

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 COMMITTEE SUBSTITUTE

4 FOR

5 SENATE BILL NO. 600

6 By: Stanislawski

7 COMMITTEE SUBSTITUTE

8 An Act relating to school district division;
9 requiring the State Department of Education to
10 publish certain list by certain date; providing
11 guidelines for list; requiring the division of
12 certain school districts if approved at certain
13 election called by the State Superintendent of Public
14 Instruction; directing the State Board of Education
15 and the State Department of Education to take action
16 to assist school districts; detailing assistance to
17 be provided; requiring certain election to be held
18 every five years if certain election is not approved;
19 providing for election of boards of education of
20 resulting school districts; requiring division of
21 certain school district to be complete by certain
22 date; requiring the State Department of Education to
23 publish list by certain date and each year
24 thereafter; requiring the division of certain school
districts if approved at certain election called by
the State Superintendent of Public Instruction;
directing the State Board of Education and the State
Department of Education to take action to assist
school districts; requiring division of certain
school district to be complete by certain date;
requiring certain election to be held every five
years if certain election is not approved; providing
for promulgation of rules; providing for
codification; providing an effective date; and
declaring an emergency.

1 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

2 SECTION 1. NEW LAW A new section of law to be codified
3 in the Oklahoma Statutes as Section 7-109 of Title 70, unless there
4 is created a duplication in numbering, reads as follows:

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

9 B. A school district included in the list published pursuant to
10 subsection A of this section shall be divided into two or more
11 school districts if approved at an election called by the State
12 Superintendent of Public Instruction to be held at the general
13 election in November 2022. The resulting two or more districts
14 shall have an ADM that is within five percentage points of each
15 other and an assessed valuation that is within five percentage
16 points of each other.

17 C. If a majority of the school district electors approve the
18 division of a school district at the election required by subsection
19 B of this section, the State Board of Education and the State
20 Department of Education shall take action necessary to assist the
21 school districts to divide into two or more districts. The
22 assistance shall include:

23 1. Establishment of new district boundaries for the districts
24 resulting from the plan of division required by subsection B of this

1 section. The Department shall consult with the applicable council
2 of governments established under the provisions of the Interlocal
3 Cooperation Act in establishing the new boundaries;

4 2. Calculating the division of enrolled students. The student
5 population for each resulting district shall be within five
6 percentage points of each other;

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

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

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

18 D. 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 or more districts.

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1 E. 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,

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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 F. 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 G. 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 or more
18 school districts if approved at an election called by the State
19 Superintendent of Public Instruction to be held at the next
20 regularly scheduled general election. The resulting two or more
21 districts shall have an ADM that is within five percentage points of
22 each other and an assessed valuation that is within five percentage
23 points of each 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 or more districts.

18 H. 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
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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.

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