

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 1608

By: Stiles

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5
6 AS INTRODUCED

7 An Act relating to schools; creating the School
8 District Reorganization Act; providing definitions;
9 directing the State Department of Education to
10 publish an administrative reorganization list;
11 requiring the inclusion of certain-sized school
12 districts; defining certain term; providing for
13 calculation of certain number; allowing certain
14 school districts to voluntarily reorganize; providing
15 for submission of petition to the State Board of
16 Education; establishing timeline for reorganization;
17 providing for mandatory reorganization by certain
18 date; requiring prompt action; establishing criteria
19 for approval of a voluntary reorganization or
20 annexation; prohibiting a negative impact on
21 desegregation; providing for transfer of bonded
22 indebtedness and school district assets; providing
23 for the division of property; prohibiting the closing
24 of a school site for certain period; limiting number
of superintendents; allowing reorganization of
noncontiguous school districts if certain conditions
are met; allowing certain districts in the same
county to reorganize; directing the Board to
promulgate rules; requiring certain school districts
to retain student records and historical records and
artifacts; providing for codification; providing an
effective date; and declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 7-301 of Title 70, unless there
3 is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "School District
5 Reorganization Act".

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

9 As used in the School District Reorganization Act:

10 1. "Administrative annexation" means the joining of an affected
11 school district or a part of the school district with a receiving
12 district;

13 2. "Administrative division" means the dividing of an affected
14 school district into two or more school districts;

15 3. "Administrative reorganization" means the joining of two or
16 more school districts to create a new single school district with
17 one administrative unit and one board of education that is not
18 required to close school facilities or the division of a school
19 district into two or more administrative units and one or more
20 boards of education that is not required to close school facilities;

21 4. "Affected district" means a school district that loses
22 territory or students as a result of administrative annexation or
23 division;

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1 5. "Receiving district" means a school district or districts
2 that receive territory or students, or both, from an affected
3 district as a result of administrative annexation; and

4 6. "Resulting district" means the new school district or
5 districts created from an affected district or districts as a result
6 of administrative reorganization.

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

10 A. By February 1, 2012, and each January 1 thereafter, the
11 State Department of Education shall publish an administrative
12 reorganization list that includes all school districts with an
13 average number of students that is less than the average number of
14 students per school district in the surrounding states in each of
15 the two (2) school years immediately preceding the current school
16 year.

17 B. For purposes of the School District Reorganization Act
18 "surrounding states" shall include Texas, Arkansas, Missouri,
19 Kansas, Colorado and New Mexico.

20 C. The State Department of Education shall annually obtain from
21 the surrounding states the most recently determined average number
22 of students per school district for that state. The Department
23 shall calculate the average of the annual number of students per
24 school district of the surrounding states by adding together the six

1 surrounding states most recently determined average number of
2 students per school district and dividing by six.

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

6 A. Any school district included in the administrative
7 reorganization list developed by the State Department of Education
8 pursuant to Section 3 of this act may voluntarily agree to
9 administratively reorganize by being administratively annexed to
10 another district or districts in accordance with the requirements
11 and limitations of this section or by being administratively divided
12 into two or more districts in accordance with the requirements and
13 limitations of this section.

14 B. 1. Any school district on the reorganization list choosing
15 to voluntarily administratively reorganize by annexing or dividing
16 shall submit a petition for approval to the State Board of Education
17 by March 1 immediately following publication of the list and shall
18 set forth the terms of the administrative reorganization agreement
19 in the petition.

20 2. If the petition is approved by the Board, the administrative
21 reorganization shall be completed by May 1, to be effective July 1
22 immediately following the publication of the list required under
23 Section 3 of this act.

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1 C. Any school district on the reorganization list that does not
2 submit a petition under subsection B of this section or that does
3 not receive approval by the Board for a voluntary reorganization
4 petition shall be administratively reorganized by the Board with or
5 into one or more school districts by May 1, to be effective July 1
6 immediately following the publication of the list required under
7 Section 3 of this act.

8 D. The Board shall promptly consider petitions or move on its
9 own motion to administratively reorganize a school district on the
10 reorganization list in order to enable the affected school districts
11 to reasonably accomplish any resulting administrative reorganization
12 by July 1 immediately following the publication of the list required
13 under Section 3 of this act.

14 E. The Board shall not deny the petition for voluntary
15 administrative reorganization of any school district or two or more
16 school districts unless:

17 1. The provisions contained in the petition for administrative
18 reorganization would violate state or federal law; or

19 2. The voluntary reorganization would not contribute to the
20 betterment of the education of students in the districts.

21 F. Any school district required to be administratively
22 reorganized under the School District Reorganization Act shall be
23 administratively reorganized in a manner as to create a resulting
24 district with an average number of students that is equal to or more

1 than the average number of students per school district in the
2 surrounding states.

3 G. All administrative reorganizations under this section shall
4 be accomplished so as not to create a school district that hampers,
5 delays, or in any manner negatively affects the desegregation of
6 another school district in this state.

7 H. In the administratively reorganized school districts created
8 under this act, the bonded indebtedness of the school district shall
9 be determined as set forth in Section 7-103 of Title 70 of the
10 Oklahoma Statutes. The division of property, debt, and obligations
11 shall be determined as set forth in Section 7-104 of Title 70 of the
12 Oklahoma Statutes.

13 I. No administratively reorganized school district or school
14 districts shall close a school site or school facility for at least
15 three (3) years after the reorganization.

16 J. No administratively reorganized school district shall have
17 more than one superintendent.

18 K. Noncontiguous school districts may voluntarily reorganize if
19 the school facilities and physical plant of each school district:

20 1. Are within the same county, and the Board approves the
21 administrative reorganization; or

22 2. Are not within the same county, and the Board approves the
23 administrative reorganization and finds that:

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- 1 a. the reorganization or annexation will result in the
2 overall improvement in the educational benefit to
3 students in all of the school districts involved, or
4 b. the reorganization or annexation will provide a
5 significant advantage in transportation costs or
6 service to all of the school districts involved.

7 L. Contiguous districts may administratively reorganize even if
8 they are not in the same county.

9 M. Following the reorganization of a school district pursuant
10 to the School District Reorganization Act, a receiving or resulting
11 school district shall obtain and retain all student and historical
12 records and documents from the affected school district.

13 N. Following the reorganization of a school district pursuant
14 to the School District Reorganization Act, a receiving or resulting
15 school district or districts shall obtain, retain, and preserve all
16 historical artifacts of the affected school district.

17 O. The Board shall promulgate rules as necessary to implement
18 the provisions of the School District Reorganization Act.

19 SECTION 5. This act shall become effective July 1, 2011.

20 SECTION 6. It being immediately necessary for the preservation
21 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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