which one shall be a business person with professional experience relating to reorganization and modernization of private or public organizations or businesses and one shall be a retired superintendent of an independent school district;

3. Two members appointed by the Speaker of the House of Representatives, of which one shall be employed or associated with a higher education institution in the state with a degree or background in economics, finance, accounting or business and one shall be an active or retired military officer with professional experience relating to reorganization and modernization of private or public organizations or businesses; and

4. Two members appointed by the President Pro Tempore of the State Senate, of which one shall be a retired principal of a public

school in the state and one shall be a person with not less than ten (10) years teaching experience in a public school in the state.

C. The members of the Commission shall elect a chair from among the members at the first meeting. If a vacancy occurs in any appointment, it shall be filled in the same manner as the initial appointment.

D. The first meeting shall be called by the Governor no later than September 1, 2005. Thereafter meetings shall be held at the call of the chair. The Commission shall meet as necessary to complete the duties and responsibilities imposed on the Commission by law.

E. Members of the Commission shall not receive compensation for service on the Commission, but shall be reimbursed for necessary travel expenses incurred in the performance of their official duties in accordance with the State Travel Reimbursement Act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7-303 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. By July 1, 2006, the Administrative Reorganization and Consolidation Commission shall develop guidelines and standards for the orderly reorganization and consolidation of the current system of school district administration. The guidelines shall establish standards by which each school district administration will be reviewed to determine if it is in need of reorganization or consolidation. The guidelines shall also include an outline of the steps school districts shall take to transition the administrative functions of the school district and the time frame in which to complete the steps. Prior to issuing guidelines, the Commission shall study or review existing studies on the current responsibilities, functions and duties performed by the different levels of administrators serving the public schools of this state. The Commission shall also study or review existing studies or

information on the geographic distribution and membership of school districts in the state.

B. The guideline standards established by the Commission as provided for in subsection A of this section shall include but not be limited to the following:

1. The minimum average daily membership a school site shall have in order to employ a full-time principal and assistant principals. The Commission may establish various minimum numbers that will apply to different school sites based on variables such as district population sparsity, geographic isolation, and available resources; provided, the suggested goal shall be that each school site with less than two hundred (200) average daily membership may not have a full-time principal but a teaching principal, a school site with two hundred (200) or more average daily membership may have a full-time principal and a school site with five hundred (500) or more average daily membership may have a full-time assistant principal;

2. The minimum average daily membership a school district shall have in order to employ a full-time superintendent and assistant superintendent. The Commission may establish various minimum numbers that will apply to different school districts based on variables such as district population sparsity, geographic isolation, transportation area, school district infrastructure, and other available resources; provided, the suggested goal shall be that the administrative duties of an independent school district be combined if the district has less than five hundred (500) average daily membership and a transportation area of less than one hundred (100) square miles and that the administrative duties of a dependent school district be combined if the district has less than two hundred (200) average daily membership and a transportation area of less than seventy-five (75) square miles;

3. Establishment of factors, other than average daily membership and transportation area, that shall be considered and shall trigger an action to reorganize or consolidate the administrative duties of a school district. The factors shall include academic performance of the school district, administrative and fiscal efficiency of the school district, and an opening in the superintendent position for a school district because of retirement or resignation;

4. Establishment of timelines for school districts to achieve the various levels of administrative reorganization and consolidation after the district has been included on the list of recommendations as provided for in Section 4 of this act; and

5. Establishment of recommendations for joint countywide boards of education for school districts in counties which would have representation from every school district board of education in the county. Each school district board of education would retain certain duties and responsibilities while certain duties and responsibilities would be transferred to the joint countywide board.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7-304 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. By January 1, 2007, the Administrative Reorganization and Consolidation Commission shall develop a list of specific recommendation of school districts that, based on the guidelines developed pursuant to Section 3 of this act, are subject to some level of administrative reorganization or consolidation. The Commission shall submit the list to the Governor, Speaker of the House of Representatives, and the President Pro Tempore of the State Senate. The list may be reject in full or in part upon the approval of two-thirds (2/3) of the Legislature. The list, as approved by the Commission or as amended by the Legislature, shall be submitted to the State Board of Education by March 1, 2007. The Commission

shall select a number of school districts that represent not less than five percent (5%) of the school districts on the list and the Board shall take action to implement the recommendations by July 1, 2007. By March 1, 2008 and each March 1 thereafter the Commission shall select a number of school districts that represent not less than five percent (5) of the school districts on the list and the Board shall take action to implement the recommendations by the following July 1. The Commission shall continue selection of school districts until all of the recommendations are completely implemented.

B. Any school district that is on the list of recommendations submitted by the Commission pursuant to subsection A of this section may voluntarily agree to administratively consolidate with another district prior to mandatory implementation by the Board. To voluntarily consolidate, the school district shall submit a petition to the Board setting forth the terms of the administrative consolidation plan. If the petition is approved by the Board, the administrative consolidation shall be effective July 1, 2007.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7-305 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. By August 1, 2006, the State Board of Education shall implement a joint countywide board of education pilot program. The Board shall select one or more counties in which a majority of the school districts in the county have agreed to participate in the pilot program. The structure of the joint board of education and individual boards of education shall comply with the recommendations established by the Administrative Reorganization and Consolidation Commission pursuant to Section 3 of this act. By July 1, 2007, the Board shall issue a report outlining results of the pilot program.

B. Based on the results of the pilot program, the Commission shall issue recommendations to the Board for implementation of joint countywide boards of education on a statewide basis.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7-306 of Title 70, unless there is created a duplication in numbering, reads as follows:

The State Board of Education shall promulgate rules necessary to implement the provisions of the Administrative Reorganization and Consolidation Act.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 7-307 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Nothing in the Administrative Reorganization and Consolidation Act shall be construed to require the closing of any school or school facility.

B. No school facility in a school district included in the recommendation list submitted by the Administrative Reorganization and Consolidation Commission pursuant to Section 4 of this act shall be closed by the State Board of Education or the school district board of education until consolidation or reorganization has been completed or until the district elects to voluntarily consolidate.

SECTION 8. 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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