

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 2219

By: Dank

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5  
6 AS INTRODUCED

7 An Act relating to schools; creating the School  
8 Administrative Restructuring Act; providing  
9 definitions; directing the State Department of  
10 Education to publish an administrative restructuring  
11 list; requiring the inclusion of certain sized school  
12 district; allowing certain school districts to  
13 voluntarily restructure or be annexed; providing for  
14 submission of petition to the State Board of  
15 Education; establishing timeline for restructuring or  
16 annexation; providing for mandatory restructuring by  
17 certain date; requiring prompt action; establishing  
18 criteria for approval of a voluntary restructuring or  
19 annexation; requiring resulting districts to have a  
20 certain average daily membership size; prohibiting a  
21 negative impact on desegregation; providing for  
22 transfer of bonded indebtedness; prohibiting the  
23 closing of a school site for certain period; limiting  
24 number of superintendents; allowing restructuring of  
noncontiguous school districts if certain conditions  
are met; allowing certain districts in the same  
county to restructure; directing the Board to  
promulgate rules; requiring certain school districts  
and the Department to track the educational progress  
of certain students; requiring a written report;  
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 5-191.1 of Title 70, unless  
3 there is created a duplication in numbering, reads as follows:

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

6 SECTION 2. NEW LAW A new section of law to be codified  
7 in the Oklahoma Statutes as Section 5-191.2 of Title 70, unless  
8 there is created a duplication in numbering, reads as follows:

9 As used in the School Administrative Restructuring 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 restructuring" means the joining of two or  
14 more school districts to create a new single school district with  
15 one administrative unit and one board of education that is not  
16 required to close school facilities;

17 3. "Affected district" means a school district that loses  
18 territory or students as a result of administrative annexation or  
19 restructuring;

20 4. "Receiving district" means a school district or districts  
21 that receive territory or students, or both, from an affected  
22 district as a result of administrative annexation; and  
23  
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1           5. "Resulting district" means the new school district created  
2 from an affected district or districts as a result of administrative  
3 restructuring.

4           SECTION 3.       NEW LAW       A new section of law to be codified  
5 in the Oklahoma Statutes as Section 5-191.3 of Title 70, unless  
6 there is created a duplication in numbering, reads as follows:

7           By February 1, 2016, and each January 1 thereafter, the State  
8 Department of Education shall publish an administrative  
9 restructuring list that includes all school districts with fewer  
10 than five hundred students according to the average daily membership  
11 of the school district in each of the two (2) school years  
12 immediately preceding the current school year.

13           SECTION 4.       NEW LAW       A new section of law to be codified  
14 in the Oklahoma Statutes as Section 5-191.4 of Title 70, unless  
15 there is created a duplication in numbering, reads as follows:

16           A. Any school district included in the administrative  
17 restructuring list developed by the State Department of Education  
18 pursuant to Section 3 of this act may voluntarily agree to  
19 administratively restructure with or be annexed to another district  
20 or districts in accordance with the requirements and limitations of  
21 this section.

22           B. 1. Any school district on the restructuring list choosing  
23 to voluntarily administratively restructure or annex shall submit a  
24 petition for approval to the State Board of Education by March 1

1 immediately following publication of the list and shall set forth  
2 the terms of the administrative restructuring or annexation  
3 agreement in the petition.

4 2. If the petition is approved by the Board, the administrative  
5 restructuring or annexation shall be completed by May 1, to be  
6 effective July 1 immediately following the publication of the list  
7 required under Section 3 of this act.

8 C. Any school district on the restructuring list that does not  
9 submit a petition under subsection B of this section or that does  
10 not receive approval by the Board for a voluntary restructuring or  
11 annexation petition shall be administratively restructured by the  
12 Board with or into one or more school districts by May 1, to be  
13 effective July 1 immediately following the publication of the list  
14 required under Section 3 of this act.

15 D. The Board shall promptly consider petitions or move on its  
16 own motion to administratively restructure a school district on the  
17 restructuring list in order to enable the affected school districts  
18 to reasonably accomplish any resulting administrative restructuring  
19 or annexation by July 1 immediately following the publication of the  
20 list required under Section 3 of this act.

21 E. The Board shall not deny the petition for voluntary  
22 administrative restructuring or annexation of any two or more school  
23 districts unless:  
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1           1. The provisions contained in the petition for administrative  
2 restructuring or annexation would violate state or federal law; or

3           2. The voluntary restructuring or annexation would not  
4 contribute to the betterment of the education of students in the  
5 districts.

6           F. Any school district required to be administratively  
7 restructured under the School Administrative Restructuring Act shall  
8 be administratively restructured in a manner as to create a  
9 resulting district with an average daily membership of five hundred  
10 or more.

11           G. All administrative restructurings or annexations under this  
12 section shall be accomplished so as not to create a school district  
13 that hampers, delays, or in any manner negatively affects the  
14 desegregation of another school district in this state.

15           H. In the administratively restructured or annexed school  
16 districts created under this act, the bonded indebtedness of the  
17 school district shall be determined as set forth in Section 7-103 of  
18 Title 70 of the Oklahoma Statutes.

19           I. No administratively restructured or annexed school district  
20 shall close a school site or school facility for at least three (3)  
21 years after the restructuring or annexation.

22           J. No administratively restructured or annexed school district  
23 shall have more than one superintendent.  
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1 K. Noncontiguous school districts may voluntarily restructure  
2 if the school facilities and physical plant of each school district:

3 1. Are within the same county, and the Board approves the  
4 administrative restructuring; or

5 2. Are not within the same county, and the Board approves the  
6 administrative restructuring or annexation and finds that:

7 a. the restructuring or annexation will result in the  
8 overall improvement in the educational benefit to  
9 students in all of the school districts involved, or

10 b. the restructuring or annexation will provide a  
11 significant advantage in transportation costs or  
12 service to all of the school districts involved.

13 L. Contiguous districts may administratively restructure even  
14 if they are not in the same county.

15 M. The Board shall promulgate rules as necessary to implement  
16 the provisions of this act.

17 SECTION 5. NEW LAW A new section of law to be codified  
18 in the Oklahoma Statutes as Section 5-191.5 of Title 70, unless  
19 there is created a duplication in numbering, reads as follows:

20 A. Following the annexation or restructuring of a school  
21 district under the provisions of the School Administrative  
22 Restructuring Act, each receiving or resulting school district and  
23 the State Department of Education shall develop a plan to track the  
24 educational progress of all students from the affected district.

1 B. By November 1 each year, the Department shall file a written  
2 report with the Governor, the Speaker of the Oklahoma House of  
3 Representatives, and the President Pro Tempore of the State Senate  
4 assessing the educational progress of all students from affected  
5 districts.

6 C. Following the annexation or restructuring of a school  
7 district pursuant to this act, a receiving or resulting school  
8 district shall obtain and retain all student and historical records  
9 and documents from the affected school district.

10 D. Following the annexation or restructuring of a school  
11 district pursuant to this act, a receiving or resulting school  
12 district shall obtain, retain, and preserve all historical artifacts  
13 of the affected school district.

14 SECTION 6. This act shall become effective July 1, 2015.

15 SECTION 7. It being immediately necessary for the preservation  
16 of the public peace, health and safety, an emergency is hereby  
17 declared to exist, by reason whereof this act shall take effect and  
18 be in full force from and after its passage and approval.

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20 55-1-5122 KB 12/30/14  
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