

STATE OF OKLAHOMA

2nd Extraordinary Session of the 56th Legislature (2018)

HOUSE BILL 1046

By: Teague and Roberts (Sean)

AS INTRODUCED

An Act relating to school superintendents; requiring certain schools to be administered by a county superintendent; specifying selection process for county superintendent; providing exception; requiring compliance with certain laws; prescribing certain schools to be administered by a superintendent selected by the school board of education; providing exception; prescribing compliance with certain laws; directing State Board of Education and State Election Board to promulgate rules; authorizing board to employ certain person; providing for commensurate salary; construing provisions; repealing 70 O.S. 2011, Section 4-101, which relates to county superintendents; providing for codification; and providing an effective date.

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 4-100 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Beginning with the 2019-2020 school year, school districts located in a county with a population of less than four hundred thousand (400,000) people shall be administered by a county superintendent. Except as otherwise provided in this subsection, the county superintendent in each county shall be selected by the

1 school board of education members representing the school districts
2 located within the county. Pursuant to Section 5 of Article V of
3 the Oklahoma Constitution, the legal voters in any county may
4 petition the county election board to conduct an election to elect a
5 county superintendent. The election procedures for county
6 superintendents shall be nonpartisan and shall comply with the
7 provisions of Sections 1-101 through 1-106 of Title 26 of the
8 Oklahoma Statutes.

9 B. Beginning with the 2019-2020 school year, school districts
10 located in a county with a population of four hundred thousand
11 (400,000) or more people shall be administered by a superintendent
12 who is selected by the school board of education members elected by
13 the school district except as otherwise provided in this subsection.
14 Forty percent (40%) of the school district electors may petition the
15 school board of education to elect a superintendent for the school
16 district. The election procedures for superintendents as provided
17 in this subsection shall be nonpartisan and shall comply with the
18 provisions of Sections 13A-101 through 13A-111 of Title 26 of the
19 Oklahoma Statutes.

20 C. The State Board of Education and the State Election Board
21 shall promulgate rules to implement the provisions of this section.

22 D. If a school district superintendent is not selected or
23 elected to be county superintendent, the school board of education
24 may employ the superintendent as a certified classroom teacher,

1 principal, counselor, librarian or in any other instructional,
2 supervisory or administrative capacity. The salary shall be
3 commensurate with other similarly employed personnel in the school
4 district.

5 E. Nothing in this section shall be construed to modify the
6 election process for school board of education members or the
7 composition of the school board of education. Nothing in this act
8 shall be construed to authorize consolidation of school districts or
9 individual school sites.

10 SECTION 2. REPEALER 70 O.S. 2011, Section 4-101, is
11 hereby repealed.

12 SECTION 3. This act shall become effective November 1, 2018.

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