



1 Section 7-202. The provisions of the Oklahoma School  
2 Consolidation and Annexation Act shall apply only to school  
3 districts whose entire territory has been annexed to one or more  
4 existing school districts or which have been created by the  
5 consolidation of two or more existing school districts in accordance  
6 with the provisions of Section 7-101 et seq. of this title or to  
7 school districts which have entered into a mutual contract with a  
8 superintendent as authorized pursuant to Section 5-106A of this  
9 title.

10 SECTION 2. AMENDATORY 70 O.S. 2001, Section 7-203, as  
11 last amended by Section 4, Chapter 448, O.S.L. 2009 (70 O.S. Supp.  
12 2010, Section 7-203), is amended to read as follows:

13 Section 7-203. A. There is hereby created in the State  
14 Treasury a fund to be designated the "School Consolidation  
15 Assistance Fund". The fund shall be a continuing fund, not subject  
16 to fiscal year limitations, and shall consist of any monies the  
17 Legislature may appropriate or transfer to the fund and any monies  
18 contributed for the fund from any other source, public or private.

19 B. All monies accruing to the credit of ~~said~~ the fund are  
20 hereby appropriated and may be budgeted and expended by the State  
21 Board of Education for the purposes established by this section, the  
22 Legislature and in accordance with rules promulgated by the State  
23 Board of Education. The purposes shall be to provide ~~voluntarily~~ :

1        1. Voluntarily or mandatorily consolidated school districts or  
2 districts who have received part or all of the territory and part or  
3 all of the students of a school district dissolved by voluntary or  
4 mandatory annexation, during the first year of consolidation or  
5 annexation with a single one-year allocation of funds needed for:

6        ~~1. Purchase~~

7            a. purchase of uniform textbooks in cases where the  
8            several districts were not using the same textbooks  
9            prior to consolidation or annexation~~7,~~

10        ~~2. Employment~~

11            b. employment of certified personnel required to teach  
12            courses of the district for which personnel from the  
13            districts consolidated or annexed are not certified  
14            and available~~7,~~

15        ~~3. Employment~~

16            c. employment assistance for personnel of the several  
17            districts who are not employed by the consolidated or  
18            annexing district. Employment assistance may include  
19            provision of a severance allowance for administrators,  
20            teachers and support personnel not to exceed eighty  
21            percent (80%) of the individual's salary or wages,  
22            exclusive of fringe benefits, for the school year  
23            preceding the consolidation or annexation. Personnel

1 receiving such severance pay may accumulate one (1)  
2 year of creditable service for retirement purposes.  
3 Employment assistance may also include the payment of  
4 unemployment compensation benefits. The State Board  
5 of Education shall provide a severance allowance to  
6 employees dismissed from employment due to annexation  
7 or consolidation of a school district in the year of  
8 the annexation or consolidation and who were denied a  
9 severance allowance or unemployment compensation  
10 benefits and the voluntary consolidation funding of  
11 the annexing or consolidating district or districts  
12 has been paid on or after July 1, 2003, at the maximum  
13 allowable amount. Application for a severance  
14 allowance shall be made to the Finance Division of the  
15 State Department of Education by the dismissed  
16 employee no later than September 1 of the fiscal year  
17 immediately following the fiscal year in which the  
18 annexation or consolidation occurred~~7,~~

19 ~~4. Furnishing~~

20 d. furnishing and equipping classrooms and laboratories~~7,~~

21 ~~5. Purchase~~

22 e. purchase of additional transportation equipment~~7,~~ and

23 ~~6. When~~

1           f.    when deemed essential by the school district board of  
2                   education to achieve consolidation or combination by  
3                   annexation, renovation of existing school buildings  
4                   and construction or other acquisition of school  
5                   buildings; and

6           2. Assistance to school districts which have entered into a  
7 mutual contract with a superintendent as authorized pursuant to  
8 Section 5-106A of this title in paying the salary or wages of the  
9 superintendent. The assistance shall equal not more than fifty  
10 percent (50%) of the salary or wages of the superintendent for not  
11 more than three (3) consecutive years. In no case shall the total  
12 amount of assistance paid over the three-year period be more than  
13 Two Hundred Thousand Dollars (\$200,000.00).

14           C. The State Board of Education shall only make allocations  
15 from the fund to school districts formed from the combination of two  
16 or more of the districts whose boards of education notify the State  
17 Board of Education on or before June 30 of their intent to annex or  
18 consolidate and are subsequently combined by such means by January 1  
19 of the second year following the notification of intent. The boards  
20 of education which have entered into a mutual contract with a  
21 superintendent shall notify the Board on or before January 1 of the  
22 year preceding the school year the mutual contract will become  
23 effective.

1 D. Allocations will be made to school districts formed by  
2 voluntary or mandatory consolidation on the basis of combined  
3 average daily membership (ADM) of the school year preceding the  
4 first year of operation of the school district resulting from the  
5 consolidation; provided, not more than two hundred (200) ADM of any  
6 one school district shall be counted in determining the combined ADM  
7 of any district formed by consolidation. The ADM of any one school  
8 district shall not be considered more than once for allocations from  
9 the fund when the school district consolidates with two or more  
10 school districts. Allocations from the fund pursuant to this  
11 subsection shall be calculated by multiplying the combined ADM by  
12 Two Thousand Five Hundred Dollars (\$2,500.00).

13 E. Allocations will be made to school districts which have  
14 received part or all of the territory and students of a school  
15 district by voluntary or mandatory annexation on the basis of ADM of  
16 the annexed school district for the school year preceding the first  
17 year of operation of the school district resulting from the  
18 annexation; provided, not more than two hundred (200) ADM of the  
19 annexed district shall be counted. Allocations from the fund  
20 pursuant to this subsection shall be calculated by multiplying the  
21 allowable ADM by Five Thousand Dollars (\$5,000.00). In no case  
22 shall allocations payable pursuant to this subsection be less than  
23  
24

1 Four Hundred Thousand Dollars (\$400,000.00) or greater than One  
2 Million Dollars (\$1,000,000.00).

3 F. If monies in the School Consolidation Assistance Fund are  
4 insufficient to make allocations to all qualified combined  
5 districts, allocations shall be made based upon earliest date of  
6 application.

7 SECTION 3. AMENDATORY 70 O.S. 2001, Section 7-204, as  
8 last amended by Section 5, Chapter 448, O.S.L. 2009 (70 O.S. Supp.  
9 2010, Section 7-204), is amended to read as follows:

10 Section 7-204. Consolidated districts and districts combined by  
11 annexation which are created pursuant to the Oklahoma School  
12 Consolidation and Annexation Act and districts that have entered  
13 into a mutual contract with a superintendent shall have for three  
14 (3) subsequent consecutive years after consolidation ~~or~~, annexation  
15 or the effective date of the mutual contract preference for  
16 allocations from funds appropriated to the State Board of Education  
17 for Community Education, Alternative and High Challenge Schools,  
18 School/Community Network for Arts-in-Education, Instructional  
19 Cooperative and Technical Education, Advanced Placement Incentives,  
20 and for all other allocations made by the Board on a competitive  
21 basis.

22 SECTION 4. This act shall become effective July 1, 2011.  
23  
24

1 SECTION 5. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

5  
6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
7 02-24-2011 - DO PASS, As Coauthored.  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

UNDERLINED language denotes Amendments to present Statutes.  
**BOLD FACE CAPITALIZED** language denotes Committee Amendments.  
~~Strike thru~~ language denotes deletion from present Statutes.