

1 STATE OF OKLAHOMA

2 2nd Session of the 55th Legislature (2016)

3 SENATE BILL 1267

By: Jolley

4
5
6 AS INTRODUCED

7 An Act relating to schools; requiring the State
8 Department of Education to publish certain lists by
9 certain date; providing guidelines for lists;
10 allowing school districts included on certain list to
11 submit petition by certain date to offer certain
12 grades; allowing school districts included on certain
13 list to submit petition by certain date for voluntary
14 consolidation or annexation; requiring the State
15 Board of Education to consolidate or annex school
16 districts that do not submit certain petition for
17 voluntary consolidation or annexation; establishing
18 completion date for consolidation or annexation;
19 providing requirements for annexation or
20 consolidation agreements; providing for consolidation
21 or annexation of certain districts within a county;
22 providing certain construction; prohibiting resulting
23 districts from having more than one superintendent;
24 providing for application of certain governing board;
providing certain exemptions; providing for
promulgation of rules; providing for codification;
providing an effective date; 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 7-207 of Title 70, unless there
is created a duplication in numbering, reads as follows:

1 A. 1. By January 1, 2017, and each January 1 thereafter, the
2 State Department of Education shall publish a list of all public
3 school districts that are classified as a "dependent school
4 district" or an "elementary school district" by the State Board of
5 Education.

6 2. By January 1, 2017, and each January 1 thereafter, the State
7 Department of Education shall publish a list of all public school
8 districts that:

9 a. receive State Aid pursuant to Section 18-200.1 of
10 Title 70 of the Oklahoma Statutes,

11 b. have an average daily membership (ADM) of less than
12 three hundred fifty (350) according to the school
13 district's rolling average of ADM for the previous
14 three (3) years, and

15 c. have a service area smaller than the state average as
16 determined by the State Department of Education.

17 B. A dependent school district or elementary school district
18 included in a list published by the State Department of Education
19 pursuant to paragraph 1 of subsection A of this section may petition
20 the State Board of Education to offer grades through twelfth grade
21 pursuant to Section 5-103.1 of Title 70 of the Oklahoma Statutes. A
22 dependent school district or elementary school district that does
23 not submit a petition to offer grades through twelfth grade by March
24

1 1, 2017, shall be subject to the provisions of subsections C and D
2 of this section.

3 C. 1. A school district included in a list published by the
4 State Department of Education pursuant to subsection A of this
5 section may voluntarily agree to consolidate with or be annexed to
6 another school district or districts in accordance with the Oklahoma
7 School Consolidation and Annexation Act.

8 2. A school district that chooses to voluntarily consolidate or
9 annex shall submit a petition for approval to the State Board of
10 Education by March 1 immediately following publication of a list
11 required by subsection A of this section. The petition shall set
12 forth the terms of the consolidation or annexation agreement.

13 3. If the petition is approved by the State Board of Education,
14 the consolidation or annexation shall be completed by May 1 to be
15 effective July 1 immediately following the publication of a list
16 required by subsection A of this section.

17 D. A school district included in a list published by the State
18 Department of Education pursuant to subsection A of this section
19 that does not submit a petition to voluntarily consolidate or annex
20 shall be consolidated by the State Board of Education with or into
21 one or more school districts by May 1 to be effective July 1
22 immediately following the publication of a list required by
23 subsection A of this section.
24

1 E. The State Board of Education shall take action necessary to
2 assist school districts that meet the criteria of subsections C and
3 D of this section to reach a consolidation or annexation agreement.

4 The agreement shall address, at a minimum:

5 1. The disposition and utilization of property and equipment;

6 2. Provisions related to the technology center school district
7 and the newly formed school district;

8 3. The assumption of all liabilities, assets, powers and duties
9 of the school districts to be consolidated or annexed;

10 4. The division of employees; and

11 5. The transfer of student and employee records,

12 F. If one or more school districts in a county meet the
13 criteria established in subsection A of this section, the State
14 Board of Education shall work with all of the school districts in
15 the county to combine the districts into one school district serving
16 the entire county.

17 G. Nothing in this section shall be construed to require the
18 closing of any school or school facility.

19 H. A school district consolidated or annexed pursuant to
20 subsections C or D shall have no more than one superintendent.

21 I. The provisions of Section 7-105 of Title 70 of the Oklahoma
22 Statutes shall govern the board of education of each resulting
23 school district created pursuant to this section.
24

1 J. The following shall be exempt from the provisions of this
2 section:

3 1. Public charter schools created pursuant to Section 3-132 of
4 Title 70 of the Oklahoma Statutes; and

5 2. School districts that have undergone consolidation or
6 annexation in the previous three (3) years.

7 K. The State Board of Education shall promulgate rules
8 necessary to implement the provisions of this section.

9 SECTION 2. This act shall become effective July 1, 2016.

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

14
15 55-2-2987 EB 2/18/2016 6:53:56 PM
16
17
18
19
20
21
22
23
24