

**TITLE 780. OKLAHOMA DEPARTMENT OF CAREER AND TECHNOLOGY  
EDUCATION**

**CHAPTER 15. TECHNOLOGY CENTERS**

**SUBCHAPTER 3. TECHNOLOGY CENTERS EDUCATION**

**780:15-3-5. Changes in districts' status**

(a) **Rezoning of existing technology center districts.**

(1) **Review of board district population.** In order to comply with the federal and state rules of equal representation in all units of government, it will be necessary from time to time to review the population of the board districts as originally designed to see that reasonably equal board districts exist as far as population is concerned. Between August 1 and December 31 of the year following the submission of the official Federal Decennial Census, the board of education will reapportion the school district into board districts. The local technology center will formulate the rezoning plan, that must be submitted to the State Board for approval.

(2) **Board of education; board district size.**

(A) **Five members.** The board of education shall consist of five (5) members, except as provided in 70 O.S. Supp. 2001, §5-107A, 70 O.S. Supp. 2001, §14-110, 70 O.S. Supp. 2001, §4419, 780:15-3-2(I)(6) rules and regulations governing technology center districts, and 780:15-3-5(a)(2)(E) of this section.

(B) **Size of board districts.** Internal boundaries of board districts shall follow clearly visible, definable, and observable physical boundaries that are based upon criteria established and recognized by the Bureau of the Census of the United States Department of Commerce for the purposes of defining census blocks for its decennial census and shall follow, as much as is possible, precinct boundaries. Board districts shall be compact, contiguous and shall be as equal in population as practical with not more than a ten percent (10%) variance between the most populous and least populous board districts.

(C) **Restructure of noncontiguous board districts.** Technology center districts that are not contiguous shall structure their board districts where there are no intervening board districts between the noncontiguous portion of the district and the remainder of the same board district that contains the noncontiguous portion of said technology center district.

(D) **Board district residency.** All members shall reside in the board district that they represent.

(E) **Seven-member board districts; annexation.** Any technology center district that consisted of a seven (7) member school board on July 1, 1987, and later has added or will add more geographical territory by annexation, shall continue to have a seven (7) member school board whose terms of office shall be the same as previously served.

(b) **Annexations.**

(1) **Proposed annexations**

(A) **Annexation, as proposed by a board of education.** Boards of education of a public school district desiring their district or a part of their district to annex to an existing technology center district shall submit a resolution to the State Board requesting an election be called for that purpose. Territory shall not be annexed to a technology center district without the approval of the State Board. No territory may be included in a petition for annexation within one (1) year from the date of an unsuccessful election for annexation where that territory was a part of the territory seeking to annex. A study of the

proposed annexation will be conducted by the Department to ascertain whether the annexation would unlawfully exclude students on the basis of race, color, national origin, or disability. If the board of education of the technology center district approves the annexation resolution, the State Board after counseling with the local school district board will set the election date and shall request the county election board to conduct the aforementioned annexation election. If a majority of the electors voting at such election vote in favor of the proposition, as certified by the county election board, the State Board shall declare the public school district, or that portion designated, annexed to the local technology center.

(B) **Annexation, as proposed by patrons/electors.** In the event the patrons of any designated territory comprising all or part of a local public school district desire to have such designated territory annexed to a technology center district, a petition may be submitted to the State Board calling for an election on the desired annexation. The petition shall be signed by at least 50 percent of the number of school district electors who voted in the last school board election in the territory proposed to be annexed, as determined by the secretary of the county election board, who shall certify the adequacy of the number of signatures on the petition. The State Board, after obtaining approval of the technology center district to which the territory is sought for annexation, shall request the county election board to conduct the requested annexation election—provided the period of time from which the petition was initiated to its time of filing with the State Board did not exceed 90 days. All qualified voters within the local school district shall be entitled to vote at such election. If a majority of the electors voting at such election vote in favor of the proposition, as certified by the county election board, the designated territory shall thereupon be declared by the State Board to be annexed to the respective technology center districts.

(C) **Petition.** A petition form shall be developed by the Oklahoma Department of Career and Technology Education. Any petition to be circulated must be on that form or must incorporate the exact language of the form. To effect the annexing of territory, a petition requesting the annexation must be:

- (i) submitted to the technology center board of education, and
- (ii) filed with the State Board.

(D) **Petition content.** The petition shall be signed by at least 50 percent of the number of school district electors who voted in the last school board election in the territory proposed to be annexed, as determined by the secretary of the county election board, who shall certify the adequacy of the number of signatures on the petition. Each page of the petition shall contain the exact language except for signatures and addresses of school district electors. Electors must personally sign their own name to any petition and must swear of affirm that they have read the contents of the petition and are signing the document as a free and voluntary act.

(E) **Annexation, as proposed by a board of county commissioners.** When a large area such as a county, or portions thereof, desires to be annexed to an established technology center district, the board of county commissioners may submit a resolution to the State Board requesting the State Board to call an annexation election for the area so designated. If a majority of the electors voting at such election vote in favor of the proposition, as certified by the county election board, the State Board shall declare the area annexed.

(F) **Annexations or transfers of independent and elementary school districts, or portions thereof.** Technology center district membership resulting from annexation or transfers of territory shall be determined by the following:

(i) When an elementary or independent school district, whose territory is a part of a technology center district, is annexed to another elementary or independent school district whose territory is not a part of a technology center district, the annexation shall not affect the status of the annexing district with respect to the technology center district.

(ii) When an elementary or independent school district, or a portion thereof, whose territory is not a part of a technology center district, is annexed or transferred to another elementary or independent school district whose territory is a part of a technology center district, the territory of the annexed or transferred elementary or independent school district shall become a part of the technology center district.

(iii) When an elementary or independent school district or a portion thereof, whose territory is already a part of a technology center district is annexed or transferred to another elementary or independent school district whose territory is a part of a second technology center district, the territory of the annexed or transferred elementary or independent school district shall become a part of the second technology center district.

(2) **Liability of annexed territory for bonded indebtedness of technology center district.** If the territory is annexed to a technology center district, the assessed valuation of property in the territory will be subject to taxes thereafter levied to pay existing bonded indebtedness that was incurred by the technology center district before the territory was annexed.

(3) **Benefits of annexed territory.** When a public school district or a part of a public school district is annexed to a technology center district, the people residing in the newly annexed district or part of a district shall immediately become eligible to all the rights and privileges as those residing in the technology center district and shall be subject to the tax levies of the technology center district provided by Section 9B Article 10 of the Oklahoma Constitution except as outlined in section (4) below.

(4) **Newly annexed territory tax collection.** The ad valorem tax rate shall be set by the technology center school district board. ~~For all successful annexation elections occurring after January 1, 2005, the collection of ad valorem taxes from patrons in the annexing territory shall begin with a phase-in period of three consecutive tax years following the successful annexation election. Taxes will be collected according to the following schedule:~~

~~(A) First tax year following the election, 50% of the current technology center rate.~~

~~(B) Second tax year following the election, 80% of the technology center rate.~~

~~(C) Third tax year following the election, 100% of the technology center rate and to remain at 100% for all subsequent years unless a successful deannexation election occurs as outlined in these rules.~~

(c) **Deannexation.**

(1) **Proposed deannexation.**

(A) **Approval of State Board.** Territory shall not be deannexed from a technology center district without the approval of the State Board. No territory may be included in a petition for deannexation within one (1) year from the date of an unsuccessful election for deannexation where that territory was a part of the territory seeking to deannex. A study of the proposed deannexation will be conducted by the Department to ascertain whether

deannexation would unlawfully exclude students on the basis of race, color, national origin, or disability. All deannexations shall become effective December 31 of the calendar year in which the deannexation was approved by the voters.

(B) **Petition.** A petition form shall be developed by the Oklahoma Department of Career and Technology Education. Any petition to be circulated must be on that form or must incorporate the exact language of the form, in addition to the reason for deannexing. To effect the deannexing of territory, a petition requesting the deannexation must be:

- (i) submitted to the technology center board of education, and
- (ii) filed with the State Board.

(C) **Petition content.** The petition shall state the reason for deannexing and shall be signed by at least 50 percent of the number of school district electors who voted in the last school board election in the territory proposed to be deannexed. Each page of the petition shall contain the same information except for signatures of school district electors. Electors must personally sign their own name to any petition and must swear or affirm that they have read the contents of the petition and are signing the document as a free and voluntary act.

(D) **Order and Notice of Election.** If the State Board determines that there is a valid reason for the deannexation, it will issue an "Order and Notice of Election," and the election will be held and conducted by the County Election Board at some public place in the technology center district. Copies of the "Order and Notice of Election" will be published in one issue of a newspaper of general circulation in the technology center district.

(E) **Eligible electors.** If, prior to the issuance of the "Order and Notice of Election," the board of education of the technology center district shall have given written notice of approval of the deannexation to the State Board, only those school district electors who reside in the territory proposed to be deannexed shall be eligible to vote at the election. In the event the board of education of the technology center district will not give written approval of the deannexation, then school district electors of the entire technology center district shall be eligible to vote on the deannexation question.

(F) **Exceptions.** In situations where the reason for deannexation is because an approved consolidation has resulted in a sending school district with membership in two or more technology center districts, approval from the local technology center board is not necessary and upon approval from the State Board, only those school district electors who reside in the territory proposed to be deannexed shall be eligible to vote at the election.

(G) **Deannexation approval.** If a majority of the eligible school district electors voting at the election approve the deannexation, the State Board shall issue an order deannexing the territory from the technology center district and will transmit copies thereof to the county clerk, county assessor, and county treasurer of each county in which any of the deannexed area lies.

(H) **Property valuation; taxation.** If the territory is deannexed from a technology center district, the assessed valuation of property in the deannexed territory will be subject to taxes thereafter levied to pay bonded indebtedness that was incurred by the technology center district while the deannexed territory was a part of the technology center district.

(I) For all successful deannexation elections occurring after January 1, 2005, the ad valorem tax rate shall be set by the technology center school district. ~~collection of advalorem taxes from patrons in the deannexing territory shall begin with a phase-out~~

~~period of three consecutive tax years following the successful deannexation election. Taxes will be prorated according to the following schedule:~~

~~(i) First tax year following the election, 80% of the current technology center rate.~~

~~(ii) Second tax year following the elections, 50% of the technology center rate.~~

~~(iii) Third year following the election, 0% of the technology center rate and to remain at 0% for all subsequent years unless a successful annexation election occurs as outlined in these rules.~~

(d) **School consolidation.**

(1) **Nondiscrimination study.** When consolidation of school districts is being considered, the Department of Career and Technology Education will conduct a study to ascertain whether or not consolidation would unlawfully exclude students on the basis of race, color, national origin, or disability.

(2) **Consolidation of technology center member district and nonmember district.** When two common school districts consolidate to form a new district and one of the school districts has a majority of its territory located in a technology center district, then the State Board shall call a separate election to be held on the same day as the consolidation election, in that part of the new district that is not already a part of the technology center district, for membership in the technology center district.

(3) **Consolidation of districts with membership in different technology center districts.** When two or more common school districts consolidate to form a new district and each district already is included in a different technology center district, the location of the high school shall determine the technology center membership for the entire consolidated district. When more than one high school will be located within the new consolidated district, a feasibility study will be performed by the State Board. After consideration of the feasibility study and such other information as may be deemed relevant, the State Board shall determine the technology center membership for the entire consolidated district.

(4) **Consolidation of three or more districts.** When three or more common school districts consolidate to form a new district and at least one of the school districts has a majority of its territory located in a technology center district and one or more of the other districts to be merged is not a part of any technology center district, a feasibility study performed by the State Board shall include a recommendation for membership in a technology center district and, on the same date as the consolidation election, the State Board shall call a separate election in that part of the newly formed district, that is not already a part of a technology center district, for membership in the recommended technology center district.