

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1578

By: Martin (Scott)

4
5
6 AS INTRODUCED

7 An Act relating to schools; requiring elementary
8 school districts to consolidate by a certain date;
9 allowing elementary school districts to submit a
10 consolidation plan to the State Board of Education;
11 requiring the Board to consolidate elementary school
12 districts that do not submit a plan; providing for
13 the selection of a board of education for the
14 consolidated school district; allowing for a
15 temporary increase in the number of board positions;
16 making the consolidated school district the legal
17 successor of the participating school districts;
18 providing for codification; providing an effective
19 date; and declaring an emergency.

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

21 SECTION 1. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 7-101.2 of Title 70, unless
23 there is created a duplication in numbering, reads as follows:

24 A. By July 1, 2012, every elementary school district in the
state shall be consolidated with one or more independent school
districts, whether adjacent or not adjacent in accordance with the
provisions of this section.

1 B. Any elementary school district may submit a plan to
2 consolidate with one or more independent school districts for
3 approval to the State Board of Education by a date established by
4 the Board. If the elementary school district is to be consolidated
5 with two or more independent school districts, the plan shall
6 address the division of current debts or obligations and property
7 and other assets of the elementary school district. If the plan is
8 approved by the Board, the consolidation shall be completed by July
9 1, 2012.

10 C. Any elementary school district that does not voluntarily
11 submit a consolidation plan or that does not receive approval from
12 the Board of Education of a plan, shall be mandatorily consolidated
13 with one or more independent school districts as determined by the
14 Board.

15 D. The State Superintendent of Public Instruction or designee
16 shall convene the members of the boards of the districts forming the
17 consolidated district, who shall be given the opportunity of
18 selecting from among themselves the initial board of education for
19 the new district, selecting the number of members and designating
20 the initial terms of service of each as required to conform to law.
21 The members convened shall have the option of forming a seven-member
22 board pursuant to the provisions of Section 5-107A of Title 70 of
23 the Oklahoma Statutes rather than a board of the size otherwise
24 provided by law and shall have the option of temporarily increasing

1 the number of board positions for the new district by two positions
2 per consolidating district for the first two (2) years following
3 consolidation. The temporary positions will be filled by
4 appointment by the board. The temporary board positions shall be
5 abolished two (2) years from the effective date of consolidation.
6 If an agreement can not be reached, persons serving as members of
7 the board of education of the independent school district shall
8 serve as members of the board of education of the newly formed
9 district for the terms for which they were elected and until their
10 successors have been duly elected or appointed and have qualified.

11 E. All liabilities, assets, powers and duties of the
12 participating districts shall become the responsibility of the
13 consolidated school district, which district shall be the legal
14 successor in every respect to the school districts participating in
15 the consolidation in accordance with law.

16 SECTION 2. This act shall become effective July 1, 2011.

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

21

22 53-1-6248 KB 01/10/11

23

24