

**SENATE CHAMBER**  
**STATE OF OKLAHOMA**

DISPOSITION

☐ FLOOR AMENDMENT

No. \_\_\_\_\_

\_\_\_\_\_

☐ COMMITTEE AMENDMENT

\_\_\_\_\_  
(Date)

Mr./Madame President:

I move to amend Senate Bill No. 600, by substituting the attached floor substitute for the title, enacting clause and entire body of the measure.

Submitted by:

\_\_\_\_\_  
Senator Stanislawski

Stanislawski-EB-FS-Req#3970  
3/3/2020 1:43 PM

(Floor Amendments Only)    Date and Time Filed: \_\_\_\_\_

☐ Untimely

☐ Amendment Cycle Extended

☐ Secondary Amendment

STATE OF OKLAHOMA

2nd Session of the 57th Legislature (2020)

FLOOR SUBSTITUTE

FOR

SENATE BILL NO. 600

By: Stanislawski of the Senate

and

Caldwell (Chad) of the  
House

FLOOR SUBSTITUTE

[ school district division - requiring division of  
certain school districts if approved at election -  
providing for certain assistance - codification -  
~~effective date -~~

~~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 7-109 of Title 70, unless there  
is created a duplication in numbering, reads as follows:

A. By December 31, 2020, the State Department of Education  
shall publish a list of all dependent and independent school  
districts that had an average daily membership (ADM) of more than  
thirty thousand (30,000) for the 2019-2020 school year.

B. 1. A school district included in the list published  
pursuant to subsection A of this section shall be divided into two

1 school districts if approved at an election called by the State  
2 Superintendent of Public Instruction. The resulting two districts  
3 shall have an ADM that is within five percentage points of each  
4 other and an assessed valuation that is within five percentage  
5 points of each other.

6 2. a. To call an election described in paragraph 1 of this  
7 subsection, the Superintendent of Public Instruction  
8 shall file a resolution with the Secretary of the  
9 County Election Board in the county where the school  
10 district's main administrative office is located.

11 b. The Superintendent of Public Instruction's resolution  
12 shall be in the same form and provide the same  
13 information as required for resolutions in Section  
14 13A-109 of Title 26 of the Oklahoma Statutes. The  
15 deadline for filing the resolution with the Secretary  
16 of the County Election Board shall be the same as  
17 resolutions filed by the school district's board of  
18 education.

19 c. The election shall be held at the school district's  
20 next regularly scheduled general election for members  
21 of the board of education as provided in Section 13A-  
22 103 of Title 26 of the Oklahoma Statutes. The  
23 election shall be conducted in the same manner as  
24

1 elections described in Section 13A-101 of Title 26 of  
2 the Oklahoma Statutes.

3 d. The school district's board of education shall  
4 reimburse the county election board for the costs of  
5 the election in the same manner as provided in Section  
6 13A-111 of Title 26 of the Oklahoma Statutes.

7 C. If a majority of the school district electors approve the  
8 division of a school district at the election required by subsection  
9 B of this section, the State Board of Education and the State  
10 Department of Education shall take action necessary to assist the  
11 school districts to divide into two districts. The assistance shall  
12 include:

13 1. Establishment of new district boundaries for the districts  
14 resulting from the plan of division required by subsection B of this  
15 section. The Department shall consult with the applicable council  
16 of governments established under the provisions of the Interlocal  
17 Cooperation Act in establishing the new boundaries;

18 2. Calculating the division of enrolled students. The student  
19 population for each resulting district shall be within five  
20 percentage points of each other;

21 3. Calculating the division of legal bonded indebtedness of the  
22 district. Bonded indebtedness shall be divided based on the bonding  
23 capacity and student enrollment of each resulting district; and  
24

1        4.    Creating a plan of division in coordination with the school  
2 districts included in the list published pursuant to subsection A of  
3 this section.    The plan shall address, at a minimum:

- 4            a.    the utilization of property and equipment,
- 5            b.    the assumption of all liabilities, assets, powers and  
6                duties of the school districts to be created,
- 7            c.    the division of employees, and
- 8            d.    the transfer of student and employee records.

9        D.    If a majority of the school district electors approve the  
10 division of a school district at the election required by subsection  
11 B of this section, the Superintendent of Public Instruction shall  
12 provide to the University of Oklahoma Center for Spatial Analysis,  
13 each affected county election board and the State Election Board the  
14 data and maps for the boundaries of each new school district and the  
15 boundaries of each school district board seat within each new school  
16 district no fewer than one hundred eighty (180) days prior to the  
17 first election to be conducted utilizing the new boundaries.

18        E.    If a majority of the school district electors do not approve  
19 the division of a school district at the election required by  
20 subsection B of this section, the State Superintendent of Public  
21 Instruction shall call an election every five (5) years thereafter  
22 to ask school district electors whether the school district shall be  
23 divided into two districts.

1 F. The following provisions and the provisions of Section 13A-  
2 101 et seq. of Title 26 of the Oklahoma Statutes shall govern the  
3 election of members of the boards of education of the resulting  
4 school districts created pursuant to this section:

5 1. At the general election to be held in April 2024, there  
6 shall be elected in each school district resulting from the division  
7 approved by a majority of school district electors pursuant to this  
8 section a board of education. The board of education shall consist  
9 of five (5) board districts with boundaries to be determined by the  
10 State Board of Education consistent with the provisions of Section  
11 5-107A of Title 70 of the Oklahoma Statutes. The board of education  
12 shall have the powers and duties provided by Section 5-117 of Title  
13 70 of the Oklahoma Statutes; and

14 2. Each board of education of a resulting school district shall  
15 consist of five (5) members to be elected as follows:

- 16 a. one member elected to serve a term of five (5) years,  
17 b. one member elected to serve an initial term of four  
18 (4) years. A member thereafter elected shall serve a  
19 term of five (5) years,  
20 c. one member elected to serve an initial term of three  
21 (3) years. A member thereafter elected shall serve a  
22 term of five (5) years,  
23  
24

1           d.    one member elected to serve an initial term of two (2)  
2               years. A member thereafter elected shall serve a term  
3               of five (5) years, and

4           e.    one member elected to serve an initial term of one (1)  
5               year. A member thereafter elected shall serve a term  
6               of five (5) years.

7           G.    If a majority of school district electors approve the  
8               division of a school district pursuant to this section, the division  
9               of the school district included in the list published pursuant to  
10              subsection A of this section shall be complete, and the resulting  
11              districts shall be in operation, beginning July 1, 2024.

12          H.    1.   Beginning December 31, 2024, and each December 31  
13               thereafter, the State Department of Education shall publish a list  
14               of all dependent and independent school districts that had an ADM of  
15               more than thirty thousand (30,000) for the previous school year.

16          2.    A school district included in the list published pursuant to  
17               paragraph 1 of this subsection shall be divided into two school  
18               districts if approved at an election called by the State  
19               Superintendent of Public Instruction in the manner prescribed by  
20               subsection B of this section. The resulting two districts shall  
21               have an ADM that is within five percentage points of each other and  
22               an assessed valuation that is within five percentage points of each  
23               other.

1        3. If a majority of the school district electors approve the  
2 division of a school district, the State Board of Education and the  
3 State Department of Education shall take action as prescribed in  
4 subsection C of this section to assist school districts included in  
5 the list published pursuant to paragraph 1 of this subsection to  
6 reach a plan of division.

7        4. If approved by a majority of the school district electors,  
8 the division of a school district included in the list published  
9 pursuant to paragraph 1 of this subsection shall be complete, and  
10 the resulting districts shall be in operation, beginning July 1 of  
11 the third year following publication of the list.

12        5. If a majority of the school district electors do not approve  
13 the division of a school district at an election required by  
14 paragraph 2 of this subsection, the State Superintendent of Public  
15 Instruction shall call an election every five (5) years thereafter  
16 to ask school district electors whether the school district shall be  
17 divided into two districts.

18        I. The State Board of Education shall promulgate rules  
19 necessary to implement the provisions of this act.

20        ~~SECTION 2. This act shall become effective July 1, 2020.~~

21        ~~SECTION 3. It being immediately necessary for the preservation~~  
22 ~~of the public peace, health or safety, an emergency is hereby~~  
23  
24



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.~~

3  
4 57-2-3970 EB 3/3/2020 1:43:50 PM  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24