

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 HOUSE BILL 2219

By: Dank

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5
6 AS INTRODUCED

7 An Act relating to schools; creating the School
8 Administrative Restructuring Act; providing
9 definitions; directing the State Department of
10 Education to publish an administrative restructuring
11 list; requiring the inclusion of certain sized school
12 district; allowing certain school districts to
13 voluntarily restructure or be annexed; providing for
14 submission of petition to the State Board of
15 Education; establishing timeline for restructuring or
16 annexation; providing for mandatory restructuring by
17 certain date; requiring prompt action; establishing
18 criteria for approval of a voluntary restructuring or
19 annexation; requiring resulting districts to have a
20 certain average daily membership size; prohibiting a
21 negative impact on desegregation; providing for
22 transfer of bonded indebtedness; prohibiting the
23 closing of a school site for certain period; limiting
24 number of superintendents; allowing restructuring of
noncontiguous school districts if certain conditions
are met; allowing certain districts in the same
county to restructure; directing the Board to
promulgate rules; requiring certain school districts
and the Department to track the educational progress
of certain students; requiring a written report;
requiring certain school districts to retain student
records and historical records and artifacts;
providing for codification; providing an effective
date; and declaring an emergency.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 5-191.1 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "School
5 Administrative Restructuring Act".

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 5-191.2 of Title 70, unless
8 there is created a duplication in numbering, reads as follows:

9 As used in the School Administrative Restructuring Act:

10 1. "Administrative annexation" means the joining of an affected
11 school district or a part of the school district with a receiving
12 district;

13 2. "Administrative restructuring" means the joining of two or
14 more school districts to create a new single school district with
15 one administrative unit and one board of education that is not
16 required to close school facilities;

17 3. "Affected district" means a school district that loses
18 territory or students as a result of administrative annexation or
19 restructuring;

20 4. "Receiving district" means a school district or districts
21 that receive territory or students, or both, from an affected
22 district as a result of administrative annexation; and
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1 5. "Resulting district" means the new school district created
2 from an affected district or districts as a result of administrative
3 restructuring.

4 SECTION 3. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 5-191.3 of Title 70, unless
6 there is created a duplication in numbering, reads as follows:

7 By February 1, 2016, and each January 1 thereafter, the State
8 Department of Education shall publish an administrative
9 restructuring list that includes all school districts with fewer
10 than five hundred students according to the average daily membership
11 of the school district in each of the two (2) school years
12 immediately preceding the current school year.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 5-191.4 of Title 70, unless
15 there is created a duplication in numbering, reads as follows:

16 A. Any school district included in the administrative
17 restructuring list developed by the State Department of Education
18 pursuant to Section 3 of this act may voluntarily agree to
19 administratively restructure with or be annexed to another district
20 or districts in accordance with the requirements and limitations of
21 this section.

22 B. 1. Any school district on the restructuring list choosing
23 to voluntarily administratively restructure or annex shall submit a
24 petition for approval to the State Board of Education by March 1

1 immediately following publication of the list and shall set forth
2 the terms of the administrative restructuring or annexation
3 agreement in the petition.

4 2. If the petition is approved by the Board, the administrative
5 restructuring or annexation shall be completed by May 1, to be
6 effective July 1 immediately following the publication of the list
7 required under Section 3 of this act.

8 C. Any school district on the restructuring list that does not
9 submit a petition under subsection B of this section or that does
10 not receive approval by the Board for a voluntary restructuring or
11 annexation petition shall be administratively restructured by the
12 Board with or into one or more school districts by May 1, to be
13 effective July 1 immediately following the publication of the list
14 required under Section 3 of this act.

15 D. The Board shall promptly consider petitions or move on its
16 own motion to administratively restructure a school district on the
17 restructuring list in order to enable the affected school districts
18 to reasonably accomplish any resulting administrative restructuring
19 or annexation by July 1 immediately following the publication of the
20 list required under Section 3 of this act.

21 E. The Board shall not deny the petition for voluntary
22 administrative restructuring or annexation of any two or more school
23 districts unless:

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1 1. The provisions contained in the petition for administrative
2 restructuring or annexation would violate state or federal law; or

3 2. The voluntary restructuring or annexation would not
4 contribute to the betterment of the education of students in the
5 districts.

6 F. Any school district required to be administratively
7 restructured under the School Administrative Restructuring Act shall
8 be administratively restructured in a manner as to create a
9 resulting district with an average daily membership of five hundred
10 or more.

11 G. All administrative restructurings or annexations under this
12 section shall be accomplished so as not to create a school district
13 that hampers, delays, or in any manner negatively affects the
14 desegregation of another school district in this state.

15 H. In the administratively restructured or annexed school
16 districts created under this act, the bonded indebtedness of the
17 school district shall be determined as set forth in Section 7-103 of
18 Title 70 of the Oklahoma Statutes.

19 I. No administratively restructured or annexed school district
20 shall close a school site or school facility for at least three (3)
21 years after the restructuring or annexation.

22 J. No administratively restructured or annexed school district
23 shall have more than one superintendent.

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1 K. Noncontiguous school districts may voluntarily restructure
2 if the school facilities and physical plant of each school district:

3 1. Are within the same county, and the Board approves the
4 administrative restructuring; or

5 2. Are not within the same county, and the Board approves the
6 administrative restructuring or annexation and finds that:

7 a. the restructuring or annexation will result in the
8 overall improvement in the educational benefit to
9 students in all of the school districts involved, or

10 b. the restructuring or annexation will provide a
11 significant advantage in transportation costs or
12 service to all of the school districts involved.

13 L. Contiguous districts may administratively restructure even
14 if they are not in the same county.

15 M. The Board shall promulgate rules as necessary to implement
16 the provisions of this act.

17 SECTION 5. NEW LAW A new section of law to be codified
18 in the Oklahoma Statutes as Section 5-191.5 of Title 70, unless
19 there is created a duplication in numbering, reads as follows:

20 A. Following the annexation or restructuring of a school
21 district under the provisions of the School Administrative
22 Restructuring Act, each receiving or resulting school district and
23 the State Department of Education shall develop a plan to track the
24 educational progress of all students from the affected district.

1 B. By November 1 each year, the Department shall file a written
2 report with the Governor, the Speaker of the Oklahoma House of
3 Representatives, and the President Pro Tempore of the State Senate
4 assessing the educational progress of all students from affected
5 districts.

6 C. Following the annexation or restructuring of a school
7 district pursuant to this act, a receiving or resulting school
8 district shall obtain and retain all student and historical records
9 and documents from the affected school district.

10 D. Following the annexation or restructuring of a school
11 district pursuant to this act, a receiving or resulting school
12 district shall obtain, retain, and preserve all historical artifacts
13 of the affected school district.

14 SECTION 6. This act shall become effective July 1, 2015.

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

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