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February 26, 2020

COMMITTEE SUBSTITUTE
FOR

SENATE BILL NO. 600

By: Stanislawski of the Senate

and

Caldwell (Chad) of the
House

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[ school district division - guidelines for list -  
codification - effective date - emergency ]
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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. A school district included in the list published pursuant to subsection A of this section shall be divided into two or more school districts if approved at an election called by the State Superintendent of Public Instruction to be held at the general

1 election in November 2022. The resulting two or more districts
2 shall have an ADM that is within five percentage points of each
3 other and an assessed valuation that is within five percentage
4 points of each other.

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

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

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

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

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

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

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

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

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

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

3 a. one member elected to serve a term of five (5) years,

4 b. one member elected to serve an initial term of four
5 (4) years. A member thereafter elected shall serve a
6 term of five (5) years,

7 c. one member elected to serve an initial term of three
8 (3) years. A member thereafter elected shall serve a
9 term of five (5) years,

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

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

16 F. If a majority of school district electors approve the
17 division of a school district pursuant to this section, the division
18 of the school district included in the list published pursuant to
19 subsection A of this section shall be complete, and the resulting
20 districts shall be in operation, beginning July 1, 2024.

21 G. 1. Beginning December 31, 2024, and each December 31
22 thereafter, the State Department of Education shall publish a list
23 of all dependent and independent school districts that had an ADM of
24 more than thirty thousand (30,000) for the previous school year.

1 2. A school district included in the list published pursuant to
2 paragraph 1 of this subsection shall be divided into two or more
3 school districts if approved at an election called by the State
4 Superintendent of Public Instruction to be held at the next
5 regularly scheduled general election. The resulting two or more
6 districts shall have an ADM that is within five percentage points of
7 each other and an assessed valuation that is within five percentage
8 points of each other.

9 3. If a majority of the school district electors approve the
10 division of a school district, the State Board of Education and the
11 State Department of Education shall take action as prescribed in
12 subsection C of this section to assist school districts included in
13 the list published pursuant to paragraph 1 of this subsection to
14 reach a plan of division.

15 4. If approved by a majority of the school district electors,
16 the division of a school district included in the list published
17 pursuant to paragraph 1 of this subsection shall be complete, and
18 the resulting districts shall be in operation, beginning July 1 of
19 the third year following publication of the list.

20 5. If a majority of the school district electors do not approve
21 the division of a school district at an election required by
22 paragraph 2 of this subsection, the State Superintendent of Public
23 Instruction shall call an election every five (5) years thereafter
24

1 to ask school district electors whether the school district shall be
2 divided into two or more districts.

3 H. The State Board of Education shall promulgate rules
4 necessary to implement the provisions of this act.

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

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

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
11 February 26, 2020 - DO PASS AS AMENDED
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