

OKLAHOMA COMMON SCHOOL

CODE OF 1970

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## CHAPTER I

### PROBLEM DEFINITION

#### Introduction

The purpose of this study is to examine the political considerations that probably caused the Oklahoma Legislature's Interim Committee on Revision and Codification of School Laws to recommend the kind of school code they did in 1970. In order to place the study in proper perspective, it will be necessary to remember that there is an increasing role being played by state governments in education, but little attention has been devoted to the many political considerations involved.

The states' responsibility for public school education is written into the very structure of their governments. In most state constitutions a clause requires the state, usually through its legislature, to establish and maintain a system of public school education which shall be open and free to all.<sup>1</sup> Each state determines its own way of discharging this responsibility, and therefore constitutional provisions vary greatly among the states. They range from mere recognition to rather stringent requirements for the establishment and maintenance

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<sup>1</sup> Oklahoma, Constitution (1907), Article XIII, Section 1.

of a free public school system.<sup>2</sup> An examination of history, federal and state statutes, court interpretations, and attorney general opinions relating to common school education reveals an escalation of state involvement in the educational decision-making process.

One example of this process was the Oklahoma Legislature's involvement in educational decision-making through their revision and codification of common school laws in 1970. Through an examination of their activities, the growing politicalization of education will be documented. But prior to examining the politics of educational decision-making in Oklahoma, a brief review of research in the field of politics and education will be made.

In the late 1950's Eliot<sup>3</sup> presented the need for a beginning of research in the field of the politics of education. He pointed out that the school system had not suddenly become politicized, but that more people had become aware of the political quality of schools. This was true in past because of publicity over state-local demands for financial assistance, the passage and administration of massive and growing federal aid programs, national efforts to eliminate racial imbalance, and increasingly bitter local contests over issues involving school control.

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<sup>2</sup>

Oklahoma, Revised Statutes (1970) Title 70.

<sup>3</sup>

T. H. Eliot, "Toward an Understanding of Public School Politics," American Political Science Review, LIII (1959), pp. 1032-1051.



4

Kirst and Mosher<sup>4</sup> examined the emergence of the "politics of education" as a field of inquiry. According to these authors, there are 17,000 local districts and fifty states, and the government of education in each state and local district is somewhat unique. These complex and differentiated entities make generalizations about the politics of education difficult.

In an attempt to relate the term "political" to education,  
<sup>5</sup>  
 Iannaccone<sup>5</sup> cited several studies in governing American schools in which the definitions of other author's were expressed. These included: Roald Campbell et al., which found "Educational policy making at all governmental levels is immersed in politics . . . ." The study by Roscoe Martin which suggested that, "politics may be a way at looking at the public school system and its management." Ralph Kimbrough's study led him to believe that "If the educational leader has . . . opinions about educational policies and takes action . . . politics is involved." Robert Marden's studies led him to the conclusion that "it is when the leaders of the schools are most effectively in politics that they secure the largest share of resources for the schools." The

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<sup>4</sup>  
 M. W. Kirst and E. K. Mosher, "The Politics of Public Education," Review of Educational Research, XXXIV (1969), pp. 623-639.

<sup>5</sup>  
 Laurence Iannaccone, Politics in Education (New York, 1967).

results of these studies helped substantiate Iannaccone's<sup>6</sup> definition of politics in relation to education as "that segment of social life involving the activities and relationships of individuals, groups, and associations resulting in, or intended to result in, decisions by any governmental policy-making body."<sup>7</sup> Iannaccone then concluded, by utilizing case study techniques, that historically education and politics have been mixed; and by documentation he maintained there is a continued existence of politics in education and of educationists in politics at every level of government.

To place each political and governmental institution in the full context of the environment in which it operates, a model is necessary to provide a way to view the political process.<sup>8</sup> Easton's system analysis is such a model, and can be employed to examine one institution in the decision-making process, that of state legislatures. The universe in which state legislatures operate consists of the following elements: their physical, social, and cultural environment; the people who perceive this environment in such a way as to give or withhold support and/or make demands of their state government; the channels through which demands and supports are communicated; the response and feedback of legislative decisions; and the boundaries of the system which restrict

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<sup>6</sup>

Ibid.

<sup>7</sup>

Ibid.

<sup>8</sup>David Easton, A System Analysis of Political Life (New York, 1965).

the activities of state governments.

Using such broad view of the political process enables one to place each political and governmental institution, particularly the legislature, within the context of its environment.

This approach, an ecological view, provides a method which enables the researcher to visualize and analyze controversy in the political system. The concept serves to emphasize that major political activities in society are closely interrelated. The political system, according to Easton,<sup>9</sup> provides in every state an "authoritative allocation of values" which is the focus of environmental stresses that create inputs. The inputs take the form of demands and the demands are considered the pressures upon government. These demands are generally greater than the resources. The result is controversy among competitive forces. Since education must, like other areas, compete for these resources, public school issues and demands can and do become controversial. As Massialas' study<sup>10</sup> indicated, when the volume of demands are too heavy or too many, competitive demands enter the political system, and stresses or disturbances occur. In other words, converting the demands into public policy will create controversies as to which demands (education, hospitals, health,

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<sup>9</sup>

Ibid.

<sup>10</sup>

Byron, G. Massialas, Education and the Political System (Reading, Mass., 1969).

social welfare, highways) will be converted into policy.

<sup>11</sup>  
Masters, in examining three midwestern states, noted that the political issues (primarily revenue) which public school policy generate became entangled with the many processes and patterns of conflict and resolution in the total state political system. <sup>12</sup> Bailey contended public school issues such as the size, location, cost, looks, and facilities of buildings are frequently matters of high political controversy. The size, scope, and influence of state departments of education are inevitably conditioned by political forces. <sup>13</sup> Wildavsky, in his study of the budgetary process at the federal level, concluded budget-making as a policy issue was central to the political process. In Wildavsky's view, politics was a process by which the budget was formulated. <sup>14</sup> Rozzell noted that legislative bodies do not operate either in a vacuum or a sterile environment; therefore, every major legislative decision involves choice between or among alternatives, in other words controversy among competitive forces.

Any action taken by the legislature that involves changes in the school laws generally activates groups that

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<sup>11</sup>  
Nicholas Masters et al., State Politics and Public Schools (New York, 1964).

<sup>12</sup>  
Stephen K. Bailey et al., Schoolmen and Politics (Syracuse, 1962).

<sup>13</sup>  
Aaron Wildavsky, The Politics of the Budgetary Process (Boston, 1964).

<sup>14</sup>  
Forrest Rozzell, "To Lobby or Not to Lobby," EDD 17979.

are capable of exerting strong pressures for or in opposition to the proposed changes. In this instance, the primary source of power in basic policy can be viewed in two contexts--the formal and the informal process. The formal process emphasizes that the predominant power in decision-making is wielded by persons who hold official positions within the governmental machinery or in organized interest groups. However, much goes on in addition to the activity readily observed in the formal process. In fact the preponderance of research indicates that the influence of the informal process in decision-making is greater. Examples of this research would include: Eldersveld,<sup>15</sup> Macridis,<sup>16</sup> Miller,<sup>17</sup> and<sup>18</sup> Miller.

An example of the formal process in decision-making was found in Bailey's<sup>19</sup> examination of programs of general state

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<sup>15</sup> Samuel J. Eldersveld, "American Interest Groups: A Survey of Research and Some Implications for Theory and Method," Interest Groups on Four Continents, ed. Henry W. Ehrmann (Pittsburgh, 1958).

<sup>16</sup> Roy C. Macridis, "Interest Groups in Comparative Analysis," The Journal of Politics, XXIII (February, 1961), pp. 25-45.

<sup>17</sup> Delbert C. Miller, "Democracy and Decision-Making in the Community Power Structure," Power and Democracy in America, ed. William V. D'Antonio and Howard J. Ehrlich (Notre Dame, Ind., 1961).

<sup>18</sup> Delbert C. Miller, "Decision-Making Cliques in Community Power Structures: A Comparative Study of an American and an English City," The American Journal of Sociology, LXIV (November, 1958), pp. 1208-1214.

<sup>19</sup> Bailey.

aid to public education in selected eastern states. He termed the decision makers in the formal process as depressants. These depressants were tax-minded business groups, rural populations, and conservative politicians who acted as counter-vailing forces to the proposed aid programs. Again the formal process in decision-making was evident as Gross,<sup>20</sup> in his study of Massachusetts school superintendents, asked what individuals and groups do most to block public education. Superintendents responded with community officials, businessmen, taxpayer groups, older residents, and religious groups. Another example of both the formal and informal processes in decision making was apparent when the relationship between school board members defeats and superintendent turnover was traced by Walden,<sup>21</sup> and he noted the cause was reflective of a syndrome of voters discontent with school policies.

Educators themselves use pressure group tactics in an attempt to support issues of public education. For example, Zeigler<sup>22</sup> concluded that the size and significance of the teacher population as a political force for influencing educational policy was great. Rozzell<sup>23</sup> supported a similar thesis that educators are compelled to lobby in order to

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<sup>20</sup>

Gross, Who Runs our Schools? (New York, 1958).

<sup>21</sup>

J. C. Walden, "School Board Changes and Superintendent Turnover," Administrators Notebook, XV (1967).

<sup>22</sup>

Harmon Zeigler, The Political World of the High School Teacher (Center for Advance Study of Educational Administration, University of Oregon, 1966).

<sup>23</sup>

Rozzell.

influence legislators to their points of view. According to Karns<sup>24</sup> education is too important to be left to politicians; teachers must realize that to improve their own school system they must actively enter into politics.

Politicization in education is further evidenced by an examination of certain indicators related to education, such as population, enrollment, instructional staff, and finance. Enrollment in public schools is projected to be in excess of fifty million<sup>25</sup> by 1978, and this huge clientele will require<sup>26</sup> a greater number of employed educators to service it. Moreover, the annual expenditure level necessary to support public education is in excess of forty billion<sup>27</sup> and the projections for 1978-79 are in excess of fifty five billion.<sup>28</sup> Examined from another perspective, the United States allocates a little over seven percent of its GNP for education.<sup>29</sup> As these indicators reflect, education will require greater political attention from decision-makers. There are other indicators

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<sup>24</sup>

Edward A. Karns, "Politics: A Vital Force in Education," Educational Leadership, XXVIII (October, 1970), pp. 38-39.

<sup>25</sup>

See Appendix A.

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See Appendix B.

<sup>27</sup>

See Appendix B.

<sup>28</sup>

See Appendix B.

<sup>29</sup>

See Appendix C.

which would tend to reflect increasing political attention toward common school education. Legislatures now devote an increasing percent of state revenues to schools and seek education committee appointments second only to appropriation committees. The number of education bills enacted have increased, and finally, state education codes have grown in length and complexity.

The Oklahoma Legislature, like any other legislature, is a complex institution. With a House composed of 107 members and a Senate composed of 70 members, the legislature presents a differentiated structure of roles and subsystems for the performance of its many and diverse legislative tasks. In legislatures, in which Oklahoma is no exception, and other decision-making branches of government, functions are performed in three general categories: (1) collection of resources for common use, (2) allocation of those resources, and (3) regulation of the activities of the citizenry. With respect to each one of these functions, state legislative committees play a significant role. Members of these committees must authorize a program, pass on appropriations, and approve changes in the laws affecting a program. Therefore, in the course of a bill, the committee action plays a significant role, and the importance of gaining an understanding of committee actions and factors associated with the legislature enacting a major piece of legislation such as the proposed school code of 1970, should be self evident. However, to be specific, this study will attempt to answer the primary



question--what political considerations or forces probably influenced the Oklahoma Legislature's Committees on Education as they prepared the school codes of 1949 and 1970? But to answer this question the assumption must again be made that there is a relationship between politics and education, and additional examination must be made of the following:

- 1) The historical involvement of the Legislature in common school education.
- 2) The enactment of the 1949 common school code.
- 3) The committee system in the Oklahoma Legislature as a crucial area for the performance of legislative tasks.
- 4) The major educational decisions related to the recommended common school code of 1970 made in the Interim Committee on Revision and Codification of School Laws of the 1970 Oklahoma Legislature and the Education Committee of the Second Session, Thirty-second Legislature.

#### Scope and Limitations

This study is primarily concerned with some of the political considerations or forces that probably influenced the Oklahoma Legislature's Committees on Education as they prepared the school codes of 1949 and 1970. This study will be limited to a consideration of the influences created by pressure groups, political parties, governors, legislative leadership and rural and urban constituency influence,

although other forces were operating to influence the school codes, these appear to be the most significant. In addition, an examination will be made of historical involvement of the Oklahoma Legislature in common school education, the enactment of the 1949 common school code, and the nature, functions, and decision-making process of the Legislature Education Committee.

### Sources of Data

An examination will be made of written source documents, such as the Governor's Annual Message to the Legislature,<sup>30</sup> Governor's Advisory Committee on Common School Education,<sup>31</sup> Oklahoma Commission on Education,<sup>32</sup> Oklahoma Legislative Council Journal and committee minutes,<sup>33</sup> and Oklahoma House and Senate Journals.<sup>34</sup> In addition, various memos and formal correspondence from interested groups and persons concerned with educational policies such as the State Department of

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30

This message is given on the first day of the Oklahoma Legislature in joint session and outlines the Governor's yearly program for legislative consideration.

31

A survey report on all phases of Oklahoma public schools to the George Peabody College For Teachers in 1964.

32

The Commission was created by Senate Joint Resolution No. 12, 1969, to provide the Legislature with the results of studies of all aspects of public education.

33

This journal is a summary of all legislative recommendations regarding interim committee activities. The recommendations are then submitted to the Legislature for disposition.

34

These journals are a record of the daily legislative activities of both the House and Senate during official Legislative session.

Education,<sup>35</sup> county and city school superintendents,<sup>36</sup> local  
boards of education,<sup>37</sup> religious and minority groups, and  
the Oklahoma Education Association<sup>38</sup> will be examined.

Further information will be gained from direct observation and notes taken while the researcher served as a Research Associate for the Legislative Council during the 1969 through 1971 sessions of the Oklahoma Legislature.

### Organization of the Study

The Oklahoma Legislature has been functioning since statehood in 1909, and therefore it may be noted that there has been a vast amount of common school legislation. This could offer an opportunity for many types of studies, but the organization of this study has left many areas reserved for other studies.

Chapter II presents a historical and chronological examination of the Oklahoma session laws relating to common school education from 1909 to 1949. The examination will document their involvement in common school education and

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35

The official state agency for public school education.

36

Association of School Administrators and Association of Classroom Teachers are the formal organizations created to represent school administrators and classroom teachers.

37

The Oklahoma State School Board Association is the formal organization to represent local school boards.

38

The Oklahoma Education Association is the formal organization to represent those in the education occupations (primarily teachers).

show how throughout the historical examination the issues of structure, policy and finance emerged. Those issues will serve then as the political considerations in the examination of the common school code.

Chapter III attempts to show the legislative histories and major political forces operating on the Committees on Education as they enacted the common school codes of 1949 and 1970. The major political forces that will be examined as they influenced each Education Committee are the members' political party affiliations, leadership positions in the Legislature, governors, rural and urban constituency influence, pressure groups, professional educators, and election considerations.

Chapter IV attempts to show how the Oklahoma Legislature's Committees on Education examined and acted upon a major piece of legislation this being the common school code of 1970.

The Conclusion presents recommendations for the uses of the information treated in the body of the study.

## CHAPTER II

### INVOLVEMENT OF THE OKLAHOMA LEGISLATURE IN COMMON

#### SCHOOL EDUCATION: 1909 - 1949

An adequate system of public schools is recognizable as the Constitution of the State of Oklahoma makes it mandatory that such schools be provided. Section 5, Article 1, of the Constitution stipulates: "Provision shall be made for a system of public schools, which shall be open to all the children of the State . . .", while Section 1, Article 13 of the Constitution reads as follows: "The Legislature shall establish and maintain a system of free public schools wherein all the children of the State may be educated."

Since statehood, legislative interest and involvement in common school education was apparent, as with each legislative session the number of enacted bills increased. From 1909 to 1949 there were a total of 5,250 bills enacted by the Oklahoma Legislature. Of this total, there were 218 bills directly related to common school education. It was observed in an examination of 1909 to 1949 legislation that common school law was found in various chapters and articles of the Oklahoma Statutes.

The subjects of the legislation enacted varied, although the establishment of a general classification of such

legislation was accomplished through a chronological examination of the session laws. From this examination, the general categories of common school structure, policy and finance were developed. These categories will be sub-categorized for closer examination.

The history of legislative activity in Oklahoma clearly demonstrates the legislature's interest in common schools. In addition, the examination provided some insight into possible thoughts on the philosophy of the common school idea in Oklahoma as expressed by the legislature. This was partially evident by the legislative efforts to provide comprehensive secondary schools, a stronger state role in the general control and supervision of common schools, vocational and technical programs, annexation, consolidation, transfers, transportation and equalization of educational opportunity by state financial support. Finally, the historical examination of common school legislation will also provide substantive issues that can be used in the examination of the common school codes of 1949 and 1970.

#### Legislative Involvement in the Structuring of Common Schools: 1909-1949

Three distinct subcategories emerged in the chronological examination of the session laws regarding the structure of common schools from 1909 to 1949; 1) laws regarding the policies and procedures for school districts, 2) laws creating State boards and commissions and 3) laws relating to separate

schools for blacks and whites.

### School Districts

In November of 1907, the entire domain of Oklahoma and Indian Territories were united and admitted to the Union as one state. At that time an educational system had been developed and its endowment was one of the largest in the nation.<sup>1</sup> During territorial days from two to four sections of land had been set aside in each township for public schools. When the originally designated sections were not available, Congress, in the Organic Act of 1890, provided for other lands of equal size. Also reserved was five percent of the net proceeds from the sale of public lands within the state. Additionally, at statehood Oklahoma received over three million acres from the federal government for the school land fund, and since no public lands could be provided in Indian Territory, Congress appropriated five million dollars for the use and benefit of Oklahoma's common schools.<sup>2</sup> The income from this appropriation and the school land sections of Western Oklahoma made up the permanent school fund.

With the establishment of a solid endowment for common schools, there was also a need for school laws to govern common

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<sup>1</sup>  
Don W. Perry, "History of Oklahoma's School Endowment," Chronicles of Oklahoma, XIII, No. 4 (December, 1935), pp. 381-390.

<sup>2</sup>  
Ibid.

common schools in Oklahoma. Therefore, the First Territorial Legislature met in 1890 and adopted, with modification, the school laws of Kansas for use in the Oklahoma Territory. At the time of statehood, a decision was made to adopt the school laws established by the Oklahoma Territorial Legislature. The State Superintendent of Instruction and one elected county superintendent for each of the seventy-six counties were charged with the responsibility of enforcing the Territorial School laws throughout the State. Since statehood, much of the common school legislation has been concerned with amending or repealing Territorial school laws.

The school district is the basic unit of common school structure. The Constitution of Oklahoma had set no requirement concerning the nature or size of school districts, but left this responsibility to the Legislature. The Territorial Legislature of 1891 enacted a law which provided for the establishment and organization of the school districts in Oklahoma.<sup>3</sup> These districts were created for the purpose of local taxation, administration. They were classified as independent districts, consolidated districts, union graded districts, joint districts, common school districts, and county separate districts.<sup>4</sup> The districts numbered 3,441 and were of uniform size, nine square miles of area in square

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<sup>3</sup>  
Guy H. Lambert, A History Outline: Oklahoma State Department of Education, 1900 - 1965 (El Reno, 1967), p. 5.

<sup>4</sup>  
Fifth Biennial Report of State Superintendent of Public Instruction, 1914, p. 5.



form. Of this number, it was estimated about 185 offered some high school work.<sup>5</sup> With the merging of the Oklahoma Territory "open lands" and the Indian Territory "closed lands," 2,200 new districts were established. Unlike the organized districts,<sup>6</sup> these were larger and not uniform in size. Administratively, the independent districts were served by a board of education composed of three or more members. Whereas, the remaining districts were served by three officers, a director, a clerk and a member.

The powers and responsibilities of all school districts were essentially the same; employment of teachers, oversight of the school and its property, issuing of school district bonds, making certain reports to the county superintendent; and in some districts to provide transportation.<sup>7</sup> However, one exception was the county separate schools, which were supported by a county tax levy, and the county clerk handled teacher salaries and other school expenses. Therefore in fact maintenance and administration of the county separate school was through county government rather than the school district structure.

In an attempt to provide high schools, the legislature devised three plans; a township high school county

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Ibid., p. 6.

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Oklahoma Public Schools: A Survey Report to the Oklahoma Governor's Advisory Committee on Common School Education 1964 (Tennessee, 1964), p. 29.

7

Ibid., Fourth Biennial Report, p. 5.

school and consolidated districts, each of which operated in Oklahoma for a number of years. In 1891 the First Territorial Legislature authorized the township high school, which combined four school districts to operate a high school.<sup>8</sup>

The first county high school law was enacted in 1901, and provided that any county with a population of 6,000 could vote to build, equip and operate a high school for the entire county. However, in 1909, Senate Bill 4 repealed the Territorial law that had authorized the establishment and maintenance of a county high school,<sup>9</sup> with the provision that any county operating a high school or having voted to establish at least sixty days prior to the law would be allowed to operate a county high school. Between 1903 and 1933, there were approximately seven laws dealing with county high schools. Of this total, only two were enacted after statehood; Senate Bill 32 in 1919, which had provided for county high schools in all counties having a scholastic population of less than 2,000 persons,<sup>10</sup> and House Bill 527<sup>11</sup> of 1933, which abolished all county high schools in counties having a population of less than 25,000 according to the U. S. census in 1930, and provided for sale of unused school land and

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<sup>8</sup>  
Frank A. Balyeat, "County High Schools in Oklahoma," Chronicles of Oklahoma, XXXVII (1959), 196.

<sup>9</sup>  
Oklahoma Session Laws, 1909, Chapter 36, Article 3, Section 1 and 2.

<sup>10</sup>  
Balyeat, XXXVII, 208.

<sup>11</sup>  
Oklahoma Session Laws, 1933, Chapter 139, p. 310.

<sup>12</sup>  
buildings.

Consolidated districts was the third plan and enjoyed varied degrees of success from 1905 to 1949. The first consolidated district law was passed in 1905 by the Territorial Legislature, and it permitted two or more districts to combine when approved by a majority of the voters in the areas affected.<sup>13</sup> In 1915, House Bill 581<sup>14</sup> provided for the dissolution of consolidated school districts and the distribution of the indebtedness of such districts when dissolved. Various amendments to previous consolidated school district laws regarding formation and dissolution of school districts were enacted in 1917 through the following: Senate Bills 54<sup>15</sup> and 150;<sup>16</sup> House Bill 225<sup>17</sup> of 1919; House Bill 394<sup>18</sup> of 1921; House Bill 603<sup>19</sup> of 1937; and House Bill 54<sup>20</sup> of 1931. House Bill 463<sup>21</sup> in 1923 provided for a specific consolidated school

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<sup>12</sup>  
Balyeat, XXXVII, 209.

<sup>13</sup>  
Third Biennial Report of State Superintendent of Public Instruction, 1910, pp. 327-329.

<sup>14</sup>  
Oklahoma Session Laws, 1915, Chapter 202, p. 334.

<sup>15</sup>  
Oklahoma Session Laws, 1917, Chapter 257, p. 472.

<sup>16</sup>  
Oklahoma Session Laws, 1945, Chapter 251, p. 460.

<sup>17</sup>  
Oklahoma Session Laws, 1919, Chapter 186, p. 260.

<sup>18</sup>  
Oklahoma Session Laws, 1921, Chapter 117, p. 145.

<sup>19</sup>  
Oklahoma Session Laws, 1937, Article 10, p. 174.

<sup>20</sup>  
Oklahoma Session Laws, 1939, Article 4, p. 171.

<sup>21</sup>  
Oklahoma Session Laws, 1923, Chapter 229, p. 395.

district in Okmulgee County.

Perhaps nothing illustrated the philosophy of the common school idea in Oklahoma better than the legislative efforts to provide comprehensive secondary schools and also continue to support their involvement in common school education. This effort also further accentuates the mandate of the Oklahoma Constitution, that a system of public schools to be established and maintained by the Legislature.<sup>22</sup> By examining some figures between 1908 and the enactment of the 1949 school code, the trend for that forty-year period was evident. In 1908 there were approximately 5,655 school districts and of this number 185 offered some high school work. In 1948, there were approximately 2,664 school districts, of which 688 offered some high school work. Obviously, the number of school districts had decreased, but the number of high schools had increased appreciably.

#### State Boards and Commissions

Within the Constitution of Oklahoma the provisions for common school education are general and broad, which has allowed great flexibility for the Legislature. As a result, the Legislature has extensively addressed the issues of structure, management, supervision, control, and financial support for common school education in Oklahoma. But in 1911, they

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Oklahoma, Constitution Article 1, Section 5 and Article 13, Section 1.

delegated some of their own power to a State Board of Education  
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 through Senate Bill 132. It gave the following major powers  
 to the State Board of Education:

- (a) To control and supervise the state university, six normal schools, college for women, school of mines and metallurgy, two preparatory schools, colored agricultural and normal university, schools for the blind and deaf, boys' training school, orphans' home, institution for feeble-minded, and institution for deaf, blind and colored orphans.
- (b) To act as a text book commission.
- (c) The general supervision of the public schools of the state.
- (d) To formulate and adopt courses of study for the common schools and county normal institutions; and arrange courses of study, and adopt textbooks for use in the higher educational institutions of the state.
- (e) To formulate rules and regulations governing the issuance of all certificates to teach in the public schools of this state.
- (f) To prepare questions for the examination of applicants for county and city certificates to teach in the public schools of the state.
- (g) To examine applicants for state certificates, to teach in the public schools of the state, and for conductors' and instructors' certificates to teach in the county normal institutes.
- (h) To prepare examination questions for graduates from the eighth grade of the public schools.
- (i) To classify the public high schools of the state and properly accredit them to the various higher educational institutions of the state.
- (j) To formulate and adopt courses of study of state pupils' reading circles; and to select books to be used in said reading circles, and to prepare questions for the issuance of reading circle certificates.

- (k) The State Board of Education shall make a biennial report to the governor and legislature, setting forth the work of the board and the conditions of the schools of the state. The board shall also prepare and submit to the governor thirty days before the convening of each regular session of the legislature a budget estimating the necessary appropriations for each of the institutions under their management and control.

This legislation authorized the State Board of Education to make policies and establish rules and regulations which would have the full force and effect of the law. It also provided the State Board of Education with the general control and supervision of public education in Oklahoma, a function which was traditionally local. This legislative enactment further illustrated a part of the philosophy of the common school idea in Oklahoma this being legislative efforts to provide a stronger state role in the general control and supervision of common schools.

As a part of structuring common school education, the Textbook Commission was created in 1909 to carry into effect Article Thirteen, Section Six, of the Constitution. The commission's purpose was to prepare for use in common schools of the state a uniform system of textbooks, registers, records, and school apparatus, as well as to define the duty and responsibilities of bidders and prescribe penalties for violations.<sup>24</sup> Since the commission's creation, several laws were enacted

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<sup>24</sup>

Oklahoma, Revised Statutes (1909) Article IV, Section 7982-8007, pp. 1612-1619.

regarding the organization and functions of the Textbook Commission. These included Senate Bill 29,<sup>25</sup> in 1919, House Bill 197<sup>26</sup> in 1923, and House Bill 121<sup>27</sup> in 1933. In 1939 Senate Bill 37<sup>28</sup> provided more detailed guidelines in the use of textbooks in the common schools. The 1941 Legislature enacted Senate Bill 16,<sup>29</sup> which provided for 1) the continuation of the Textbook Commission, 2) a five-year adopted period for textbooks, 3) bonding for textbook contractors, 4) exclusive textbook adoption lists, and 5) enforcement of the Textbook Commission policies by the State Board of Education. In 1945, Senate Bill 40<sup>30</sup> was enacted and provided for the continued policies previously enacted regarding the Textbook Commission. But the law further provided for a Textbook Committee for the purpose of examining the books submitted for adoption and making formal recommendations to the Textbook Commission.

Perhaps the most significant law regarding textbooks was

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<sup>25</sup>

Oklahoma Session Laws, 1919, Chapter 12, p. 11.

<sup>26</sup>

Oklahoma Session Laws, 1923, Chapter 175, p. 292.

<sup>27</sup>

Oklahoma Session Laws, 1933, Chapter 84, p. 147.

<sup>28</sup>

Oklahoma Session Laws, 1939, Chapter 34, Article I, p. 169.

<sup>29</sup>

Oklahoma Session Laws, 1941, Chapter 28, pp. 416-418.

<sup>30</sup>

Oklahoma Session Laws, 1945, Chapter 28, p. 335.

passed in 1948 through a constitutional amendment.<sup>31</sup> The constitutional change directed the Legislature to provide a system of free textbooks for use by all children in the public schools of Oklahoma, and also directed the Legislature to authorize the Governor to appoint a Textbook Committee. The Textbook Committee was to be composed of active educators of the state, and they were to prepare official multiple textbook lists from which local districts could choose their books. The procedure was established through House Bill 399<sup>32</sup> in 1947 which created the Free Textbook System of Oklahoma.

### Segregated Schools

Without going into a lengthy history of segregation in the United States, Oklahoma, like other states, adhered to a position of separation between blacks and whites. The effect of this position on the structure of common schools was evident, as both the Constitution and statutes provided for a complete plan of separation between the whites and blacks, with theoretically impartial facilities for each. Government of these separate schools was prescribed by House Bill 615<sup>33</sup> of 1917,

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<sup>31</sup> Article XIII, Section 6 of the Oklahoma Constitution was amended by a vote of the people directing the Oklahoma Legislature to provide a system of free textbooks.

<sup>32</sup> Oklahoma Session Laws, 1947, Chapter 28, p. 524.

<sup>33</sup> Oklahoma Session Laws, 1917, Chapter 257, p. 472.



while Senate Bill 71,<sup>34</sup> passed in 1919, provided for the method of taxation, duties of the county superintendent, employment, and payment of teachers in separate schools.

The bills specifically stated that support of separate schools was by a county levy instead of a levy on the taxable valuation of the district. This was accomplished by the county excise board's annually levying a tax role on all taxable property in their county sufficient to maintain the separate school. The effect of this method relieved the local district from the responsibility of maintaining the separate school from the proceeds of the tax levied against the assessed valuation of the district and placed the responsibility with the county. These bills also stated that the county superintendent would employ the teachers and act as purchasing agent for the separate school. Further, according to House Bill 633<sup>35</sup> of 1939, the management and control of property used for separate schools was the responsibility of the board of education of that district.

These legislative references are the only specific ones regarding separate schools, and their effect would remain until the 1954 Civil Rights cases.

#### Miscellaneous School Bills

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<sup>34</sup>

Oklahoma Session Laws, 1919, Chapter 28, p. 47.

<sup>35</sup>

Oklahoma Session Laws, 1939, Chapter 34, Article 5, p. 174.

A number of miscellaneous bills were enacted between 1909 and 1949 regarding school structure. In 1919, Senate Bill <sup>36</sup> 79 created a library commission and defined its powers and duties. Also enacted in 1919 was Senate Bill <sup>37</sup> 241 which provided for the union of two or more adjacent independent school districts. Enacted in 1927 was House Bill <sup>38</sup> 397 which had defined the boundaries that created school district number seventy-three in Bryan County; and also enacted was House Bill <sup>39</sup> 157 which defined and created a board of education and treasurer's office for an independent school district containing two or more towns, two or more cities, or one or more towns and one or more cities.

The 1936 Legislature enacted several bills relating to common school structure; House Bill <sup>42</sup> 445 authorized the county superintendent to transfer territory located in a dependent school district to an adjacent independent school district. Very significant in 1936 was the creation of the Board of Vocational Education with powers and duties through House Bill <sup>41</sup> 285.

The State Board of Education is hereby authorized and directed; (1) to administer the disbursements of

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<sup>36</sup>

Oklahoma Session Laws, 1919, Chapter 32, p. 51.

<sup>37</sup>

Oklahoma Session Laws, 1919, Chapter 69, p. 108.

<sup>38</sup>

Oklahoma Session Laws, 1927, Chapter 190, p. 240.

<sup>39</sup>

Oklahoma Session Laws, 1927, Chapter 77, p. 116.

<sup>40</sup>

Oklahoma Session Laws, 1936, Article 8, p. 172.

<sup>41</sup>

Oklahoma Session Laws, 1936, Chapter 18, p. 185-186.

all funds provided for the education and vocational rehabilitation of disabled persons; (2) to appoint and fix the compensation of the personnel necessary to administer this Act; (3) to provide for the education and/or vocational rehabilitation and placement in remunerative employment of persons eligible for the benefits of this Act; (4) to make such rules and regulations as may be necessary for the administration of this Act; and (5) to report biennially to the Governor of the State on the administration of this Act.

The creation of the vocational-technical education board continued to show a part of the philosophy of the common school idea in Oklahoma that the legislature's effort to provide a comprehensive school system which in part would mean vocational programs for Oklahoma children.

The involvement of the Oklahoma Legislature in the structuring of common schools seemed apparent in this history. However, in this examination a part of the philosophy of common school education was also made evident by the creation of school districts with high schools, a stronger role of the state in the general control and supervision of common schools through a State Board of Education, and now the creation of the Board of Vocational Education.

#### Legislative Involvement in Common

#### School Policy: 1909 - 1949

In the chronological examination of the session laws, a number of subcategories were revealed relating to policy issues in the common schools: 1) annexation and consolidation 2) transfers and transportation 3) patriotism and 4) internal operating policies and procedures of school districts. The

first three of these subtopics further enhanced the philosophy of the common school idea in Oklahoma of providing comprehensive secondary schools.

Since statehood much of the early legislation in this area was in the form of amendments or an expansion of the Oklahoma Territorial Legislature's provisions for the support of a public school system. A good example is an amendment<sup>42</sup> to the territorial statutes of 1893 through House Bill 372, which legalized elections in school districts embracing cities. This amendment was the only law enacted effecting educational policy during the 1909 state legislature. During the 1911 legislative session a number of bills were enacted relating to common school policy. House Bill 108<sup>43</sup> provided for a transfer law whereby school children could attend school in districts other than the district in which they resided. This was accomplished through approval of the county superintendent and at the expense of the home district, and the law enabled the child to attend a high school that might not otherwise be available. Perhaps closely related to this measure was House Bill 462<sup>44</sup> which provided for a system of transportation in consolidated school districts.

With the creation of the State Board of Education, came

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<sup>42</sup> Oklahoma, Revised Statutes (1909) Chapter 102, Article V, Section 8010, p. 1620.

<sup>43</sup> Oklahoma Session Laws, 1911, Chapter 102, p. 218.

<sup>44</sup> Oklahoma Session Laws, 1911, Chapter 122, p. 264.

the biennial report to the governor and legislature. The report was to set forth the work of the Board and the conditions of the schools of the state. To partially assist in this responsibility, in 1911 the position of State Inspector of Schools was created through Senate Bill 139.<sup>45</sup> His responsibility was to annually examine and report all the functions and activities within the common school system to the State Superintendent. During the 1911 session two measures relating to internal operating policies and procedures of school districts and the power of the county superintendent were enacted into law, House Bill 145<sup>46</sup> and Senate Bill 85.<sup>47</sup> The former directed the county superintendent to hire teachers for the separate schools, while the latter allowed the county superintendent to employ an assistant.

In 1913, two measures were enacted into law which had an impact on common school policy, both originating in the Senate. Senate Bill 164<sup>48</sup> amended a portion of the laws related again to the internal operating policies and procedures of school districts. Specifically, the bill allowed the county superintendent to hire a clerk. The other measure was Senate Bill 75,<sup>49</sup> which established seventeen articles governing

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<sup>45</sup>

Oklahoma Session Laws, 1911, Chapter 131, p. 288.

<sup>46</sup>

Oklahoma Session Laws, 1911, Chapter 98, p. 210.

<sup>47</sup>

Oklahoma Session Laws, 1911, Chapter 139, p. 319.

<sup>48</sup>

Oklahoma Session Laws, 1913, Chapter 237, p. 615.

<sup>49</sup>

Oklahoma Session Laws, 1913, Chapter 219, p. 487.

common schools in Oklahoma.

A number of educational policy bills were enacted during the 1915 session, of which the majority related to internal policies and procedures of school districts. Senate Bill <sup>50</sup> 373 provided for the establishment of an annual school meeting, reporting of school fund disbursement, and regulation of school elections; and House Bill <sup>51</sup> 414 provided boards of education in cities of the first class the authority to prepare and submit budgets and the mechanisms for voting excess levies. The following measures related to the states continued role in the general supervision and control of schools. The position of State Inspector of Schools, created in 1911, was <sup>52</sup> eliminated by Senate Bill 26; the issuing of and regulation of teachers certificates were enacted by Senate Bills <sup>53</sup> 364 and <sup>54</sup> 413; temperance instruction was made permissable through House <sup>55</sup> Bill 160, and amendments in employment <sup>56</sup> practices of school personnel was enacted by House Bill 537.

Four common school policy measures were enacted by the 1917 legislature, of which three originated with the House of

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<sup>50</sup>

Oklahoma Session Laws, 1915, Chapter 278, p. 644.

<sup>51</sup>

Oklahoma Session Laws, 1915, Chapter 192, p. 390.

<sup>52</sup>

Oklahoma Session Laws, 1915, Chapter 14, p. 11.

<sup>53</sup>

Oklahoma Session Laws, 1915, Chapter 114, p. 202.

<sup>54</sup>

Oklahoma Session Laws, 1915, Chapter 9, p. 10.

<sup>55</sup>

Oklahoma Session Laws, 1915, Chapter 10, p. 8.

<sup>56</sup>

Oklahoma Session Laws, 1915, Chapter 71, p. 115.

Representatives. Two were continued amendments in laws regulating the transfer of children and certification of teachers. Both were adopted through House Bill 296,<sup>57</sup> and House Bill 420,<sup>58</sup> while the third provided school districts with policies regarding playgrounds according to House Bill 413.<sup>59</sup> Again an expression of internal policies and procedures for school districts was found in Senate Bill 48,<sup>60</sup> which directed boards of education in independent districts to make annual financial and statistical reports to the State Superintendent, and provided penalties for failure to comply.

The 1919 Legislature provided laws which set out numerous common school policies; compulsory education came through Senate Bill 182,<sup>61</sup> the teaching of the English language exclusively was required by House Bill 80,<sup>62</sup> election procedures in cases of vacancies on school boards were spelled out in Senate Bill 322,<sup>63</sup> and as a result of Senate Bill 266,<sup>64</sup> a teacher's annuities and benefit system was established. Senate Bill

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<sup>57</sup> Oklahoma Session Laws, 1917, Chapter 242, p. 453.

<sup>58</sup> Oklahoma Session Laws, 1917, Chapter 242, p. 449.

<sup>59</sup> Oklahoma Session Laws, 1917, Chapter 242, p. 449.

<sup>60</sup> Oklahoma Session Laws, 1917, Chapter 259, p. 474.

<sup>61</sup> Oklahoma Session Laws, 1919, Chapter 62, p. 98.

<sup>62</sup> Oklahoma Session Laws, 1919, Chapter 141, p. 201.

<sup>63</sup> Oklahoma Session Laws, 1919, Chapter 79, p. 122.

<sup>64</sup> Oklahoma Session Laws, 1919, Chapter 97, p. 151.

<sup>65</sup>  
 22 required the publishing of a textbook on agriculture and related fields. This bill had shown a continued legislative effort to provide a comprehensive school program, especially since agriculture was the primary vocation in Oklahoma. Finally, the continuing issue of transferring children from one <sup>66</sup> district to another was re-examined in Senate Bill 33.

Many of the common school policy issues in the 1921 Legislature grew out of the national mood, which was caught up with a world war. An oath of allegiance by teachers was re- <sup>67</sup> quired by House Bill 389 and applied to all common school teachers. Failure to comply meant revocation of a teacher's <sup>68</sup> certificate. Similar in purpose was House Bill 383, which made compulsory the teaching of respect and reverence for the flag and for proper display of the American flag in every <sup>69</sup> school room. Also enacted was House Bill 384, which made compulsory the teaching of American history and civic government in all grades and high schools in the State. The balance of the 1921 Legislation involved policies and procedures of <sup>70</sup> school districts. Through House Bill 180, the annual school

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<sup>65</sup>

Oklahoma Session Laws, 1919, Chapter 8, p. 7.

<sup>66</sup>

Oklahoma Session Laws, 1919, Chapter 13, p. 13.

<sup>67</sup>

Oklahoma Session Laws, 1921, Chapter 239, p. 339.

<sup>68</sup>

Oklahoma Session Laws, 1921, Chapter 111, p. 137.

<sup>69</sup>

Oklahoma Session Laws, 1921, Chapter 112, p. 138.

<sup>70</sup>

Oklahoma Session Laws, 1921, Chapter 85, p. 110.



meeting, reporting of school fund disbursement and regulation of the school election law of 1915 was amended. Also amended were the provisions for vacancies on a board of education in cities having a population of more than 80,000, through House Bill 226.<sup>71</sup> House Bill 50<sup>72</sup> designated the County Treasurer as the custodian of school district funds and, finally, House Bill 467<sup>73</sup> defined school furniture to mean and embrace vehicles in which pupils are transported.

In the 1923 Legislature a school district policy and procedure measure was enacted by Senate Bill 6,<sup>74</sup> which was an act validating board of education contracts in cities of the first class. A continued patriotic attitude was evident in House Bill 72,<sup>75</sup> which reaffirmed the 1921 law requiring teachers to take the oath of allegiance.

The 1925 Legislature enacted House Bill 67<sup>76</sup> which elaborated on the duties and responsibilities of county superintendents, boards of education, and school district personnel. The measure was the only law enacted which related to school district policy and procedure. Another measure continued to emphasize the patriotic expression of the 1921 Legislature.

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<sup>71</sup> Oklahoma Session Laws, 1921, Chapter 96, p. 122.

<sup>72</sup> Oklahoma Session Laws, 1921, Chapter 70, p. 91.

<sup>73</sup> Oklahoma Session Laws, 1923, Chapter 231, p. 397.

<sup>74</sup> Oklahoma Session Laws, 1923, Chapter 3, p. 3.

<sup>75</sup> Oklahoma Session Laws, 1923, Chapter 150, p. 251.

<sup>76</sup> Oklahoma Session Laws, 1925, Chapter 112, p. 160.

This was House Bill 293,<sup>77</sup> which required the teaching of the Constitution in all schools.

The 1927 and 1929 Legislatures enacted four common school policy bills into law. School district policies and procedures accounted for three of the measures and all related to treasurers for school districts. House Bill 326<sup>78</sup> provided for the city of Tulsa board of education to appoint a treasurer for the district. House Bill 299<sup>79</sup> enabled the Coal County Treasurer to act as the school district treasurer. Senate Bill 10<sup>80</sup> required school district treasurers to be bonded. Also enacted was Senate Bill 33<sup>81</sup> that repealed county and city certificate laws and provided the State Board of Education with sole responsibility of teacher certification. The bill represented a continued example of a stronger role of the state in the general control and supervision of schools.

The four common school policy bills enacted in 1931 were independent of each other, but related in internal school district policy and procedure. Senate Bill 67<sup>82</sup> related to election and organization of boards of education in independent districts.

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<sup>77</sup>

Oklahoma Session Laws, 1925, Chapter 171, p. 275.

<sup>78</sup>

Oklahoma Session Laws, 1927, Chapter 173, p. 228.

<sup>79</sup>

Oklahoma Session Laws, 1927, Chapter 168, p. 224.

<sup>80</sup>

Oklahoma Session Laws, 1929, Chapter 261, p. 373.

<sup>81</sup>

Oklahoma Session Laws, 1929, Chapter 263, p. 375.

<sup>82</sup>

Oklahoma Session Laws, 1931, Chapter 34, p. 126.

Senate Bill 101 prohibited school officials from accepting gifts for favorable or unfavorable action on any given school issue. School boundary changes could be appealed in county court according to House Bill 98,<sup>84</sup> and amendments to employment and discharging teachers was enacted by House Bill 19.<sup>85</sup> Certain statutory references in 1931 regarding transportation affected common school policy and appeared to address specific issues relating to different types of school district operation and procedure:

Section 10465, O.S. 1931, provides that school district boards in consolidated districts are charged with the responsibility of furnishing suitable vehicles driven by competent persons of good moral character for the purpose of transporting school children. This statute further provides that the district board of an independent school district having the area, population, and assessed valuation equal to that required of consolidated districts as provided by law, shall have the authority to provide transportation for pupils.

Section 6940, O.S. 1931, provides that transportation may be furnished in any union grades school district to convey pupils to and from the central building, provided a meeting of the legal voters of the district is called to vote on this measure, and sixty per cent (60%) of the voters present at such meeting vote in favor of such measure.<sup>86</sup>

The majority of common school policy legislation in 1933 was introduced by the House of Representatives, although one bill was introduced in the Senate. These bills varied in the

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<sup>83</sup>

Oklahoma Session Laws, 1931, Chapter 32, p. 112.

<sup>84</sup>

Oklahoma Session Laws, 1931, Chapter 34, p. 123.

<sup>85</sup>

Oklahoma Session Laws, 1931, Chapter 34, p. 124.

<sup>86</sup>

Oklahoma, Revised Statutes (1931), Title 34, Section 10465, 6940, 6920, pp. 2018-2022.

nature of their content but the major issues addressed were in the area of transfer, annexation and transportation and a continued interest in expanding local high schools. Affect-<sup>87</sup>ing these issues was Senate Bill 57, which established the pro rata of cost in the transfer of children from one district<sup>88</sup> to another and the House bills initiated were House Bill 194, providing for the disorganization of independent school districts for the purpose of annexing the territory disorganized to an adjacent independent school district, and the establishment of the mechanics for such a procedure with change in certain administrative procedures relative to annexation and House<sup>89</sup> Bill 318, providing for amendments in the transfer and trans-<sup>90</sup>portation of children in separate schools. House Bill 29 established the Transportation Division of the State Department of Education. One reason for the Transportation Division's creation was that buses from different districts were operating along the same routes in servicing transferred students. As a result, intense rivalries developed between various districts concerning their transportation routes. One other measure<sup>91</sup> enacted in 1933 was House Bill 111. It had an impact on

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<sup>87</sup>

Oklahoma Session Laws, 1933, Chapter 13, p. 32.

<sup>88</sup>

Oklahoma Session Laws, 1933, Chapter 93, p. 170.

<sup>89</sup>

Oklahoma Session Laws, 1933, Chapter 116, p. 282.

<sup>90</sup>

Oklahoma Session Laws, 1933, Chapter 205, p. 490.

<sup>91</sup>

Oklahoma Session Laws, 1933, Chapter 83, p. 146.

school district policies and procedures as it amended laws relating to bonding of school district treasurers.

The 1936 Legislature was very active in setting common school policy as they enacted ten bills, eight House and three Senate bills. Two House bills, 445<sup>92</sup> and 203,<sup>93</sup> dealt with school district territory. The former authorized the county superintendent to transfer territory located in a dependent district to an adjacent independent school district under certain conditions, while the latter related to attaching adjacent territory, boundary changes and bonded indebtedness. House Bills 364<sup>94</sup> and 319<sup>95</sup> related to school boards. House Bill 364<sup>96</sup> declared certain individuals ineligible to serve on the school board of any district and House Bill 319<sup>97</sup> defined the powers of school boards. The continued issue of school transfers occurred when computation of the amount of transfer fees that may be included in the estimates of need in school districts was provided for in House Bill 420.<sup>98</sup> Another bill of general common school policy was House Bill 225<sup>99</sup> which

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- <sup>92</sup>  
Oklahoma Session Laws, 1936, Chapter 51, p. 219.
- <sup>93</sup>  
Oklahoma Session Laws, 1936, Chapter 34, p. 150.
- <sup>94</sup>  
Oklahoma Session Laws, 1936, Chapter 34, Article 1, p. 168.
- <sup>95</sup>  
Ibid., Article 2, p. 168.
- <sup>96</sup>  
Ibid., Article 1, p. 168.
- <sup>97</sup>  
Ibid., Article 2, p. 168.
- <sup>98</sup>  
Ibid., p. 172
- <sup>99</sup>  
Oklahoma Session Laws, 1936, Article 18, p. 184.

authorized a program of employment and vocational training for children of needy families. Three distinct Senate bills were enacted, again all of which related to school district policy and procedure. Senate Bill 139<sup>100</sup> established the legal procedure for employment and dischargement of teachers. Senate Bill 246<sup>101</sup> amended the meetings of school boards and provided the mechanism for filling vacancies on school boards. Senate Bill 178<sup>102</sup> allowed school districts to employ physicians, dentists, and nurses to promote and maintain good health among children attending public school.

Enacted into law in 1939 were a number of bills relating to common school policy. Both the Senate and House addressed the continued issues relating to school district policy and procedure, transportation, and transfers. Specifically, through Senate Bill number 76,<sup>103</sup> a mechanism was established to enable adults between the ages of twenty-one and twenty-five to complete common school at no cost. The program was only available to those who because of physical disability were unable to complete school while of legal school age. Also enacted were a number of House bills. House Bill 235<sup>104</sup> permitted local schools to participate in adult education. House Bill 557<sup>105</sup> provided

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<sup>100</sup>

Oklahoma Session Laws, 1936, Article 16, P. 179.

<sup>101</sup>

Oklahoma Session Laws, 1936, Article 2, p. 162.

<sup>102</sup>

Oklahoma Session Laws, 1936, Article 4, p. 169.

<sup>103</sup>

Oklahoma Session Laws, 1939, Article 12, p. 183.

<sup>104</sup>

Oklahoma Session Laws, 1939, Article 13, p. 185.

<sup>105</sup>

Oklahoma Session Laws, 1939, Article 2, p. 170.

for the appointment of a rural school supervisor in each county having a population of not less than seventy-five thousand and not more than one hundred thousand. House Bill <sup>106</sup> 85 provided a vehicle for appeals of county superintendent orders. House Bill <sup>107</sup> 648 permitted transfer of pupils by petition of patrons. In addition to these House bills, there were three House bills relating to transportation, House Bills <sup>108</sup> 174, <sup>109</sup> 623, <sup>110</sup> and <sup>111</sup> 292. House Bill <sup>111</sup> 174 authorized the use of buses on outside activities according to the following conditions:

Section 1. The school board or the board of education of any school district having the authority to furnish transportation to pupils may authorize the school buses of the district to be used to transport pupils attending the schools of the district to and from school activities held within or without the district and in which such pupils participate.

<sup>112</sup> While House Bill 623 provided that in all cases where transportation has been provided for children attending public schools, the same will be provided for children attending private or parochial schools. One of the most significant

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<sup>106</sup>

Oklahoma Session Laws, 1939, Article 4, p. 171.

<sup>107</sup>

Oklahoma Session Laws, 1939, Article 8, p. 177.

<sup>108</sup>

Oklahoma Session Laws, 1939, Article 10, p. 183.

<sup>109</sup>

Oklahoma Session Laws, 1939, Article 11, p. 183.

<sup>110</sup>

Oklahoma Session Laws, 1939, Article 9, p. 178.

<sup>111</sup>

Oklahoma Session Laws, 1939, Article 10, p. 183.

<sup>112</sup>

Oklahoma Session Laws, 1939, Article 12, p. 183.

bills relating to transportation was House Bill 292, which  
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 provided the following:

1. The authorization of transportation services for
  - a. School districts maintaining "not less than two accredited high school grades."
  - b. Transferred pupils.
  - c. A dependent school district that has "dispensed with its school and transferred its pupils to another district or districts."
  - d. Pupils who live less than one (1) mile from the school building, provided such service "will not overcrowd the vehicle or incur additional expense on the part of the district."
2. The purchase or contract of transportation equipment.
3. The prescribing and promulgating by the Department of Public Safety and the State Board of Education of rules and regulations establishing minimum standards of construction and equipment of vehicles.
4. The inspection of transportation equipment.
5. The licensing of drivers by the Department of Public Safety.
6. The requiring of the stopping of school buses before crossing a railway track or crossing or entering a state or Federal highway, and providing a penalty for such violations.
7. The requiring of all vehicles to stop before passing a school bus "which has stopped for the purpose of permitting a child or children to enter said vehicle or to alight therefrom."
8. The purchase of liability insurance.
9. The authorizing of the State Board of Education to "fix the boundaries of the area in which each school district shall provide transportation."
10. "The provisions of the Act shall apply to the separate schools of the State."

From statehood to the passage of this bill in 1939, very little consideration was given to public school transportation by the Legislature. However, some specific references were made in



1919 by Senate Bill 313,<sup>114</sup> House Bill 29,<sup>115</sup> 1933, and House Bills 298<sup>116</sup> and 275<sup>117</sup> of 1935. But House Bill 292 takes on additional significance as it is the first time the Legislature comprehensively examined a portion of common school laws on transportation. This was further evidenced by the fact<sup>118</sup> that the bill was referred to as the Transportation Code.

Legislation relating to common school policy during the 1941 session was limited. Only four bills were enacted. Two related to internal school district policy and procedure. House Bill 329<sup>119</sup> established qualification for voting at school district elections, while House Bill 23<sup>120</sup> provided for election procedures and terms of office for the county superintendent. House Bill 305<sup>121</sup> provided for the enumeration of children of school age in certain instances. Continued amendments to the transfer law were made by House Bill 268.<sup>122</sup>

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<sup>114</sup>

Oklahoma Session Laws, 1919, Chapter 93, p. 146.

<sup>115</sup>

Oklahoma Session Laws, 1933, Chapter 205, p. 490.

<sup>116</sup>

Oklahoma Session Laws, 1935, Article 3, p. 141.

<sup>117</sup>

Oklahoma Session Laws, 1935, Article 1, p. 199.

<sup>118</sup>

Nineteenth Biennial Report of State Superintendent of Public Instruction, p. 58.

<sup>119</sup>

Oklahoma Session Laws, Title 70, Chapter 3, p. 400.

<sup>120</sup>

Oklahoma Session Laws, Title 70, Chapter 2, p. 399.

<sup>121</sup>

Oklahoma Session Laws, 1941, Title 70, Chapter 9, p. 400.

<sup>122</sup>

Oklahoma Session Laws, 1941, Title 70, Chapter 29, p.

Senate Bill 81<sup>123</sup> related to the formation and alteration of school districts and Senate Bill 313<sup>124</sup> provided for annexation of a common school district to a union graded, consolidated, or independent district under certain circumstances. Finally, House Bill 155<sup>125</sup> amended the transportation bill of 1939 in the area of authorizing, regulating, and limiting such transportation.

Common school policy in 1943 was primarily involved with teaching personnel and miscellaneous matters. House Bill 413<sup>126</sup> had prescribed the number of teachers for a school approved and isolated for twelve grades under the state aid law, and House Bill 359<sup>127</sup> allowed school districts to employ emergency supply teachers. In the Senate, two patriotic measures reflecting the tenor of the time were enacted. Through Senate Bill 70,<sup>128</sup> the public school system provided

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<sup>123</sup>  
Oklahoma Session Laws, 1941, Title 70, Chapter 24,  
p. 407.

<sup>124</sup>  
Oklahoma Session Laws, 1941, Title 70, Chapter 24a,  
p. 410.

<sup>125</sup>  
Oklahoma Session Laws, 1941, Title 70, Chapter 31a,  
p. 426.

<sup>126</sup>  
Oklahoma Session Laws, 1943, Title 70, Chapter 21a,  
p. 207.

<sup>127</sup>  
Oklahoma Session Laws, 1943, Title 70, Chapter 27,  
p. 212.

<sup>128</sup>  
Oklahoma Session Laws, 1943, Title 70, Chapter 16,  
p. 200.

extra school services to alleviate child care problems for parents who were assisting manpower needs during war-time and also enacted was Senate Bill 168<sup>129</sup> which authorized school districts to contract with departments or agencies of the Federal government to sponsor hot lunch programs designated for the promotion of the war effort.

There were five bills enacted into law regarding common school policy in 1945, four originating in the House and one in the Senate. The majority of these related to school district policy and procedure measures. House Bill 151<sup>130</sup> authorized school districts to provide common school education for the physically handicapped children, and established a mechanism for the administration of the program, including transfers, and funding, as well as teaching requirements. Employment of part-time teachers in special subjects and teacher contracts were spelled out in House Bill 316.<sup>131</sup> Senate Bill 92<sup>132</sup>

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<sup>129</sup>  
p. 198. Oklahoma Session Laws, 1943, Title 70, Chapter 6,

<sup>130</sup>  
p. 336. Oklahoma Session Laws, 1945, Title 70, Chapter 31,

<sup>131</sup>  
p. 301. Oklahoma Session Laws, 1945, Title 70, Chapter 5,

<sup>132</sup>  
p. 302. Oklahoma Session Laws, 1945, Title 70, Chapter 9,

related to annual scholastic census in school districts<sup>133</sup> and outlined the remuneration costs. House Bill 244<sup>133</sup> provided for the retirement of teachers and other personnel. The question of transportation was again addressed by House Bill 503<sup>134</sup> in which school districts were authorized to furnish transportation and to vote bonds for purchase of transportation equipment.

### Legislative Involvement in Common

School Finance: 1909 - 1949

One of the greatest concerns in the history of the public schools in Oklahoma was the question of finance. Since statehood, many of the State Department of Education biennial reports to the Legislature had referred to this question of financing public schools. For example, in the Sixth Biennial report the State Superintendent stated "It was reasonably expected that the Legislature would continue the policy of extending financial assistance to districts<sup>135</sup> . . .," while the State Superintendent in the Tenth Biennial report noted "the most important subject relative

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<sup>133</sup> Oklahoma Session Laws, 1945, Title 70, Chapter 27, p. 320.

<sup>134</sup> Oklahoma Session Laws, 1945, Title 70, Chapter 3, p. 300.

<sup>135</sup> Sixth Biennial Report of the State Superintendent of Public Instruction, 1916, p. 11.

to the public schools is a fiscal one."<sup>136</sup> The State Superintendent, in his Eleventh Biennial Report, recommended "that the Legislature enact . . . a plan of state aid to guarantee more equality of educational opportunity."<sup>137</sup>

In 1938, the State Superintendent in his biennial report to the Legislature made sixteen major recommendations relating to financing common schools,<sup>138</sup> and each of these recommendations varied in nature. But in essence, all clearly pointed out that financial support for the common schools was a principal problem confronting the Legislature. Prior to examining the Legislature's involvement in common school finance, a brief explanation of the sources from which school finance originated and developed is necessary.

Through the Organic Act of 1890, the Federal Government granted sections sixteen and thirty-six in each Township in Oklahoma Territory. This land constituted 1,415,000 acres and was set aside for the benefit of common schools. Since the Indian Territory was all Federal land in a sense and no funds were available for a public school system, a five million dollar appropriation was made by Congress in lieu of the common practice of allocating sections sixteen and

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<sup>136</sup>

Tenth Biennial Report of the State Superintendent of Public Instruction, 1924, p. 10.

<sup>137</sup>

Eleventh Biennial Report of the State Superintendent of Public Instruction, 1926, p. 7.

<sup>138</sup>

Eighteenth Biennial Report of the State Superintendent of Public Instruction, 1938, p. 15.

thirty-six of each township. This original school land endowment and the five million dollar apportionment constituted the basis for Oklahoma's permanent school fund.

In addition to this original endowment, the State was divided into school districts and equal size, except in the old Indian Territory. The people of these districts were given the legal right to levy taxes against the assessed valuation of all property within the district, not to exceed 15 mills to support their schools. However, this system of financing public schools in Oklahoma would not always be sufficient. Many of the financial ills of the schools that developed were traceable to the inequalities of local wealth among the school districts of the state. These inequalities were reflected in the shifting in the patterns of wealth due to social and economic development of the state, decline in the total assessed valuation of real estate and personal property, length of school terms and the quality of school programs. Until the late 1920's, the legislation enacted affecting school finance was piecemeal and reflected no discernable pattern. But it is significant to note, the majority of the Legislature's effort in financing common schools seemed to be attempts to equalize education opportunity.

In 1908, House Bill 65<sup>139</sup> was enacted into law and provided for bonding school districts. The bonds were used to

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Oklahoma, Revised Statutes (1909) Chapter 102 Article VI Section 8066-72 pp. 1631-1634.

purchase land and erect school buildings. Tax levies were provided in the bill to pay the interest on the indebtedness. A sinking fund was established for the payment of the principal. The same year, the Legislature enacted House Bill 140 527 which legalized a bond issue for a school district in Major County, Oklahoma.

The 1911 Legislature enacted only two common school finance bills, Senate Bill 62<sup>141</sup> and House Bill 95.<sup>142</sup> The former measure provided for the sale of certain public lands for school building sites. The latter provided for the setting aside and creating of a fund to be known as the consolidated school district fund. The fund was developed from the sale and lease of land located in Greer County and was to be used to finance the construction of union graded and consolidated school district buildings.

Expanding on the two previous legislative sessions, the 1913 Legislature enacted House Bill 149<sup>143</sup> in which the public building funds were diverted in this consolidated school fund. Also enacted in 1913 was House Bill 44<sup>144</sup> which appropriated from the union graded consolidated fund an amount to be apportioned by scholastic population to different counties

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<sup>140</sup>

Oklahoma Session Laws, 1909, Chapter 77, p. 673.

<sup>141</sup>

Oklahoma Session Laws, 1911, Chapter 116, p. 257.

<sup>142</sup>

Oklahoma Session Laws, 1913, Chapter 15, p. 16.

<sup>143</sup>

Fifth Biennial Report of State Superintendent of Public Instruction, 1914, p. 113.

<sup>144</sup>

Ibid.

through the State Board of Education. Some 61 school districts outside cities of the first class applied for and received aid from this measure. Somewhat germane to common school finance was Senate Bill 301<sup>145</sup> which prohibited the sale of municipal bonds at less than par and provided safeguards for expenditures against special and contingent funds. In addition to the legislation, two constitutional amendments were proposed and adopted by the people through Senate Joint Resolution 1 and House Joint Resolution 2. The former provided that taxes by certain public corporations would be used for the maintenance of common schools in the state for a term of six months.<sup>146</sup>

Several amendments to earlier common school finance laws were made during the 1915 Legislature. House Bill 134<sup>147</sup> made minor amendments in the law regarding taxation, issuing of bonds and the purchasing of school sites.<sup>148</sup> House Bill 501 provided a more flexible manner of voting excess levies for school purposes and House Bill 290<sup>149</sup> related to state fund apportionment to counties and school districts.

In 1917 the Legislature enacted three common school finance bills, two originating with the Senate and one with

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<sup>145</sup>

Oklahoma Session Laws, 1913, Chapter 119, p. 220.

<sup>146</sup>

Sixth Biennial Report of State Superintendent of Public Instruction, 1916, p. 14.

<sup>147</sup>

Oklahoma Session Laws, 1915, Chapter 187, p. 381.

<sup>148</sup>

Oklahoma Session Laws, 1915, Chapter 199, p. 405.

<sup>149</sup>

Oklahoma Session Laws, 1915, Chapter 250, p. 607.



the House of Representatives. Methodology regarding school levies was amended through the enactment of Senate Bill 149,<sup>150</sup> while Senate Bill 52<sup>151</sup> and House Bill 590<sup>152</sup> related to the apportionment of and aid from union or consolidated school funds.

In the provision of Senate Bill 182<sup>153</sup> of the 1919 Oklahoma Session, the State Board of Education was to determine the eligibility of weak rural school districts to share in the aid appropriated for promoting and improving the rural school interests.<sup>154</sup> It was also the responsibility of the Board, through House Bill 419,<sup>155</sup> to apportion and distribute funds to the union graded or consolidated school districts. A unique measure of the 1919 Legislature was House Bill 7,<sup>156</sup> which made possible the transfer of funds from the Creek County High School fund to the common school fund of Creek County. Also enacted in 1919 was House Bill 304,<sup>157</sup> which amended the law relating to the investment policies for sinking funds.

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<sup>150</sup> Oklahoma Session Laws, 1917, Chapter 254, p. 465.

<sup>151</sup> Oklahoma Session Laws, 1917, Chapter 252, p. 460.

<sup>152</sup> Oklahoma Session Laws, 1917, Chapter 77, p. 124.

<sup>153</sup> Oklahoma Session Laws, 1919, Chapter 62, p. 98.

<sup>154</sup> Eighth Biennial Report of State Superintendent of Public Instruction, 1920, p. 77.'

<sup>155</sup> Oklahoma Session Laws, 1919, Chapter 253, p. 359.

<sup>156</sup> Oklahoma Session Laws, 1919, Chapter 124, p. 177.

<sup>157</sup> Oklahoma Session Laws, 1919, Chapter 207, p. 295.

Issues regarding financing common school education were limited during the 1921 Legislative Session. Only Senate Bills 158 and 159<sup>158 159</sup> supplemented legislative appropriations to aid the rural, public and union graded or consolidated schools. In an effort to assist separate schools, Senate Bill 323<sup>160</sup> raised the allowable one mill levy to a two mill levy.<sup>161</sup>

The 1923 Legislature enacted three House bills and two Senate bills regarding common school finance. Payments were made for indebtedness in school districts in cities of the first class through House Bill 346.<sup>162</sup> House Bill 207<sup>163</sup> provided sufficient revenue to maintain public schools in those areas where lead and zinc minerals were mined from Indian lands exempt from taxation. A continuation of policy for state aid and its apportionment to weak school districts was provided for through House Bill 140<sup>164</sup> while Senate Bills 5<sup>165</sup> and 7<sup>166</sup> made appropriations to aid the union graded and consolidated school districts a continued policy of the Legislature.

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158

Oklahoma Session Laws, 1919, Chapter 16, p. 24.

159

Oklahoma Session Laws, 1919, Chapter 191, p. 215.

160

Oklahoma Session Laws, 1919, Chapter 48, p. 67.

161

Ninth Biennial Report of State Superintendent of Public Instruction, 1922, p. 42.

162

Oklahoma Session Laws, 1923, Chapter 211, p. 373.

163

Oklahoma Session Laws, 1923, Chapter 179, p. 306.

164

Oklahoma Session Laws, 1923, Chapter 164, p. 265.

165

Oklahoma Session Laws, 1923, Chapter 3, p. 3.

166

Oklahoma Session Laws, 1923, Chapter 5, p. 4.

Again appropriations to aid weak school districts occurred in the 1925 Legislature as a result of Senate Bill 167 and House Bill 98.<sup>168</sup> In addition to this legislation, a proposed constitutional amendment was submitted through House Joint Resolution 7<sup>169</sup> and defeated by a vote of the people. The constitutional amendment attempted to eliminate the need for the yearly emergency appropriations through a special state levy for school districts.<sup>170</sup>

After years of disjointed efforts in financing common schools, the State Superintendent of Public Instruction in the Eleventh Biennial Report of 1926 recommended to the Legislature that it enact a plan of state aid to guarantee more equality of educational opportunity.<sup>171</sup> Until 1926, many of the financial problems of Oklahoma schools were a result of the inequalities of local wealth among the various districts of the state. As indicated in early legislative sessions, these inequalities in the financial ability of school districts were recognized and small amounts of money were appropriated by various Legislatures to assist poor

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167

Oklahoma Session Laws, 1925, Chapter 2, p. 2.

168

Oklahoma Session Laws, 1925, Chapter 123, p. 173.

169

Oklahoma Session Laws, 1925, Chapter 240, p. 345.

170

Eleventh Biennial Report of State Superintendent of Public Instruction, 1926, p. 7.

171

Eleventh Biennial Report of State Superintendent of Public Instruction, 1926, p. 7.

school districts. Again in 1927 the Legislature, through House Bill 9,<sup>172</sup> passed an act to aid and assist the weak school districts. Because districts varied greatly in wealth and inequalities existed between districts in the length of the school term and in the quality of the school program each district was able to offer and because of the recommendation of the State Superintendent of Public Instruction, the 1929 Legislature created the special common school equalization fund through Senate Bill 14.<sup>173</sup> Basically, the act provided a continuous annual appropriation of one fourth of all gross production taxes accruing to the state. In order for school districts to participate in this fund, certain criterias were established by the State Department of Education, such as requiring districts to levy 15 mills and have an average daily attendance of 25.<sup>175</sup> Still in 1927, enlargement of certain statutory provisions through Senate Bill 88<sup>175</sup> made possible the issuance of bonds by independent school districts for the purpose of repairing school buildings or purchasing school sites.

The 1929 Legislature saw the value of the common school equalization fund and supplemented it through Senate Bill

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<sup>172</sup>

Oklahoma Session Laws, 1927, Chapter 65, p. 85.

<sup>173</sup>

Oklahoma Session Laws, 1929, Chapter 259, p. 369.

<sup>174</sup>

Twentieth Biennial Report of State Superintendent of Public Instruction, 1928, p. 45.

<sup>175</sup>

Oklahoma Session Laws, 1927, Chapter 23, p. 23.

<sup>176</sup>  
14. This legislation was unique as it was the only financial legislation for common schools that session.

School districts in 1931 recognized the continuous problem of no longer being able to finance their schools with any degree of efficiency, but the revenue for common schools continued to be local.<sup>177</sup> For example, in the year 1931-32, state funds contributed approximately 6.7 percent, the county 6 percent, and the local district 87.3 percent. With this recognition, the 1931 Legislature through House Bill 306<sup>178</sup> and Senate bill 252<sup>179</sup> provided an appropriation from the general revenue fund to the special school equalization fund.

House bills 250<sup>180</sup> and 212<sup>181</sup> were the only common school finance bills enacted during the 1933 Legislature. The former bill appropriated money from the general revenue fund to supplement the special common school equalization fund. The latter bill provided two types of State support, general support for districts regardless of their financial

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<sup>176</sup> Oklahoma Session Laws, 1929, Chapter 259, p. 369.

<sup>177</sup> Fourteenth Biennial Report of State Superintendent of Public Instruction, 1930, p. 130.

<sup>178</sup> Oklahoma Session Laws, 1931, Chapter 34, Article 4, p. 127.

<sup>179</sup> Ibid., Article 5, p. 127.

<sup>180</sup> Oklahoma Session Laws, 1933, Chapter 105, p. 208.

<sup>181</sup> Oklahoma Session Laws, 1933, Chapter 13, p. 34.

ability and equalization support for districts which could not maintain school for a minimum term.<sup>182</sup> At this point the participation by the state in school finance was still new with only small apportionments to school districts. But the ability of local districts continued to decrease with depression years and the need for the state to become more involved became **increasingly** apparent.

There were six common school finance measures in the 1936 Legislative session. Appropriations were made available to aid in the construction of school buildings, the support and maintenance of public schools, and for the office of the State Superintendent of Public Instruction. These appropriations were made through House Bill 665,<sup>183</sup> Senate Bill 92,<sup>184</sup> and Senate Bill 338.<sup>185</sup> Of these measures Senate Bill 92<sup>186</sup> indicated the Legislature's interest in financing common schools in Oklahoma, as this bill provided a much sounder financial basis for the operation of common schools. The act authorized the State Board of Education to apportion aid to several school districts for the loss sustained by the

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<sup>182</sup>

Seventeenth Biennial Report of State Superintendent of Public Instruction, 1936, p. 154.

<sup>183</sup>

Oklahoma Session Laws, 1936, Chapter 34, Article 14, p. 177.

<sup>184</sup>

Oklahoma Session Laws, 1935, Article 6, p. 145.

<sup>185</sup>

Oklahoma Session Laws, 1936, p. 539.

<sup>186</sup>

Oklahoma Session Laws, 1935, Article 6, p. 145.

districts because of the exemption of homesteads from ad  
<sup>187</sup>valorem taxation. The act also provided for primary aid  
 which was allocated to all districts alike on the basis of  
 the average daily attendance for the previous year. In  
 addition, secondary aid was provided in this bill to each  
 district in the state as follows:

- (1) in which the people voted at least an eight-month term of school, (2) in which a ten-mill ad valorem tax levy for the general fund of the current school year was levied and used, (3) which had an average daily attendance sufficient to qualify for Primary Aid or was classified as isolated by the State Board of Education, and (4) which did not have sufficient income as defined in House Bill 6 to support the minimum program of education.<sup>188</sup>

In addition to these measures, House Bill 320<sup>189</sup> provided for levying a tax for separate schools when the county-wide tax was not sufficient.

The 1939 Legislature apportioned aid for the maintenance  
<sup>190</sup>of public schools through Senate Bill 22 because of a continued decrease of valuations of all school districts in the state. Senate Bill 22 further exemplified a shift in the manner of financing public schools, from less district support to more state aid.

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<sup>187</sup>

Seventeenth Biennial Report of State Superintendent of Public Instruction, 1936, p. 154.

<sup>188</sup>

Ibid., p. 155.

<sup>189</sup>

Nineteenth Biennial Report of State Superintendent of Public Instruction, 1940, p. 71.

<sup>190</sup>

Oklahoma Session Laws, 1939, Article 14, p. 186.

The Legislature of 1941 enacted numerous bills in the area of common school finance. House Bill 1<sup>191</sup> permitted excise boards flexibility in that they could apportion more than five mills to any school district. In addition, House Bill 283<sup>192</sup> was enacted and provided for the issuance and sale of separate school improvement bonds. A very significant bill in 1941 was Senate Bill 14<sup>193</sup> which went a long way toward expanding, enlarging, and equalizing educational opportunity, support, maintenance and operation of schools.<sup>194</sup> Also enacted in 1941 was House Bill 528<sup>195</sup> which provided that ninety percent of the Auto License and Farmer Tractor Tax be returned to the counties where collected to be apportioned for the use of the common schools. If in any year the collections from this source fall below a given amount, the difference should be replaced from the Beverage Tax.

The 1945 Legislature enacted several common school finance bills, all of which originated in the House of Representatives. Of these measures, two made several changes in other state revenue earmarked funds for schools. House

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<sup>191</sup>

Oklahoma Session Laws, 1941, Chapter 10, p. 335.

<sup>192</sup>

Oklahoma Session Laws, 1941, Chapter 25a, p. 411.

<sup>193</sup>

Oklahoma Session Laws, 1941, Chapter 21, p. 401.

<sup>194</sup>

Twentieth Biennial Report of State Superintendent of Public Instruction, 1943, p. 48.

<sup>195</sup>

Oklahoma Session Laws, 1941, Chapter 1a, p. 173.



Bill 498<sup>196</sup> increased the amount of revenue from the Auto License Tax, and House Bill 524<sup>197</sup> transferred certain surplus funds in the School Land Department to the School Land Apportionment, while House Bill 139<sup>198</sup> amended previous laws which involved the support, maintenance and operation of common schools. The final measure of the 1945 Legislature in this areas was House Bill 114<sup>199</sup> which provided an apportionment to the State Superintendent of Public Instruction to carry out certain legislative directives.

The 1947 Legislature enacted into law House Bill 85,<sup>200</sup> which was the common school state aid bill. The state aid bill was divided into three articles. Article I amended the Auto License Tax, Gross Production Tax, and the Transfer Fee Law. Article II involved questions of annexation, and Article III provided for the distribution of state aid to the various school districts of the state.

In summary, the historical review of legislative action provides some insight into possible thoughts on the philosophy of the common school idea in Oklahoma. It is evident that there had been continued legislative efforts to

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<sup>196</sup>  
Oklahoma Session Laws, 1945, Title 47, Chapter 1,  
p. 144.

<sup>197</sup>  
Oklahoma Session Laws, 1945, Title 64, Chapter 1b,  
p. 249.

<sup>198</sup>  
Oklahoma Session Laws, 1945, Title 64, Chapter  
21, p. 310.

<sup>199</sup>  
Oklahoma Session Laws, 1945, Title 70, Chapter 7,  
p. 302.

expand secondary schools, that the state should play a stronger state role in the general control and supervision of common schools, vocational and technical programs were encouraged as was annexation and consolidation. Moreover, there was continued interest in transfers, transportation, and equalization of educational opportunity by state financial support.

These continuing interests, found in the historical examination of common school legislation, continued to be the substantive issues raised in the 1949 and 1970 common school codes.

### CHAPTER III

#### THE MAJOR POLITICAL FORCES WHICH INFLUENCED THE COMMITTEES ON EDUCATION AS THEY WORKED ON THE 1949 AND 1970 COMMON SCHOOL CODES

Since statehood, legislative interest and involvement in common school education was apparent. The session laws of each legislature after 1949 revealed a number of significant factors. Numerous enacted bills on common schools became law, and a majority of these laws related to structure, policy and finance. In addition, the Legislature, after 1920, began to assert a greater role and involvement in the educational decision-making process. Many of these laws were ambiguous, conflicting, and repetitious. As a result of these factors, the 1949 and 1970 Legislatures made more changes in the school laws than any Legislature in the history of Oklahoma. This was accomplished by the enactment of House Bill 120<sup>1</sup> in 1949 and House Bill 1590<sup>2</sup> in 1970, each of which established a code for the common school system of the state.

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<sup>1</sup> Oklahoma Session Laws, 1949, Title 70, p. 517.

<sup>2</sup> House Bill 1590 was not enacted into law, and therefore was not listed in the Oklahoma Session Laws.

Interesting parallels existed in the legislative histories of both the 1949 and 1970 common school codes. First, the codification efforts of common school laws in 1949 and 1970 were major legislative undertakings. They involved many hours of study, analysis, and deliberation, as will be evidenced by their legislative histories. In this undertaking, the Legislature seemed to follow these major purposes and objectives for statutory revision and codification:

1. The gathering together in one orderly body of law all the present statutory provisions on the subject and determining which statutes were normally in force.

2. Eliminating from the body of statutes nominally in force, those statutes and parts of statutes which, in effect, were not in force by reason of obsolescence, unconstitutionality, or implied repeal. This procedure required a careful analysis of the statutes, court decisions, and opinions of the Attorney General.

3. Bringing together, under a logical classification system, those statutes and parts of statutes which, because of similarity of subject matter, properly belonged together and eliminated those statutes which were found to be duplicated or repetitious.

4. Simplifying and clarifying the statutes that remained by rejecting equivocal and ambiguous words, unclear phraseology and cumbersome style, and by restating the

statutes in clear, common language, capable of being understood and rewriting those parts of present laws which were meaningless without reference to Attorney General's opinions or judicial decisions.

5. Rectifying inconsistencies and gaps and inserting where deemed advisable, amendments and entirely new provisions of law.

6. Arranging the proposed codes in logical chapter sequence according to a constituted plan, as determined by the logical subdivisions of the laws being studied.

7. Preparing the proposed codes in the most convenient and usable form of numbering, cross references, tables, and indexes, and preparing notes on the derivation and reasons for adopting each code section as it best facilitated locating and understanding every phase of the laws relating to the subject under consideration.

Secondly, both codes were initiated and supported by a variety of groups and individuals. These included professional educators, the Oklahoma Education Association, the Legislative Council, individual legislators, and lay citizens, each with their own special interest.

From the research over an eighteen month period and numerous public meetings, the initial recommendation for the 1949 school code was to incorporate into a single act all laws relating to the public school system to be known as the

Oklahoma School Code.<sup>3</sup> In this effort, ambiguous, conflicting, and repetitious statutes were to be re-arranged and revised; provisions designed to meet the current needs were to be added; and, for the purpose of better arrangement of related materials, this code was to be divided into chapters and sections. In addition to this initial recommendation, approximately fifteen subsequent recommendations were made as follows: 1) to enlarge and strengthen the powers of the State Board of Education 2) to abolish as an elective office the Office of County Superintendent 3) to reclassify school districts as independent and dependent 4) to authorize local boards to organize themselves 5) to make the terms of office, meeting dates, and duties of local boards identical in all districts 6) to enlarge the curriculum offerings 7) to provide for greater safety and welfare of children as it relates to transportation 8) to provide for employment of visiting teachers and enforcement of attendance laws 9) the fixing of compulsory attendance age 10) a strengthening of the teachers retirement system 11) to authorize the employment of teachers for twelve months 12) to establish procedures for employment and dismissal of teachers 13) to provide for a system of sick leave for teachers 14) to reorganize the school districts and 15) to redefine the present provisions regarding finance.<sup>4</sup> Of all these recommendations, three were

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<sup>3</sup> First Biennial Report, 1948, p. 37.

<sup>4</sup> Ibid., PP. 38-40.

substantive in nature and had a major political impact on common school education. These were the broadening power of the State Board of Education, the reorganization of school districts through annexation and consolidation, and school finance.

Unlike the State Board of Education as created in 1910, the 1948 legislative recommendation would have given a wider and more diversified power to the state in the policy, procedure and operation of common school education as evidenced by the language of the recommendation. The suggested State Board of Education would:

- a) have exclusive authority to supervise the public school system of the state in all respects . . .
- b) have complete control of all administrative and supervisory agencies, divisions, personnel and salaries . . .
- c) have powers to establish the executive officer of the Board, who should be the State Superintendent of Public Instruction
- d) have authority to act as agent for the schools of the state in the purchase of school transportation equipment
- e) have authority to perform all other duties . . . including certification of teachers, principals, and other personnel; establishment and supervision of a uniform system of financial accounting; enumeration

of school children; supervision of school district  
and attendance are reorganization; and  
classification and accrediting of public schools.<sup>5</sup>

If adopted, this recommendation would have a major political impact on common school matters, as the recommendation would be a reflection of the continued and increased involvement by the Legislature in this area and would also accentuate the trend established by the earlier examination of session laws of greater legislative involvement in all phases of the decision-making process for common school education.

In a major financial recommendation, the Legislature was to define a minimum program which would be devised on the basis of the number of teaching units calculated in accordance with a specified average daily attendance and a redefining of minimum program income.<sup>6</sup> Another significant financial recommendation included the creation of a state school fund. All the monies from state sources would have been placed in the state school fund for the support of the school system. Included in the state school fund would have been the gross production tax., automobile license tax and school land earnings.<sup>7</sup> The final recommendation was for the assessment of property for ad valorem purposes to be enforced by

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<sup>5</sup> First Biennial Report, 1948, p. 37.

<sup>6</sup> First Biennial Report, 1948, p. 39.

<sup>7</sup> Ibid.



procedures prescribed by the Oklahoma Tax Commission. Each of these financial recommendations implies that the Legislature would attempt to assert a greater role and involvement in common school financial policy.

A further recommendation involved reorganization, annexation and consolidation. Regarding reorganization, the Legislative Council proposed that school districts be based on present transportation areas of high school districts.<sup>8</sup> If enacted, the political implication would be far reaching, as many rural schools did not provide for high school and therefore might be closed. Another recommendation referred to annexation and consolidation and provided mechanism for such actions. Through a petition of a majority of school districts, electors of the area proposed to be annexed could call an election for such purposes if approved by the State Board of Education.<sup>9</sup> Political consideration would be evident as local control and autonomy in the educational decision-making process would possibly be jeopardized through such a recommendation. This would be evidenced as the final decision for such an action rested with the State Department and not the local school districts involved in the annexation.

The impact of these recommendations were not new, as many of these same considerations surfaced throughout the chronological examination of the session laws from 1909 to 1949.

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<sup>8</sup>

Ibid., p. 38.

<sup>9</sup>

Ibid.

However, they were far-reaching and comprehensive in nature.

Twenty years later, on February 10, 1969, House Concurrent Resolution 1010 was introduced and subsequently passed. The resolution requested an interim study by the State Legislative Council to examine the Oklahoma school laws with a view toward amendment, revision, or codification.<sup>10</sup> The interim committee recommended the following substantive changes in the school laws:

- (a) Requiring that all elections in school districts be held at the same time each year and be conducted by the county election board, with the affected school district reimbursing the county election board for the expense of the election.
- (b) Redefining the "general fund" of a school district to expressly exclude therefrom moneys derived from sale of bonds issued under the provisions of Section 26, Article X, Oklahoma Constitution, and providing that expenditures from the general fund may be capital or noncapital in nature.
- (c) Redefining the "building fund" of a school district; deleting provision specifying how same may be invested, and declaring said fund to be a current expense fund.
- (d) Increasing per diem compensation of members of the State Board of Education from \$15 to \$25.
- (e) Increasing salary of State Superintendent of Public Instruction from \$19,500 to \$25,000 per year, and increasing salary of the Deputy State Superintendent of Public Instruction from \$18,500 to \$22,500 per year.

- (f) Changing the educational qualifications for county superintendent of schools from standard Bachelor's degree to standard Master's degree.
- (g) Changing annual election date for members of boards of education to fourth Tuesday in January.
- (h) Changing procedure for filling vacancy on board of education of independent district in the event of an unexpired term.
- (i) Providing for mandatory annexation action by State Board of Education in cases where a district maintaining a high school is unable to meet state accreditation regulations and does not voluntarily annex to an adjoining district or districts.
- (j) Providing procedure when an independent or dependent high school district seeks to annex to a dependent grade school district.
- (k) Providing procedure for cancelling a transfer and relieving unearned portion of encumbrance therefor when residence is removed from the transferring district.
- (l) Educational improvement program for public education. The new finance plan would provide the following:
  - (1) basic program - \$250.00 per child;
  - (2) special education - \$4,300 for each class in each district;
  - (3) vocational-technical - given supplement of \$2,500 per vocational-technical class unit;
  - (4) transportation - 75% of actual expense paid by state;

From these recommendations and the Thirty-second Legislature's Committees on Education's actions, House Bill 1590 establishing a code for the common schools of Oklahoma was passed by the Legislature but vetoed by the Governor.

Finally, in both codes the consideration of the common school issues required about the same length of time within

the legislative process. The 1949 school code was introduced in the House of Representatives on January 25, 1949 and was passed by the Legislature on May 27, 1949. In similar action, the 1970 school code was introduced in the House of Representatives on January 8, 1970, and was in the Committees on Education almost four months before the code was finally passed on April 15, 1970.

The Major Political Forces Which Influenced  
the Committee's Work on the 1949  
and 1970 Common School Codes

In using the specific issues of school reorganization and finance, an examination will be made of the political forces that operated on the common school codes of 1949 and 1970. Although there were a number of other substantive issues which emerged in both codes, only reorganization and finance will be treated in depth. These two issues were selected because of the tremendous controversy which they generated, as will later be shown. However, before an examination can be made of the issues of school reorganization and finance and the forces that operated on the Committees on Education as they enacted the 1949 and 1970 school codes, some prefacing remarks about the committees on Education are needed.

The Committees on Education in the Oklahoma Legislature represent one of the thirteen permanent standing committees established by the Rules of the respective bodies. The

membership of these committees varies, but usually the number in the House of Representatives was between thirteen and twenty-seven; while in the Senate the number was between fifteen and nineteen. Of the two years in which a common school code was considered, the 1949 House Committee on Education had a membership of nineteen and the Senate Committee on Education had a membership of fifteen. In 1970, the House Committee on Education had a membership of twenty-seven and the Senate had a membership of seventeen on their Committee on Education. The number of members in itself was not significant, but their party affiliations and their positions of leadership in the Legislature provided significance to the study of the common school codes. Essentially, these variables regarding the membership of the Committees on Education would act as a force in itself operating on the Committees on Education as they enacted the common school codes of 1949 and 1970.

Historically, Oklahoma has been dominated by one party, the Democratic Party, and this was reflected in the composition of the Legislature's Committees on Education. Of a total membership of thirty-four on both the House and Senate Committees on Education in 1949, there were no Republicans, while of a total membership of forty-four on both the House and Senate Committees on Education in 1970, there were only four Republicans. From these facts an assumption could be made that when crucial educational decisions were made, they were made easily and along party lines. This assumption was held valid only by the role call votes in the Committees

of the Whole on the 1949 and 1970 common school codes. However, prior to those final votes, many other forces operated on the Legislatures as they developed the school codes in Committee; and party affiliation or loyalty was not necessarily the major criteria in most instances when crucial decisions were made. A dramatic exception was evident in the actions regarding the 1970 code. The code was introduced in the Legislature in an election year (for the Governor and several legislators), and the proposed school code was to become one of the major political issues. The issue was to be initiated as the Democratically controlled Legislature passed the massive school code bill, only to have the code vetoed by the Republican governor, Dewey Bartlett. The Governor's veto automatically had created a central issue relating to common school education for the Democratic candidate for Governor, David Hall. Another criteria which could be examined was the position of leadership held by the Legislative members of the Committees on Education. This criteria becomes important, since one of the cardinal rules in attempting to pass legislation is to have a position of leadership in the structure or to have access to the leadership.

The leadership in the Oklahoma Legislature can be identified by two means. One method is the formal leadership which rests in the Speaker of the House of Representatives, the Pro Tempore of the Senate, and the majority floor leader and majority whips of both chambers. These individuals are elected by their colleagues and serve as long as they can

maintain a majority of support from their respective chambers. Also, other centers of leadership are identifiable in committee chairmanship, as these individuals are selected by the Speaker and Pro Tempore respectively. A second method of identifying leadership is to examine which Legislators are members of the most powerful committees in the Legislature. Traditionally, in both the national and state legislatures, the Rules and Budget and Appropriation Committees hold those distinctions. The members of the Committees on Education in 1949 who also served on one or perhaps both the Rules and Budget and Appropriations Committees totaled three. More significantly, one of those three was Chairman of both the Rules and the Budget and Appropriations Committees. Members of the 1970 Committees on Education who served on one or perhaps both the Rules and Budget Appropriations Committees totaled seven. Of each of these totals, a fair representation of the members of the Committees on Education in 1949 and 1970, served on one or both of the powerful Rules and Budget and Appropriations Committees. An observation could be made that members who served on the Committees on Education while enacting the school codes may have used their positions on the powerful Rules and Budget and Appropriations Committees to assist in the enactment of legislation, such as the school codes. While there is no way of documenting this observation since voting was not recorded in committee, leadership and access to power is one essential requirement to the successful enactment of any legislation, and many members

of the Committees on Education were in these kinds of positions and could muster support for the codes.

A supposition has been made that one of the major political forces that operated on each Education Committee was the members' political party affiliations and the leadership positions they held in the Legislature, and these two factors had probably operated as they enacted the common school codes of 1949 and 1970. By using the specific issues of school reorganization and finance, an examination will be made of other political forces that probably operated on the Committees on Education as they enacted both codes. Those forces include gubernatorial influence, rural and urban constituency influence, pressure group influence, and election considerations.

One reason school reorganization and finance emerged as political issues in the consideration of common school legislation was because of a collision between two theories of government in the matter of school control. One school of thought demanded the maintenance of the absolute independence of every school district in the state, regardless of the amount of state aid that was required to keep the school in operation. The other school of thought insisted that when the state has advanced sufficient money to keep the school alive, that state should have something to say about how the school was governed.

This conflict had come to a head in the provision for reorganization in the proposed common school code of 1949.



An editorial in the Daily Oklahoman entitled "A Five Months Deadlock" accentuated the collision between the two theories of government on school control by noting some interesting facts on the common school code. The article stated that no other bill in the history of Oklahoma ever received as much careful study as did the 1949 common school code. The Legislative Council had made an exhaustive study, the Legislative committees had studied the proposed code line by line, and the Committee of the Whole discussed the bill at length and repeatedly. Yet the finished product of all that mass of study had been attacked with real fury every time the bill had come up for consideration. The editorial noted that the reason for the protracted deadlock was the head-on conflict<sup>11</sup> between these two theories of thought. The editorial supported the local control school of thought and concluded by stating that the more money the state provided, the more control it exercised. The editorial exemplified the issue of reorganization, and in the 1949 common school code, reorganization was the largest political issue of the entire code. However, the controversy over reorganization had been eluded to as far back as 1943 and had really begun to gain momentum in 1947. The Twenty-first Legislature of 1947 had made a serious attempt to solve the problem of maintaining many small expensive and wasteful administrative units. This effort was attempted through House Bill 85, which in part had

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<sup>11</sup>

Daily Oklahoman (Oklahoma City), May 26, 1949, p. 16.

provided for the annexation of all school districts with an average daily attendance of less than thirteen. In 1947 there were 29 high school districts of the State with an average daily attendance of less than 25, 82 with 25 to 40 students,<sup>12</sup> and 360 with 40 to 100 in average daily attendance. These figures had clearly reflected that many high schools in the State had an average daily attendance so low that the per pupil cost was very expensive. As a result, the State Board of Education, through the authority of House Bill 85, required annexation and consolidation of 1,339 school districts from a total of 4,416,<sup>13</sup>

The State Department of Education had reported that to the best of their knowledge those annexations were favorably accepted in most cases.<sup>14</sup> The probable reason for so little political controversy was the safeguards within House Bill 85 which stated that the legal voters of any district or part of any district were given 45 days to petition to the State Board of Education to change the annexation to another transportation area other than the one to which they were manditorially annexed.

The momentum over the reorganization controversy continued as the State Superintendent of Public Instruction recommended in his Twenty-Second Biennial Report that the

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<sup>12</sup>

Twenty-second Biennial Report of the State Superintendent 1947, p. 98.

<sup>13</sup>

Ibid.

<sup>14</sup>

Ibid.

Legislature should make a further study after the enactment of House Bill 85 as to the desirability for further reorganization of school districts. Partly as a result of this recommendation in 1949 the Legislature introduced a massive code and a part of the proposed code was a section on school reorganization. The basic change in the statutory language regarding school district annexation and consolidation would have made the transportation area the tax and administrative units for school districts. But by the statutory language in effect in 1949, it was legally impossible to change the boundary lines of a school district. This was a statutory safeguard for the rural school districts. Even though rural school districts were an expensive and an unsatisfactory method for education on a per capita basis, preservation of the school was a sacred value in most rural communities. The school was the focal point of community life, community rivalries, and community pride. In addition to loss of schools through reorganization, there was a fear of business losses, vested interests, unequal taxes and tax bases among districts, and lack of leadership. The emotional commitment to tradition simply meant that any attempt to eliminate the school was opposed bitterly. With this background information, the stage was set for the ensuing controversy over school reorganization.

The reorganization section of the proposed code was part of Governor Roy Turner's legislative program, and that he had conceived the idea from the School Finance Study Committee of

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1948. Governor Turner had indicated his concern over financing for common schools and noted that by reorganization it would have been possible to make the high school transportation area the school district for tax and administrative purposes.<sup>16</sup> Since reorganization had been a part of the Governor's legislative program, the gubernatorial influence was to be a political force which had operated on the Committees on Education as they worked on the school code.

In actions taken by the House of Representatives, an entire section of the code which dealt with reorganization,<sup>17</sup> was eliminated, and in a similar move, the Senate struck the bill from the calendar.<sup>18</sup> After this action Governor Turner vowed to continue to fight for the reorganization features of the code. The Governor had indicated to the Committees that by reorganization "larger tax units would have been possible and therefore more needed finances for schools and additional local revenue would have been available."<sup>19</sup> The Governor had met numerous times with the Committees in a concerted effort to resolve differences on the reorganization section of the school code.

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<sup>15</sup>  
Daily Oklahoman (Oklahoma City), April 9, 1949, p. 1.

<sup>16</sup>  
Ibid.

<sup>17</sup>  
Daily Oklahoman (Oklahoma City), February 16, 1949,  
p. 1.

<sup>18</sup>  
Daily Oklahoman (Oklahoma City), March 3, 1949, p. 1.

<sup>19</sup>  
Daily Oklahoman (Oklahoma City), February 16, 1949, p.  
1.

However, other political forces had been operating on the Committees, the removal of the reorganization section of the proposed code was an apparent reflection of the influence of rural Oklahoma constituents. This was evidenced when some 500 rural school board members, teachers, and patrons from all over Oklahoma showed up at the State Capitol for what was termed by capitol observers one of the wildest demonstrations within memory.<sup>20</sup> They came wearing tags "preserve our rural schools," shouting, yelling, whistling and giving cat calls.<sup>21</sup> They argued that by the passage of the reorganization section of the code, rural schools would be closed and rural youth would be forced to attend schools in the cities. This effort was organized by Mr. J. C. Smith, President of the Organization for the Preservation of Rural schools, and concluded when key Legislators agreed to oppose the reorganization section of the code. But before the final version of the school code was enacted, a section on reorganization was included and there were three other political forces which had operated on the Committees as they enacted the section on reorganization and the school code itself. They were Chairman of the House Committee on Education, the House leadership, and the lobbyist influence.

The Chairman of the Committee on Education, E. T. Dunlap, Democrat, Latimer County, took the privilege of the floor and

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<sup>20</sup>

Daily Oklahoman (Oklahoma City), March 3, 1949, p. 1

<sup>21</sup>

Ibid.

spoke in behalf of the bill. He noted "unless reorganization was provided it would be impossible to retain the finance provisions of the bill without raising new taxes."<sup>22</sup> Two things were unique about his statements; (1) generally Chairmen of committees do not participate actively in discussion or debate on a bill, but they are definitely a guiding force in the action of a bill, and (2) the Chairman's comments were a mirror of the Governor's stand on reorganization. The chairman's action, which favored reorganization and mirrored the Governor's position on reorganization, would have implied that the chairman and the Governor were in accord on this issue and probably attempted to influence the Committee.

Still another political force which probably operated on the Committees on Education was the House of Representatives leadership. The influence of the leadership was felt as they pledged to write in safeguards for maintaining rural schools if some form of reorganization was inserted into the total code.<sup>23</sup> So while the political forces of rural constituents bitterly opposed the section on reorganization, the Chairman of the Committee on Education, the House leadership, and the Governor had pushed for the passage of the code with a reorganization section. Obviously a tug of war between competing

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<sup>22</sup> Daily Oklahoman (Oklahoma City), March 16, 1949, p. 6.

<sup>23</sup> Daily Oklahoman (Oklahoma City), March 10, 1949, p. 1.

political forces had been operating on the Committees as they enacted the school code of 1949.

One final competing political force which had acted on the committees was the influence of lobbyists. The interest by the Oklahoma Education Association in the school code was generated because the organization has a rather broad interest in all legislation dealing with education, and because of two of their legislative goals for the 1949 Legislature, school reorganization and greater state support for school finance. As a result, through Ferman Phillips, Executive Director of the Oklahoma Education Association, some 4,000 invitations to school men were sent urging them to be at the Capitol and exert pressure on behalf of a new code.<sup>24</sup>

The tug of war by competing political forces which had acted on the Committees on Education was near an end. The House was to rewrite the code, and the Senate concurred. Certain safeguards regarding reorganization were included as follows:

- 1) Making the transportation area the district
- 2) Granting of powers to boards of education and prohibiting closing schools without consent of people
- 3) Continuance of school boards as advisory boards for schools in discontinued districts
- 4) Provided for transfer of pupils when district is divided
- 5) Continuance of present boards of districts with the high school as board of education for new

districts until new boards are elected in March 1950

- 6) Basis for handling of existing indebtedness of districts affected by reorganization and the transfer of title to assets
- 7) Transportation for pupils within new districts and special elections when needed and authorization of further consolidation when desired.<sup>25</sup>

The final statutory language regarding the school reorganization section of the code reflected the input of the various political forces that were operating on the Committees on Education. Specifically, a reorganization section of the code was incorporated into the law and therefore the influence of the Governor, Education Committee Chairmen, and the lobbying of the Oklahoma Education Association was felt. But concessions were granted as the rural constituency influence also had an impact upon the final reorganization language of the code.

With all the controversy over school reorganization, the enactment of this provision into the 1949 common school code apparently did not resolve the issue. The reorganization of school districts into more acceptable units of administration has been and still is a problem. Although the need for such reorganization has been a persistent one and has been recognized generally, little progress has been made. It is evident in almost every legislative session from 1949 through 1970 that the issue of school reorganization through annexation and consolidation had been given attention.

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Oklahoma, Revised Statutes (1951) Title 70 Article VII, Sections 7:1-5 p. 815.



Regarding the issue of reorganization, a marked difference existed between the forces operating on the 1949 and 1970 school codes. In 1949, the issue of reorganization brought several forces to bear with included: political parties, political leadership, governors, lobbyists, and constituencies. However, in the 1970 school code, the issue of reorganization brought only one force to bear, that of the rural constituency. Before the examination of the constituency force which operated on the Committees on Education, some prefacing remarks are needed.

In 1911 the Oklahoma Legislature created the State Board of Education and delegated a portion of the traditional policy-making responsibility for common school education to the department. Over the course of several years the Legislature increased the educational policy responsibility of the State Board, and one of those policies involved state accreditation of public schools. The accreditation policy came into sharp conflict with many rural Oklahomans when the State Board began in the early 1950s to assert a stronger role in accreditation policies. The rural Oklahoman's impact upon the accreditation issue caused the unusual, a Legislative re-evaluation of a State Board of Education Policy.

One of the key requirements for any school district to continue in existence is state accreditation. Accreditation is important because without meeting certain State Board of Education requirements, children graduating from nonaccredited

high schools have difficulty in gaining admission to college or obtaining gainful employment. One major requirement set by the State Board for accreditation was average daily attendance. The average daily attendance requirement may have been one of the smoke-screens for reorganization, for without a minimum number of students within a school district annexation and consolidation would be inevitable.

In the consideration of the proposed 1970 common school code, the reorganization of schools through annexation and consolidation was given considerable attention. The Legislature proposed providing for mandatory annexation action by the State Board of Education in cases where a district maintaining a high school was unable to meet state accreditation regulations and did not voluntarily annex to an adjoining district or districts. The key to the proposed change was in the language . . . to meet state accreditation . . . . The causes for the change in the policy of accreditation were developed in the 1969 Legislative session through House Bill 1026. The bill was introduced by Jack Harrison from May, Oklahoma, and in essence the measure would have prevented the State Board of Education from implementing the new accrediting process. The changes in the accreditation process were to be over a three year period. The first year requirement stated that any school with less than 55 students in average daily attendance would not be accredited. This formula was to increase to 65 students in the second year and 75 students in average daily attendance in the third year. The bill was

given considerable support as some 1,000 patrons of small schools<sup>26</sup> marched on the Capitol. Governor Bartlett addressed the group and agreed to meet with state officials in an effort to compromise,<sup>27</sup> while Dr. D. D. Creech, State Superintendent of Public Instruction agreed to meet with lawmakers regarding a compromise.<sup>28</sup> Prior to this effort, some 2,000 people, representing over 100 communities of Western Oklahoma, met at Gage, Oklahoma. The purpose of the meeting was to launch a vigorous statewide campaign to preserve high schools in small towns.<sup>29</sup> Those who attended this meeting argued "if we eliminate schools in our small towns, the community is eliminated."<sup>30</sup> Further arguments were heard from Representative Marvin McKee and Senator Leon Field. Representative McKee<sup>31</sup> stated "small schools are the real base of our democracy," and Senator Field stated "it is a well known fact, industry is not going to any community that cannot offer adequate educational facilities."<sup>32</sup> The results of this controversy led to a freeze on state accreditation standards until a compromise could be made. That compromise was a change to

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<sup>26</sup>  
p. 1. Daily Oklahoman (Oklahoma City), February 7, 1969,

<sup>27</sup>  
Ibid.

<sup>28</sup>  
Ibid.

<sup>29</sup>  
Daily Oklahoman (Oklahoma City), February 2, 1969, p. 1.

<sup>30</sup>  
Ibid.

<sup>31</sup>  
Ibid.

<sup>32</sup>  
Ibid., p. 6.

benefit small rural school districts and, as stated earlier, to be incorporated into the proposed 1970 common school code.

Similar and closely related to the issue of school reorganization was school finance. These were several powerful political forces which probably exerted influence on the 1949 and 1970 Committees on Education. Governors, pressure groups, political party affiliation, political leadership held by members of the Committees on Education, professionals, and rural and urban constituency influences all took an interest in the work of the Committees.

Throughout the earlier examination of the Oklahoma session laws, one of the major concerns in the area of education legislation was finance. Many financial ills of schools that developed in Oklahoma were traceable to the inequalities of local wealth among school districts of the state. The state legislature had recognized these inequalities and periodically made appropriations to poorer school districts. Other efforts to equalize educational opportunity were seen in 1929 and 1931 special common school equalization fund. For school districts to participate in the fund, certain equalization criteria were established by the State Department of Education which included the requirement of districts to levy 15 mills and have an average daily attendance of 25. In 1933 and 1936, the general and equalization types of state support for districts were created. The general support was for all districts regardless of their

financial ability, and equalization support was for districts which could not maintain a minimum school term and program.

These prefacing remarks and the earlier historical examination of the Oklahoma session laws have indicated that the Legislature attempted a band-aid approach to resolve many of the financial ills of common schools in Oklahoma, when major surgery was needed. Legislative efforts to correct financial inequalities were culminated as the 1949 common school code provided a new formula for state aid and public school finance. However, in order to understand how the finance section of the 1949 school code was formulated, the political forces that influenced the 1949 Committee on Education must now be examined.

Probably the most pronounced political force that influenced the Committees on Education was the rural constituencies. Specifically, these were rural constituencies in counties that had low assessed valuation or property and therefore maintained the poorer school districts. These poorer districts are identifiable by their low valuation of property.

Obviously, political conflicts then emerged over school finance issues between counties maintaining poorer school districts, which were generally rural counties, and counties maintaining wealthier school districts, which were generally, but not always, urban counties. The complexity of the Oklahoma school finance structure was illustrated editorial

entitled "Is That Fair, Gentlemen"<sup>33</sup> from the Daily Oklahoman. The editorial stated in part that the state had an inexcusable duty to provide the means of obtaining a common school or high school for every child in Oklahoma, no matter where that child lived or how impoverished the environment may have been. That editorial statement supported and justified Oklahoma's established policy of extending state aid to the poorer school districts of the State. The editorial further stated that wealthier districts had the duty to render financial assistance to poorer districts. However, the real meaning of the Oklahoman's position was in defense of the two most populous school districts, Oklahoma City and Tulsa. The editor of the Daily Oklahoman opined that it would be unfair for districts which had severely taxed themselves to contribute to those who had not made the effort,<sup>34</sup> nor would it be fair to have required Oklahoma City and Tulsa to pay about 40 percent of the money collected and then to have distributed the money in such a way as to have deprived the children of these cities of a fair share of that to which they were clearly entitled.<sup>35</sup> Finally, the editorial noted that the school code of 1949 required Oklahoma County to pay an additional two million to the state aid fund to help the

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<sup>33</sup> Daily Oklahoman (Oklahoma City), April 7, 1949, p. 22.

<sup>34</sup> Ibid.

<sup>35</sup> Ibid.

schools of the state, but Oklahoma City was to have received \$88,000 less for support of her own schools in 1949.<sup>36</sup>

Obviously the editor was concerned that poor rural districts might benefit from the taxes paid in the state's two largest cities. The concern was not without basis since a majority of the members of the Committees on Education came from tax poor rural counties and stood to gain by the enactment of the equalization feature of the 1949 school code.

The membership of the Committees on Education in the 1949 Legislature totaled thirty-four, and they represented twenty-two of the seventy-seven counties. Of the twenty-two counties represented on the committees, fourteen stood to gain increases in state equalization aid and by the enactment of the finance article.

A comparison of the state equalization and allocations one year prior to the enacted code and one year after the enacted code showed that more than half of the counties represented by legislators on the committee stood to gain from equalization.

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State Equalization Aid 1948 - 1950

County	State Equalization Aid		Dollar Increase
	1948-9	1949-50	
Adair	259,542	367,813	108,289
Atoka	260,784	361,563	100,779
Bryan	457,620	612,100	154,480

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Ibid.

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Twenty-third Biennial Report of the State Superintendent, 1950, pp. 163-66.

Cimarron	6,791	9,057	2,266
Cotton	67,486	124,164	56,678
Grady	314,097	441,060	126,963
Greer	142,368	228,441	86,073
Latimer	171,540	223,418	51,878
LeFlore	641,840	847,469	205,629
Lincoln	252,374	348,901	96,527
McClain	195,099	253,122	58,023
McCurtain	655,750	866,617	210,867
Marshall	88,249	110,723	22,474
Murry	102,564	152,406	49,860
Okmulgee	479,893	618,822	138,989
Ottawa	265,909	382,070	116,161
Pontotoc	284,196	391,693	107,497
Pushmataha	231,177	320,286	89,109
Sequoyah	359,083	488,621	129,538
Tulsa	273,569	427,309	153,740
Wagoner	256,187	335,731	79,544
Woods	17,096	40,799	23,703

The Committees on Education may have enacted the finance article, with the equalization feature at the expense of richer school districts, for purely selfish reasons. However, one should recognize that the Committees may have had other reasons, perhaps even a sincere desire for equalization of education opportunity. Regardless of the righteousness of the editorial, it could have influenced the Committees on Education as they worked on the school code.

A combination of other political forces, the governor, committee chairmen, and legislative leadership, also influenced the Committees on Education as they worked on the finance section of the 1949 school code. A conflict was evident between the Governor and State Superintendent of Public Instruction over a portion of the finance section which would have granted additional responsibilities to the State Board



of Education to establish and supervise many facets of financial accounting in all school districts.<sup>38</sup> The importance of the proposed provision was that the State Superintendent was the executive officer for the State Board of Education and was in a position to assume an important role in the area of school finance.

The possibility of broadening the power of the State Board of Education in school finances and making the State Superintendent the key person for that responsibility drew considerable criticism from Governor Roy Turner.<sup>39</sup> The Governor accused Dr. Oliver Hodge, State Superintendent of Public Instruction, of want to run the whole show in administering finances. The apparent political squabble over school finances. The apparent political squabble over school finances between the two broke into the open when Dr. Hodge and several members of the State Board of Education appeared before the Appropriations Committee testify regarding a bill. Governor Turner then accused Dr. Hodge of being a "one man show"<sup>40</sup> and further accused him of heading an oligarchy.<sup>41</sup> Dr. Hodge, in responding to the Governor's accusations, simply stated that "he was only trying to have a voice in the matter

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<sup>38</sup> Oklahoma, Revised Statutes (1951), Title 70 Article II Section 2A-4 no. 6, p. 797.

<sup>39</sup> Daily Oklahoman (Oklahoma City), May 4, 1949, p. 5.

<sup>40</sup> Ibid.

<sup>41</sup> Ibid.

as State Superintendent."<sup>42</sup> To add fuel to the already existing differences between the Governor and State Superintendent, Byron Dacus, Chairman of the Senate Education Committee, expressed his views to the Committee regarding the proposed provision. He stated that the provisions of control over school finances should be with the State Superintendent and that such an action would have placed the State Superintendent in a position of authority and dignity.<sup>43</sup> Governor Turner had retorted by stating that such power for the State Superintendent would take away from the power of the State Board of Education.<sup>44</sup>

Finally, with the assistance of the Senate leadership, the Education Committees resolved the issue by a compromise which provided that the State Superintendent should make recommendations to the State Board of Education; but full control was to be with the State Board, with the State Superintendent as the executive officer of the State Board.<sup>45</sup> The Committee compromise implied that the Governor acted as a political force on the Committees on Education as they worked on the school code of 1949.

With all the political considerations that occurred over

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<sup>42</sup>

Ibid.

<sup>43</sup>

Daily Oklahoman (Oklahoma City), May 5, 1949, p. 1.

<sup>44</sup>

Ibid.

<sup>45</sup>

Ibid.

the finance section of the 1949 school code, the issue of public school finance was not completely resolved. The primary concern of Legislators and other interested persons was the question of equalization of school aid. The majority of the provision of the financial formula of the 1949 school code seemed to have been workable. But over a period of years there had been a number of changes in the financial formulas and the amount of money appropriated, especially in the area of equalization aid.

The ability of a school district to provide adequate or equal educational opportunity to its citizens was dependent on a matter of geography. In other words, educational opportunity was dependent on the worth of the real property within school district boundaries. Since the value of property varied widely from extremely poor to affluent, the amount of funds available for education varied widely. This resulted in school programs which varied from limited to comprehensive. Therefore, the primary purpose for state equalization aid was to assist the less able districts within the state in an effort for them to offer at least a minimum program, but hopefully a comparable program to the wealthier districts.

The proposed school finance plan recommended for the 1970 school code had several similar goals to the 1949 school code finance plan, but the code also attempted to resolve the unanswered problem of equalization of school aid. The recommendations included: 1) to provide greater quality of

opportunity through more comparable efforts on the part of taxpayers across the state 2) to lend reasoning to the application of the additional financial aids provided at state level and 3) to simplify the program so that not only could it be easily understood by professionals and lay people as well, but also could lend itself to computerization. But more important than the actual provisions of the finance section were the political forces which had influenced the work of the Committees on Education in creating the finance provisions. Those political forces included the Education Committee Chairmen, lobbyists, professionals, and election considerations.

The most significant political force acting on the Committee appeared to be the upcoming election of 1970. A thorough analysis of the impact of the impending election of 1970 will be made because despite a threatened veto and cries by House and Senate Republicans that the bill was fiscally irresponsible, the Rules Committee announced that they were <sup>46</sup>going to pass it. The prime point of controversy was the 20 million in additional funds the code would have obligated in advance for the next fiscal year. Proponents of the two-year formula stated that there were insufficient funds to achieve equalization the first year. Originally, the bill contained a five-year formula, but compromise had been made in a conference committee. House minority floor leader James Connor, Republican from

Bartlesville, stated that he would have supported the code and its finance formula on a one-year basis.<sup>47</sup> The Senate minority floor leader, Denzel Garrison, Republican from Bartlesville, tried to return the bill to committee to resolve the conflict over the finance formula.<sup>48</sup> The question that must then be raised is, with the controversy that surrounded the finance section of the code, what overriding factors resulted in its passage? It is possible that the answer to the question was closely tied to legislative leadership and to the 1970 gubernatorial election.

From the inception of the 1970 school code, and whenever the code was being discussed, several Legislators' names had always emerged and seemed to play an influencing role on the Education Committees as they worked on the school code. These were Representative Lonnie Abbott, Democrat, Pontotoc County; Senator George Miller, Democrat, Pontotoc County; and Senator Al Terrill, Democrat, Comanche County.

Representative Lonnie Abbott was perhaps the most adamant spokesman for the code. In 1969 House Resolution 1010 was adopted, directing the Legislative Council to make an extensive study of the common school laws with the thought toward codification. The resolution was introduced and sponsored by Representative Abbott and Senator Miller, both

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<sup>47</sup>

Daily Herald (Sapulpa), April 9, 1970, p. 1.

<sup>48</sup>

Oklahoma Journal (Oklahoma City), April 10, 1970, p. 1.

of Pontotoc County, and the ensuing study by the Legislative Council on schools was chaired by Representative Abbott. Once the Council's study had been concluded, a school code bill was introduced in the House of Representatives by Abbott et. al. Through the course of the Legislative process, the guiding force in the House of Representatives for the school code bill was Representative Abbott. Even when a conference committee was appointed to resolve differences on the school code, Representative Abbott was appointed as one of the conferees for the House of Representatives. While the school code was being considered, there were two apparent reasons for Representative Abbott's visibility and influence as an operative political force concerned with the finance section of the school code. First, Lonnie Abbott was Chairman of the House Committee on Education and therefore would automatically hold a position of visibility on any educational issue. That reason for such visibility will become apparent as the position and significance of the Educational Committees in the Oklahoma Legislature is examined in a subsequent chapter. But it will be sufficient to simply note that the Education Committees are only surpassed by four to five other committees in the amount of legislation considered by committees. By logic, the more legislation committees consider, the more visible their members will become to the media and public.

Second, and very important, Lonnie Abbot was employed by the Oklahoma Education Association as a field representative, and the Association was primarily recognized as the lobby for

common school education in Oklahoma. To add further significance, one of the major legislative goals of the Oklahoma Education Association in 1970 was for a major revision of the state school finance formula. Obviously, then, Lonnie Abbott's activities regarding the school code were self-explanatory.

Two Senators played a significant role as an influence on the Committee on Education as work proceeded on the finance section of the school code. One was Senator George Miller, Chairman of the Senate Committee on Education. The fact that Senator Miller was Chairman obviously placed him in a position to influence the course of a bill through committee. But also significant was the fact that Senator Miller represented Pontotoc County, the same county as Representative Abbott. In other words, Representative Abbott was the prime House sponsor for the code, but he could not influence the course of the school code once the code reached the Senate. The fact that the chairman of the Senate committee was from the same county as Representative Abbott might have strengthened the bill's chances in the Senate if one can assume that legislators from the same county tend to have similar parochial political interests. Indeed, the two men were both staunch supporters of the bill.

Another legislator who had a pronounced influence on the finance section of the school code was Senator Al Terrill, Democrat, of Comanche County. His influence was felt for two reasons: first, Senator Terrill is recognized as a leader and champion of common school education in the

Senate and in Oklahoma, and second, Senator Terrill was in a leadership position by virtue of his being the majority floor leader in the Senate and a ranking member of the Education Committee. By virtue of these two reasons, one could speculate that other members of the Education Committee and other legislators not familiar with the complicated issue of school finance looked to Senator Terrill for guidance on the issue of common school finance.

A further influence on the Committees on Education during the consideration of the school code was the Legislative leadership. The leadership had expressed a favorable nod for the committee and ultimate legislative passage of the massive code. Senate President Pro Tempore Finis Smith, Democrat from Tulsa, stated that the recodification of school laws was the greatest single piece of legislation . . . in years.<sup>49</sup> House Speaker Rex Privett, Democrat from Maramec, said the code had the support of all educators with whom he had talked, together with the education commission.<sup>50</sup> Senate Pro Tempore Finish Smith was quoted on another occasion as saying he felt personally committed to fulfill the code's financial formula and find the money to do it.<sup>51</sup>

The Oklahoma Education Association, the recognized lobby for common school education, also influenced the Committees

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<sup>49</sup>

Tulsa Tribune (Tulsa), May 13, 1970, p. 1

<sup>50</sup>

Ibid.

<sup>51</sup>

Oklahoma Journal (Oklahoma City), May 17, 1970, p. 1.



on Education as they worked on the school code of 1970.

The Association had adopted several legislative goals for the 1970 Legislative session, two of which related to common school finance. The first was a major revision of the state school finance formula, that equalized educational opportunity, and the second was a new foundation aid program which would have assured a minimum expenditure per pupil in average daily attendance equal to the national average. These goals obviously reflected a supportive position by the Association for the code, including the finance article. In examining what types of influence the Association could exercise on the Committees on Education to encourage passage of the school code, several should be noted. First, and already in operation, was sanctions. The Association placed Oklahoma on sanctions two years earlier, and the purpose of sanctions was to discourage educators from seeking employment in Oklahoma because of the State's poor salary and supportive program for education. Second, if organized, the membership of the Association could constitute a large political bloc of votes, and third, could apply pressure upon legislators through local teachers within the community and county. Fourth, as already discussed, the Chairman of the House Committee on Education was employed by the Association and therefore gave the Association a significant input on the decisions made by the Legislature regarding education. The second influence, that of educators, being a potentially large political bloc of votes, was thought to be one of the prime reasons for the

election of the Democratic candidate for Governor, David Hall. Finally, the finance section of the school code itself, as it was initially proposed was written by a task force commissioned by the O.E.A.

The final political force that probably influenced the Committees on Education as they worked on the school code of 1970 was raw politics.<sup>52</sup> The proposed massive school code, with the new financial plan, was passed by the Democratically controlled Legislature and vetoed by Republican Governor Dewey Bartlett. The passage of the code by the Legislature occurred just a few months prior to major statewide elections. The elections included the Governorship, in which incumbent Republican Dewey F. Bartlett was expected to file for re-<sup>53</sup> election. In addition to this statewide election, all House of Representatives members and numerous Senate members were up<sup>54</sup> for re-election, and most were expected to file. The

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The election considerations as an influence which operated on the Committees on Education while they worked on the school code of 1970 is only conjecture on the part of the researcher and is based upon his actual presence with the Education Committees as a staff member while they worked on the code.

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Incumbent Dewey F. Bartlett, Republican, was defeated in 1970 by the smallest margin in state history, 2, 181 votes, by Oklahoma's 20th Governor, David Hall, Democrat.

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The members of the Education Committee on Revision and Codification of School Laws from the House of Representatives who filed for re-election were: Lonnie L. Abbott, Ada; Lou S. Allard, Drumright; Jake E. Hesser, Stillwater; Jack L. Lindstrom, Lawton; Martin Odum, Hitchita; and Pauline Tabor, Durant. From the Senate were: Bryce Baggett, Oklahoma City; James E. Hamilton, Poteau; Gene Howard, Tulsa; John Luton, Muskogee; Jack Short, Oklahoma City; and Albert E. Terrill, Lawton.

school code then could become one of the gubernatorial campaign's hottest issues as Legislative leaders tagged the code as one of the most important pieces of legislation sent to an Oklahoma governor in many years.<sup>55</sup>

Some observers believed if the Governor, Dewey Bartlett, vetoed the bill, it was certain to become an issue with which the Democratic nominee for governor would seek to harpoon Bartlett in the general election campaign.<sup>56</sup> However, this is gross speculation for it is impossible to determine how the voting public felt about the code. There was political controversy, however, primarily over the finance plan, when the governor publicly expressed opposition to the finance section of the code by stating that the "finance provisions called for an additional \$20 million for the second year of the code,"<sup>57</sup> and he further stated that "the legislature should therefore not commit the next governor to such an additional expenditure."<sup>58</sup> Winston Howard, State Budget Director and Governor Bartlett's appointee to the position, stated that the \$20 million for the first year of the finance section of the code was already in the budget, but the second year of the bill could not be financed under the present tax structure.<sup>59</sup> As a result, Governor Bartlett

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<sup>55</sup> Daily Oklahoman (Oklahoma City), April 29, 1970, p. 1.

<sup>56</sup> Ibid.

<sup>57</sup> Daily Oklahoman (Oklahoma City), April 9, 1970, p. 1.

<sup>58</sup> Ibid.

<sup>59</sup> Oklahoma City Times (Oklahoma City), April 9, 1970, p. 1.

suggested the finance section of the bill be stricken and given an in-depth interim study prior to the 1971 session. Senate Pro Tempore Finis Smith countered with the argument that the code was already the product of two years of interim study at a cost of \$20,000.<sup>60</sup> Other legislative leaders who were proponents of the finance plan stated that there were insufficient funds to achieve equalization the first year and that to achieve the bill's concept the Legislature needed to commit itself to more funds for equalization the second year.<sup>61</sup> The fact that school finance became a political issue in the election of 1970 is beyond dispute. Whether the finance section of the school code was deliberately manipulated as a political issue by the Democratic legislation or by the republican governor is pure speculation.

Though Abbott, Miller, and Terrill were adamant Legislative spokesmen for the school code, these legislators and other members of the Committees probably looked to professional educators for much guidance on the issue of school finance. The professional educators' opinions and<sup>62</sup>

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<sup>60</sup>

Ibid.

<sup>61</sup>

Daily Herald (Sapulpa), April 9, 1970, p. 1.

<sup>62</sup>

The following were some of the professional educators who assisted as resource persons and perhaps also influenced the Committees on Education as they worked on the school code: Dr. D. D. Creech, State Superintendent of Public Instruction, Dr. Charles L. Weber, Director of the Finance Division, State Department of Education, Dr. O. D. Johns, Assistant Dean of the College, University of Oklahoma, and Dr. Richard Jungers, Professor and Director of Education Extension, Oklahoma State University.

recommendations were stated in a number of reports<sup>63</sup> and minutes,<sup>64</sup> and as the finance section of the school code was proposed thier recommendations were a clear influence on the Committees as they worked on the school code. For example, Dr. Creech and Dr. Weber had discussed with the task force the need for revision, modernization, and simplification of the foundation aid program.<sup>65</sup> The need for revision, modernization and simplification was also stated by Dr. Richard Jungers and Dr. O. D. Johns. Jungers and Johns noted in an address to the Legislative Committee on Revision and Codification of School Laws that the development of a new finance plan would simplify the program so that not only could it be easily understood by professionals and lay people, but also<sup>66</sup> could lend itself to computerization.

The task force for the Oklahoma Commission on Education made two recommendations to the Governor and Legislature involving incentive aid. They were:

(1) A flat grant to all school districts an amount of money equal to Eight Dollars (8.00) for the first one mill levied and Six Dollars (6.00) for each additional mill levied by the district of the five mill emergency and ten mill

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<sup>63</sup> First Annual Report, Oklahoma Commission on Education, (December, 1969), pp. 12-21.

<sup>64</sup> Oklahoma Legislative Council, Minutes, October 30, 1969, and November 13, 1969.

<sup>65</sup> First Annual Report, Oklahoma Commission on Education (December, 1969), p. 13.

<sup>66</sup> Oklahoma Legislative Council, Minutes, October 30, 1969, p. 2.

local support levies.

(2) Amend the Oklahoma Constitution Article X, Paragraphy 9d to read:

In addition to the levies hereinbefore authorized, any school district may make a levy for the benefit of the schools of such district, in an amount not to exceed fifteen (15) mills on one dollar valuation of the taxable property in such district when approved by a majority of the electors of the district voting on the question at an election called for such purpose by the board of education or upon petition signed by ten percent of the electors of the district; and, when approved, shall be made each fiscal year thereafter until repealed by a majority of the electors of the district, voting on the question at an election called for such purpose.<sup>67</sup>

Dr. O. D. Johns and Dr. Richard Jungers provided the Special Committee on Revision and Codification of School Laws with their recommendations for the finance article of the school code.<sup>68</sup> In part, Dr. Jungers had noted to the committee that the major departure from the then present finance program was in the equalized percentage matching provision.

. . .the State Legislature has committed itself to an incentive aid of \$98.00 per pupil by the fiscal year 1970-71, for every district that levies the five mill emergency levy. In this way the wealthier districts can levy five mills, receive the same incentive per pupil as does the less able district. The less able district generally must levy all additional mills allowable to offer a program which is below the level of program that the wealthy district can provide with the five mills. The proposed plan would distribute the available state contribution on an equalized basis on all mills levied by the

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<sup>67</sup>

First Annual Report, Oklahoma Commission on Education (December, 1969), p. 16.

<sup>68</sup>

For detailed explanation of the proposed school finance plan, see Appendix.

local district. The equalization would be based on a percentage grant that would be inversely proportional to the districts' net equalized value per child.<sup>69</sup>

Further election considerations were evidenced as the Oklahoma Education Association delegate assembly, composed of some 500 school officials, had endorsed a resolution urging the governor to sign the school code primarily because the code had provided significant financial support for common schools. The resolution noted that the school code passed the House of Representatives by a 75-15 vote and cleared the Senate by a 41-4 majority and therefore should receive the signature of the Governor.<sup>70</sup> The Oklahoma Education Association even hinted in the resolution that the Association would remove school sanctions, imposed early because of Oklahoma's present weak educational program, if Governor Dewey Bartlett would sign the school code.

When Governor Bartlett vetoed the school code, a torrent of criticism from the code's backers was set off and political forces began to make alliances for the Governor's defeat for re-election. For example, Senator Al Terrill, majority leader, called the governor's action "an open and defiant refusal to obligate this state for an investment in its most precious commodity, its young people."<sup>71</sup> The Oklahoma

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<sup>69</sup>  
Oklahoma Legislative Council, Minutes, November 13, 1969.

<sup>70</sup>  
Oklahoma City Times (Oklahoma City), April 24, 1970, p. 1.

<sup>71</sup>  
Oklahoma Journal (Oklahoma City), April 30, 1970, p. 1.

Education Association President Dorothy Barnett said "the governor may have set back educational progress for years."<sup>72</sup>

Dr. Scott Tuxhorn, a Republican and the governor's appointee as state school superintendent, said the bill was not perfect but that Bartlett should have signed it.<sup>73</sup> Another criticism was leveled at the governor by David Hall, announced candidate for governor, in which he stated "using a fountain pen as his weapon, Governor Bartlett has robbed Oklahoma children of their to quality education . . . ."<sup>74</sup>

In defense from the array of criticism, Governor Bartlett cried "politics" and then defended his veto of the school code. He first stated that "the legislature has saddled the next governor with a \$20 million tax increase,"<sup>75</sup> secondly that his office had not been informed during discussions of the code, and finally that some lawmakers had political motivations to embarrass him and the teachers of the state.<sup>76</sup>

### Summary

In this chapter, some observations were made regarding the 1949 and 1970 school codes. But primarily the chapter was

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- <sup>72</sup>  
Daily Oklahoman (Oklahoma City), April 25, 1970, p. 1.
- <sup>73</sup>  
Oklahoma Journal (Oklahoma City), April 17, 1970, p. 1.
- <sup>74</sup>  
Tulsa World (Tulsa), May 1, 1970, p. 3.
- <sup>75</sup>  
Daily Oklahoman (Oklahoma City), April 17, 1970, p. 2.
- <sup>76</sup>  
Ibid.



concerned with an examination of the political forces which influenced the Committees on Education as they worked on both codes.

The most interesting observation about the school codes was their parallelism. Both codes were initiated by recommendation from a preceeding legislative session, required a conference committee, and averaged the same length of time in the legislative process.

A number of political forces were examined to demonstrate their probable influence on the Committees on Education as they worked on the school codes of 1949 and 1970. Those forces included governors, committee chairmen, the legislative leadership, lobbyists, constituencies, professional educators, and election considerations. The significance of these forces was apparent as on any given school issue certain problems emerged, and consequently political alignments were made for either the passage or defeat of the issue. The implication should be clear, that many school needs in either the program or brick and mortar area were not necessarily decided on "pure" educational value, but on the political ability of given interests to obtain the resources.

## CHAPTER IV

### THE OKLAHOMA LEGISLATURE'S COMMITTEES ON EDUCATION: THEIR EXAMINATION AND ACTION REGARDING THE PROPOSED COMMON SCHOOL CODE OF 1970

The Oklahoma Legislature, like any other legislature, is a complex institution. With a House composed of 101 members and a Senate composed of 48 members, the legislature presents a differentiated structure of roles and subsystems for the performance of its many and diverse legislative tasks. Many of these tasks are performed in committees, and therefore committees play a significant role. A good example was the proposed school code of 1970, in which members of the education committees authorized a new public school code, passed on its appropriations, and approved changes in the laws affecting public schools.

The normal process for most major legislation that is enacted by the Oklahoma State Legislature follows a distinct pattern. First, a study proposal<sup>1</sup> is received by the Leg-

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The study proposal regarding the codification of public school laws was a result of House Concurrent Resolution 1010 of the First Session of the Thirty-second Legislature, 1969.

islative Council<sup>2</sup> and assigned to the appropriate committee. The first task of the committee is to screen the proposal and to weigh its relative importance. Upon analysis, the committee will either reject the proposal or study it more intensively. If the latter is true, the study program includes public hearings, consultations with governmental agencies affected, and independent fact-finding and research. The individual committee recommendations then constitute the recommendations of the Legislative Council to the next regular session of the Oklahoma Legislature.

Once these council recommendations have been received by the Legislature, they are drafted in proper bill form and can be introduced in the House or Senate. The bill then receives a number<sup>3</sup> and is read for the first time by title only, and after its second reading, the bill is referred to an appropriate committee for consideration.<sup>4</sup> Through committee hearings, two or more sides to the proposal in question discuss the particular parts of the bill that are questionable. This is a vital part of the process and allows for differences of opinion to be aired, as well as compromises to be added to or deleted from the bill. The bill is then given one of many possible recommendations--"do pass," "do pass as amended,"

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<sup>2</sup> See Appendix H for the history and statutory responsibilities of the Oklahoma Legislative Council.

<sup>3</sup> The proposed common school code of 1970 was introduced in the House of Representatives and received bill number 1590.

<sup>4</sup> See Appendix I, J, K for House of Representatives and Senate rules on committee names, membership, and procedures.

or "do not pass." In the case of the proposed common school code of 1970, both the House of Representatives and Senate Committee on Education recommended a "do pass as amended." But prior to examining these committee amendments, two questions must be raised: (1) was the committee system in the Oklahoma Legislature a crucial area for the performance of legislative tasks related to the recommended common school code of 1970? and (2) were the major educational decisions related to the recommended common school code of 1970 made in the Interim Committee on Revision and Codification of School Laws of the 1970 Oklahoma Legislature and the Education Committees of the Second Session, Thirty-second Legislature? Another major question raised by the examination of the school code of 1970: What role does the committee system play in common school policy decisions made by the Oklahoma Legislature?

This question will be analyzed by an examination of a number of factors: 1) the House of Representatives and Senate a) work loads, b) referral of bills and joint resolutions to the Education Committees,<sup>5</sup> c) action taken on education bills and joint resolutions,<sup>6</sup> and 2) whether substantive issues (related only to the proposed common school code of 1970: were made in the Interim, House and Senate Committees on Education or in the Committees of the Whole.

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See Appendix L and M on reference of bills to standing committees of the House of Representatives and Senate.

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See Appendix N and O on action taken on bills referred to standing committees.

While not specifically referring to education, one must recognize that the work load of the Oklahoma Legislature is demanding. The term "work load" refers to the disposition of legislative bills, their introduction, report by committees and third reading. From 1968 to 1970, the House of Representatives introduced 1,102 bills, reported 786 bills by committees, and gave third reading to 722 bills. During the same period the Senate introduced 984 bills, reported 768 bills by committees, and gave third reading to 723 bills. When third reading of a bill is made, the bill is sent to either the Senate or House of Representatives, depending on its origin, for consideration. Therefore, in addition to considering their own legislative measures, both the Senate and House of Representatives must consider each other's legislative measures, and this process increases their respective work loads. During this period, if the volume of legislative bills was an indicator of legislative work load, obviously Oklahoma legislators gave a considerable amount of time to public service.<sup>7</sup> However, of this work load, for the same period of time, how many legislative measures were referred to the Committees on Education?

In 1968 the House of Representatives Committee on Education received 40 bills, only exceeded by four other

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There were a total of 196 Legislative days from 1968 to 1970 to consider the introduction, report by committees, and third reading of all bills in the House of Representatives and Senate

committees in number of bills received for action.<sup>8</sup> The Senate Committee on Education, in 1968, received 49 bills, only exceeded by three other committees in number of bills received for action.<sup>9</sup> In 1969, the House of Representative Committee on Education was fifth in number of bills received for action,<sup>10</sup> while the Senate Committee on Education was fourth in number of bills received for action.<sup>11</sup> In 1970, similar results were noted. The House of Representatives Committee on Education was third in the amount of bills received for action<sup>12</sup> and the Senate Committee on Education was fourth.<sup>13</sup>

What is the significance of the work load and number of bills referred to the Oklahoma Legislative Committees on Education? An assumption could be made that it establishes the importance of these committees. This assumption is

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Those committees were Budget and Appropriations (131 bills), Judiciary (89 bills), Revenue and Taxation (64 bills), and Jurisprudence (52 bills).

9

Those committees were Judiciary (134 bills), Appropriations and Budget (114 bills), and Governmental Affairs (82 bills).

10

Those committees exceeding the Education Committee (56 bills) were Judiciary (177 bills), Appropriations and Budget (154 bills), Business Relations (64 bills) and Governmental Affairs (62 bills).

11

Those committees exceeding the Education Committee (49 bills) were Judiciary (163 bills), Appropriations and Budget (114 bills), and Governmental Affairs (81 bills).

12

Those committees exceeding the Education Committee (38 bills) were Appropriations and Budget (149 bills), and Judiciary (117 bills).

13

Those committees exceeding the Education Committee (35 bills) were Judiciary (117 bills), Appropriations and Budget (110 bills) and Business Relations (41 bills).

supported by the fact that for three years only three to four committees exceeded the Education Committees in the amount of legislation that was considered. It might be further assumed that these committees receive a large amount of attention from the media and public by virtue of the number and importance of bills they consider. Therefore, these committees on education are among the prominent committees in the Oklahoma Legislature on which legislators might aspire to serve as a member. And finally, it could be postulated that the Education Committees are a crucial area for the performance of legislative tasks. With these assumptions of the relative importance of the Oklahoma Legislative Committees on Education established, the next consideration should be: Are the major educational decisions made in these committees?

First, involved in this consideration, will be an examination of the kind of action the Education Committees take on a legislative measure. Any committee in the Oklahoma Legislature may take one of the following actions. They are "do pass," "do pass as amended," "withdrawn," "without recommendation," "without recommendation as amended" and "died in committee."

Of these possible actions, the "do pass as amended"<sup>14</sup>

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"Do pas as amended" means the committee has made changes in the introduced version of the legislative measure.

and "died in committee"<sup>15</sup> probably would provide a gauge as to whether major educational decisions are made in committee. In 1968, the House of Representatives Committee on Education considered 40 bills, and of this total 30 percent (12 bills) received a "do pass as amended" and 35 percent (14 bills) "died in committee." The Senate Committee on Education considered 49 bills, and of this total 36.7 percent (15 bills) received a "do pass as amended" and 24.5 percent (12 bills) "died in committee." This same pattern can be seen in 1969 and 1970. Specifically, in 1970, the House of Representatives Committee on Education considered 38 bills, and of this total 29 percent (11 bills) received a "do pass as amended," and 44.7 percent (17 bills) "died in committee." In the Senate, the Committee on Education considered 35 bills, and of this total, 51.4 percent (18 bills) received a "do pass as amended" and 22.8 percent (8 bills) "died in committee."

These statistics support the probable importance of the Oklahoma Legislature's Committees on Education, as few legislative measures relating to education that are introduced pass through the Education Committees without being amended. Regardless of whether the amendments are minor or major changes in the bill, the changes are made in Committee. Or, in many instances, legislative measures die in Committee and

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"Died in committee" means the committee did not allow the legislative measure to be considered beyond the committee; therefore it would be impossible for the legislative measure to become a law.



never reach the Committee of the Whole for a final consideration.

A second consideration will be the substantive issues regarding the proposed common school code of 1970 which were considered in the Interim House and Senate Committees on Education and the Committee of the Whole. Of these substantive issues, school reorganization and finance were given detailed examination in Chapter III, and the purpose of that examination was to show the political forces that influenced the Committees on Education as they worked on the school code of 1970. Therefore, the other substantive issues of election laws, per diem and salary adjustments, transportation, textbooks, and internal school policy matters that will now be mentioned will not be examined in terms of political forces that may have affected the issues and influenced the Committees on Education as they worked on the code. These issues will be traced through the Committees on Education and the Committees of the Whole to show where the educational decisions were made.

#### Interim Committee Activities Leading To

#### The Proposed Common School Code

The Special Interim Committee on Revision and Codification of School Laws determined at its first meeting to consider and discuss the school laws section by section for the purpose of making changes and revisions deemed to be desirable. In accordance with this purpose, the special committee held thirteen meetings in Oklahoma City and had a joint meeting of the

Senate and House Committees in the City of Tulsa. During the first meeting, Senator Jack Short, Oklahoma City, suggested that divisions within the State Department of Education prepare critiques with suggested changes of present school laws in their respected areas and submit them to the committee for evaluation.<sup>16</sup> Representative Lonnie Abbott, Ada, and Senator Bryce Baggett, Oklahoma City, suggested representatives from Oklahoma State University, Oklahoma University, teacher preparatory schools, and the State Regents for Higher Education also should prepare critiques of present school laws with suggested changes.<sup>17</sup> An examination was then made of the school laws by an analysis of each section of each article of the school code.<sup>18</sup> This was accomplished by utilizing numerous resource persons and the committee member critiques and suggestions.

The changes, deletions, and revisions in the statutes relating to schools made by this committee were both substantive and housekeeping in nature.

Relative to Article I, which involved the scope, organization, and definitions of public school law, the major changes which were recommended and adopted by the Committee included a redefining of the "general fund" of a school

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State Legislative Council, minutes Special Committee on Revision and Codification of School Laws, June 16, 1969, p. 2-3.

17

Ibid.

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The proposed school law changes were made from the Oklahoma Statutes, 1950 Title 70 "Schools" which encompassed twenty articles.

district to expressly exclude moneys derived from sale of bonds issued under the provisions of Section 26, Article X, Oklahoma Constitution, and providing that expenditures from the general fund may be capital or noncapital in nature. Also changed was the redefining of the "building fund" of a school district by deleting provision specifying how same may be invested, and declaring said fund to be a current expense fund.<sup>19</sup>

Two major changes in the public school laws relative to elections were found in Article II. One required that all elections in school districts be held at the same time each year and be conducted by the county election board, with the affected school district reimbursing the county election board for the expense of the election.<sup>20</sup> The second changed annual meetings of school district electors in dependent school districts to fourth Tuesday in January, with the election to be held from 7 a.m. to 7 p.m.<sup>21</sup>

The public school laws relative to the State Department of Education encompassed in Article III were changed by increasing per diem compensation of members of the State Board of Education from \$15 to \$25,<sup>22</sup> and increasing the

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<sup>19</sup>

Oklahoma Legislative Council, minutes Special Committee on Revision and Codification of School Laws, September 5, 1969, pp. 3-5.

<sup>20</sup>

Oklahoma Legislative Council, Minutes Special Committee on Revision and Codification of School Laws, September 11, 1969, p. 7.

<sup>21</sup>

Ibid.

<sup>22</sup>

Ibid., p. 2.

salary of State Superintendent of Public Instruction from \$19,500 to \$25,000 per year, and increasing the salary of the Deputy State Superintendent of Public Instruction from \$18,500 to \$22,500 per year.<sup>23</sup>

There were several single major changes which were recommended and adopted in numerous other Articles of the school laws. For example, in Article VII which involved annexation and consolidation, a change provided procedures for when an independent or dependent high school district seeks to annex to a dependent grade school district.<sup>24</sup> The procedure provided that when an independent or dependent high school district seeks to annex to a dependent grade school district, the election should be stayed twenty (20) days after the resolution or petition is filed. Within this period, the dependent district can circulate a petition to hold an election to either of these propositions is adopted by a majority of the qualified electors in the district, then the result shall be final for at least one (1) year and the first petition or resolution shall be dissolved. If no petition is circulated and no election called or held within said twenty-day period, the first petition or resolution will then be voted upon. Another single major change was found in Article VIII, which involved transfer of pupils and provided the procedure for

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23

Ibid., p. 4.

24

Oklahoma Legislative Council, Minutes Special Committee on Revision and Codification of School Laws, October 2, 1969, p. 2.

cancelling a transfer and relieving unearned portion of encumbrance therefor when residence is removed from the transferring district.<sup>25</sup>

Two major changes were recommended and adopted in Article IV relating to the county superintendent of schools. One changed the educational qualifications for county superintendent of schools from standard Bachelor's degree to standard Master's degree,<sup>26</sup> and the second defined the authority of deputy county superintendent in event of illness, death or other disability of county superintendent.<sup>27</sup>

Still another major change recommended and adopted by the Interim Committee was in Article XIV, Vocational-Technical Education, and stated that a treasurer for the area vocational-technical school board of education could be the county treasurer or an independent treasurer.<sup>28</sup> Also in this same article, if area vocational-technical school districts and independent school districts were coterminous, an individual could serve on both boards; otherwise separate elections would be held.<sup>29</sup>

The final major change recommended and adopted in the

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Oklahoma Legislative Council, Minutes Special Committee on Revision and Codification of School Laws, October 9, 1969, p. 2.

26

Oklahoma Legislative Council, Minutes Special Committee on Revision and Codification of School Laws, November 6, 1969, p. 2.

27

Ibid., p. 3.

28

Oklahoma Legislative Council, Minutes Special Committee on Revision and Codification of School Laws, September 25, 1969, p. 2.

29

Ibid.

Special Committee on Revisions and Codification of School Laws occurred in Article XVIII, the finance section of the school laws. A foundation plan was adopted for a four-year period at a cost of 51 million dollars.<sup>30</sup> The plan established the basic support level per pupil at \$250.00.<sup>31</sup>

For each classroom unit in special education, a school district would be given an allowance of \$4,500.<sup>32</sup> For each vocational education classroom unit, a school district would be granted an additional \$2,500.<sup>33</sup> Also, school districts would be allowed 75 percent of the actual cost of providing pupil transportation based on the average for that part six years.<sup>34</sup> The final factor in the foundation program cost, that of the allowance for minimum costs for administration, was calculated at \$90.00 per pupil of each of the first 250 pupils with a minimum allowance for 160 pupils or less for independent districts.<sup>35</sup>

The state participation in this foundation program was referred to as the foundation program income. It was determined by subtracting from the above stated costs certain

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Oklahoma Legislative Council, Minutes Special Committee on Revision and Codification of School Laws, November 13, 1969, p. 3.

31

Ibid., p. 2.

32

Oklahoma Legislative Council, Minutes Special Committee on Revision and Codification of School Laws, November 13, 1969, p. 2.

33

Ibid.

34

Ibid.

35

Ibid.

revenues which were called chargeable income. These items included 15 mills of the net equalized valuation of the district, 75 percent of the districts' share of the county four-mill levy and the dedicated revenues.<sup>36</sup> The dedicated revenues are the districts' school land allocations, auto license income, gross production income and REA income.<sup>37</sup>

There were a total of thirteen substantive changes and numerous housekeeping changes recommended and adopted in the school laws by this interim committee. However, there were a number of other substantive issues relating to the school laws debated in this committee. But none received a favorable committee vote and consequently died in the committee. As a result of this committee's efforts and their recommendations, House Bill 1590, entitled an act relating to the public schools of Oklahoma, establishing a code for the public school system of the state . . . , was introduced in the second session of the Thirty-second Oklahoma Legislature.

House of Representatives Activities on the  
Proposed Common School Code

The Oklahoma House of Representatives, Committee on Education, of the second session Thirty-second Legislature received House Bill 1590, which was the revision and codification of the public schools made by the Interim Committee,

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36

Ibid.

37

Ibid.

on January 12, 1970. After the Committee's careful review and analysis, they recommended a "do pass" as amended on January 29, 1970. Their actions were similar to that of the Interim Committee, in which both made several "housekeeping" amendments and a few substantive amendments in the school laws.<sup>38</sup>

The Oklahoma House of Representatives unlike the Interim Committee on Education amended the school laws in Article VI relating to teachers by providing that no school district could deduct from a teacher's salary more than that amount which was paid the substitute teacher due to the absence of the regular teacher. Regarding this same article, the committee also provided that teachers could be paid in twelve equal payments provided they:

- 1) perform such services during the months school is not in session, according to their specified contract
- 2) attend a recognized college or university for not less than two months during the summer of every third year, if required to do so by the board of education.

The Interim Committee recommended and adopted two criteria involving the procedure for annexation and consolidation; by petition of the voters and resolution by the district board,

The substantive and housekeeping amendments adopted by the House of Representatives Committee on Education were reflected in their final standing committee report of January 29, 1970. This report is attached to the original bill and is located in the Archives of the Oklahoma State Department of Libraries, Oklahoma City, Oklahoma.



while the House of Representatives Committee on Education added a third procedural requirement making annexation possible only if the district to be annexed is transferring 300 or more students.

The final substantive amendment occurred in Article XVI relating to textbooks. In this article, the committee made five changes which were not made by the Interim, and they related to the obligations and responsibilities of textbook publishers and school districts. Within this context, procedures were established for the collection of old textbooks by the publishers, school district superintendents could request examination copies of textbooks, and the State Superintendent of Public Instruction could file a complaint with the Attorney General for the publisher's failure to comply with the obligation of their contract on textbooks.

From this examination there were a total of eight substantive amendments made by the House of Representatives Committee on Education and they involved teacher policies, textbooks, annexation, and consolidation. Although there may have been other attempts to amend the school laws, no written record was kept of committee activities, except for the final standing committee report. This report was referred to the Committee of the Whole of the House of Representatives for consideration.

In the Committee of the Whole of the House of Representatives, there were sixty-one amendments considered to the

proposed common school code of 1970.<sup>39</sup> From this total, thirty-three were passed and ten of those were substantive in nature and the balance were housekeeping amendments to school laws.

The House of Representatives Committee on Education changed the statutory language of Article II relating to elections which dealt with illegal voting in school elections. This committee provided a fine of one thousand dollars and thirty days in the county jail. However, the House Committee of the Whole reinstated the original statutory language which stated that such illegal voting practices would be punishable by a fine of not less than one hundred dollars and not more than five hundred dollars or by imprisonment in the county jail not to exceed sixty days or both such a fine and imprisonment.

In Article V relating to school districts and boards of education, the House Committee of the Whole made three amendments. These three amendments were unrelated to any Interim or House Committee action, but were only additions to the statutory language. The first stated that where the charter of a city which has a school population of 50,000 or more, and is not divided into wards, such school district shall be required to designate school attendance areas with school district boundaries as nearly equal in attendance as possible

The Committee of the Whole amendments to the proposed common school code of 1970 are attached to the original bill and are located in the Archives of the Oklahoma State Department of Libraries, Oklahoma City, Oklahoma.

and in number according to the number of school board members to be elected, providing that only one person shall be elected from each such attendance area, and shall be a resident of the area from which he is elected. The second provided for provisions and procedures for recall of local board members. Basically, the provisions and procedures provided for recall by a majority of the voters seeking to recall the board member and the election shall be called by petition of twenty percent of the electors. And finally, regarding the powers of local school districts, an additional power granted by the Committee of the Whole was to lease any publicly owned land needed for school purposes and use any monies in the general revenue fund of the district available therefor to construct improvements thereon.

The statutory language relating to the provisions for teachers to appeal decisions by the Professional Practices Commission and State Board of Education was amended by the House Committee of the Whole. These provisions were found in Article VI relating to teachers and stated that an appeal may be made by the teacher to the district court within thirty days after the decision of the commission and State Board as prescribed by the State Administrative Procedures Act.

Through Article VII regarding the transfer of pupils, two amendments to former Interim and House Committee action were made by the House Committee of the Whole, of which both were reasons for transfer. The Article state that if the health of a child is hindered by attendance in the district in

which he resides or if without a transfer, there could be a detriment to the child's behavior, then transfer was allowable.

New statutory language was inserted by the Committee of the Whole into Article IX regarding transportation. It provided that it shall be unlawful for any school bus driver, whether an employee of a school district or an independent contractor operating a bus for any school district, to overload any school bus used to furnish transportation to school children. Overloading was defined to mean the transportation at any one time of a greater number of children than there is space provided in the bus for every child to be seated.

Two amendments to the Interim Committee recommendation were made to Article XVIII regarding the finance section for educational improvement, one involving teachers' salaries and the other calculation of average daily attendance. The former provided . . . "For each additional month employed, the additional salary shall be calculated on the basis of one tenth (1/10) of the minimum teacher's salary as prescribed by the school code in effect for the school year the teacher is employed." . . . The latter provided that when there have been unusual decreases in A.D.A. in districts having military installations, the district's state aid shall not be changed for a period of two (2) years thereafter.

Senate Activities on the Proposed  
Common School Code

On January 17, 1970, Engrossed House Bill 1590 was

received by the Senate and on January 18 the bill was assigned to the Senate Committee on Education. After careful analysis and review, this committee also recommended a "do pass" as amended on March 24, 1970. However, the substantive amendments in school laws made by this committee were far more numerous than those made by both the Interim and House Committees on Education. In addition to the substantive amendments, there were also a number of "housekeeping" amendments to the school laws made by the Senate Committee on Education.<sup>40</sup>

The Senate Committee on Education amended the statutory language and the Interim Committee recommendation relative to Article II of the School laws Which related to elections by providing that: All elections held for the purpose of electing a member or members of the board of education of area school districts, and all elections held in such districts for the purpose of voting on the question of making any levy or levies authorized by Article X, Section 9B, of the Oklahoma Constitution, may be held on the fourth Tuesday in February of each year. It shall be the duty of the board of education of each such area school district to call the elections herein provided for and to fix the place or places where such

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The substantive and housekeeping amendments adopted by the Senate Committee on Education were reflected in their final standing committee report of March 24, 1970. This report is attached to the original bill and is located in the Archives of the Oklahoma State Department of Libraries, Oklahoma City, Oklahoma.

elections shall be held, by appropriate resolution of the board. Further, the filing for office of members of the board of education of an area school district shall be made with the county election board or the county wherein supervision of the area school district is located. If the area school district lies in more than one county, the county election board wherein the filing is required to be made, as above provided, shall notify the county election board of the other affected county or counties of the names of the candidates filing for the election, the levy or levies to voted on, the places such elections will be held in each such county, and other information as deemed necessary to enable such other county election boards to conduct such election. In this same area, the Committee amended only the statutory language relating to schools by increasing the fine for voting illegally in school elections from \$500.00 to \$1,000.00.

In Article III relating to the State Department of Education, the Committee amended the statutory language, Interim Committee recommendations and House of Representative amendments regarding the qualification requirements of county and district superintendent of schools and principals by allowing an "administrative certificate" as an alternative qualification to hold such a position. Amendments to the statutory law written by the House of Representatives regarding the reasons and procedure for recall of school board members was deleted completely from Article V, relating to

school districts and boards of education, by the Senate Committee on Education. Also deleted from this same article was the House of Representatives amendments to the statutory language relating to filling of unexpired terms for board members and new language added as follows: If a vacancy occurs on the Board of Education leaving an unexpired term of more than one year, this position shall be filled by appointment by a majority of the remaining board members, until the next annual school election, at which time the position will be filled by election for the unexpired term.

Within this same article, the Senate Committee on Education made three other substantive amendments to the school laws, all of which related to local school board meetings and their members' compensation. They changed the per diem from \$50.00 to \$25.00 per meeting, changing number of school board meetings with compensation from eight to four, and adding the following language: If a school district has an average daily attendance of less than forty thousand (40,000), each member of the board of education of such district may be paid from the district's general fund a per diem of Ten Dollars (\$10.00) for each regular, special or adjourned meeting of the board of education that he attends, but not for more than four (4) meetings in any calendar month. These amendments to the school laws were again alterations in the statutes, Interim Committee recommendations, and House of Representatives amendments.

New language was also added to Article V by the Senate Committee on Education which stated: In determining the eligibility of the school district to make an emergency levy under the provisions of Section 9 (d) of Article X, Oklahoma Constitution, as amended, the legal current expenses of the district shall be all the expenditures from the General Fund for the district during the preceding year, except (1) expenditures for transportation of pupils, (2) capital outlay, (3) debt service, and (4) the amount appropriated from any previous emergency levy and the Two Hundred Fifty Dollars (\$250.00) per capita cost fixed by said Section 9 (d) of Article X, Oklahoma Constitution, for the fiscal year ending June 30, 1956, is hereby increased to One Thousand Dollars (\$1,000.00) for the fiscal year ending June 30, 1963, and said sum of One Thousand Dollars (\$1,000.00) shall thereafter be increased or decreased by the State Board of Education in proportion to the increase or decrease in the per capita income of Oklahoma citizens.

In Article VI the annexation and consolidation procedures for independent or dependent high school districts seeking to annex to a dependent grade school district adopted by the Interim Committee and affirmed by the House of Representatives was completely deleted by the Senate Committee.

The minimum average daily attendance requirement of twenty, set by the House of Representatives, was amended by the Senate Committee to be twenty-five.



There were six substantive amendments by the Senate Committee in Article VII, relating to transfer of pupils. They included striking the language which would prohibit a school district from receiving transfer fees of the district qualified for more than twenty-five dollars foundation program and per child, and adding the following language:

An application for transfer of a child from the district in which he resides to another district must be granted if one or more of the following grounds is affirmatively stated in the application for transfer:

a. The district in which the child resides does not offer the grade that such child is entitled to pursue; or

b. The district in which the child resides or the school he attends therein does not offer a subject that the child is eligible to take at the time he is eligible to take it; or

c. The child has attended school in the district to which the transfer is sought during the school year next preceding the school year for which the transfer is sought; or

d. The good health of the child requires such transfer and a verified statement to that effect by a person licensed to practice the healing arts is submitted with the application; or

e. Such transfer is requested by a parent or legal guardian of the child, or any person having actual custody of the child; or

f. The appropriate school of the district to which the transfer is sought is closer or more accessible to the

residence of the child than the school he would otherwise attend in the district in which he resides; and substituting the following language:

Transfers shall be effective for a period of not less than one (1) full school year and the transferring student may not rescind the transfer without the written consent of the receiving district and the sending district. The receiving district shall have the prerogative of designating which school within its district such transferring student shall attend and this may be done on an individual basis or by general rules and regulations adopted by the board of such receiving district. Provided, however, that the receiving district may decline to accept any transfer student if, in the opinion of the board and superintendent of such receiving district, to do so would result in overburdening the facilities, personnel or other educational resources of the receiving district, and if the district in which the child resides does offer the grade which the child is entitled to pursue. Substituting the following language it was also stated that: If any district from which transfers have been made shall fail, neglect or refuse to make an effective appropriation of the transfer fees required by law or shall fail, neglect or refuse for any reason whatsoever to pay the same, then the State Board of Education and its Finance Division shall, upon the written request of the district receiving such transfers and entitled to such transfer fees, withhold the amount of such transfer fees from any State Aid

otherwise due and payable to the said district from which transfers have been made and shall make payment of the amount thereof directly and forthwith to the district receiving such transfers and entitled to such transfer fees for the account of the district from which such transfers have been made. Provided, however, that the district receiving such transfers shall give credit on such transfer fees to the district from which such transfers have been made for all amounts received as State Aid, auto license and farm truck tax and gross production tax by reason of the inclusion of such transferred students in the computation of pupils in average daily attendance in the district to which the students have transferred. Many of the Senate Committee actions in Article VII were amendments to the statutes, Interim Committee recommendations and House of Representatives amendments.

Regarding Article IX which involves transportation, the Senate Committee made only one substantive amendment. The amendment was a substitution of language to the statute which stated: The operation of said vehicles by school districts in transporting school children shall be deemed a proprietary function of government and not a public government function and an action for damages may be brought against a school district under the provisions of this section.

All amendments made by the Interim Committee and House of Representatives relating to Article XVI, the textbook article, were deleted by the Senate Committee, and the original statutory language was reinstated.

The most dramatic amendments made by the Senate occurred in Article XVIII relating to the finance section for school improvement. In this Article, the committee changed several of the Interim Committee and House of Representatives amendments. Regarding the formula for financing public schools, the basic foundation support level was changed as follows: 1970-71 from \$250.00 to \$575.00, 1971-72 from \$260.00 to \$595.00, 1972-73 from \$270.00 to \$610.00, 1973-74 from \$280.00 to \$630.00. The average expenditure for pupil transportation was changed from 75% to 50%. The size cost adjustment which included district average daily attendance calculation criteria and maximum amount allowable was completely deleted.

New language regarding the formula for determining average assessment and sales ratio was inserted into Article XVIII and read as follows: With each deed or other instrument of conveyance tendered to the county clerk for filing and recording there shall be submitted a statement in writing and under oath by the grantee or other recipient of such conveyance of the actual cash consideration for such deed or instrument of conveyance and the assessed valuation as of the date of the deed or other instrument of conveyance and the assessed valuation as of the date of the deed or other instrument. The statement shall be made upon forms to be prescribed by the Oklahoma Tax Commission. One copy thereof shall be transmitted by the county clerk to the county assessor and one copy shall be transmitted to the Oklahoma Tax

Commission. If such consideration was not wholly in cash, then the statement shall set forth the unpaid balance of any mortgage debt assumed or to which the property is subject, and any other thing of value constituting consideration in the transaction. The Oklahoma Tax Commission is hereby authorized and directed to make rules and regulations to require a full, complete and accurate statement of the bona fide consideration in each such transaction.

In the Committee of the Whole of the Senate, there were two amendments considered to the proposed common school code of 1970.<sup>41</sup> From neither were passed. These were substantive amendments related to the finance section of the proposed code. These amendments were extremely significant, because the finance section of the proposed code was the heart of the entire bill. The fact that they failed provides some indication of the strength of the committee.

If a checklist were devised from the above study of the Committees on Education and the Committee of the Whole activities relating to substantive issues discussed regarding the proposed common school code of 1970 it would look like the following chart:

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The Committee of the Whole amendments to the proposed common school code of 1970 are attached to the original bill and are located in the Archives of the Oklahoma State Department of Libraries, Oklahoma City, Oklahoma. These amendments are also printed in the Senate Journal of the year in which the bill was enacted.

Substantive Issue(s)	Interim Committee	House of Representatives Committee	Senate Committee	Committee of the Whole
1) Redefining of certain educational language	X	X	X	NC
2) Procedural changes in election laws	X	X	X	NC
3) Per diem and salary adjustments	X	X	X	NC
4) Procedures for annexation and consolidation	X	X	X	NC
5) Changing of educational requirements to hold educational office	X	X	X	NC
6) Procedures for transfers	X	X	X	NC
7) Filling of unexpired terms on boards of education			X	NC
8) New financial formula for support of public schools	X	X	X	NC
9) Redefining teaching responsibilities	X	X		X
10) Changing of textbook laws	X	X	X	NC
11) Changing of transportation laws			X	NC

X - amendments made in committee or Committee of the Whole

As the chart reflects, the majority of the amendments to the proposed common school code of 1970 were made within the committee system of the Oklahoma Legislature and few amendments were made in the Committee of the Whole. Therefore, it is safe to assume that key common school policy decisions

were made in the committee system of the Oklahoma Legislature.

Of the amendments made by these committees, some concluding statements are in order:

- 1) The House of Representatives generally accepted the recommendations of the Interim Committee on revisions and codification of school laws.
- 2) The Senate Committee on Education made some dramatic changes in almost all amendments made by the Interim and House Committees on Education.
- 3) Numerous kinds of substantive issues were considered. Regarding each, many political forces probably operated on the Education Committees, such as rural and urban constituencies, lobbyists, governors, committee chairmen, legislative leaders, and election considerations.

Each of these statements could be developed into numerous studies regarding political forces that influenced committee activities in the Oklahoma Legislature, but our purpose was simply to demonstrate that many key decisions are made in committee.

### Summary

Two questions are raised in this chapter.. Was the committee system in the Oklahoma Legislature a crucial area for the performance of legislative tasks related to the recommended school code of 1970 and were the major educational decisions related to the recommended common

school code made in the Interim Committee on Revision and Codification of School Laws of the 1970 Oklahoma Legislature and the Education Committees of the second session, Thirty-second Legislature?

In answering these questions, an examination was made of the overall work load of the Legislature, the number of bills in the Education Committees, and the action taken on education bills. In addition, the substantive issues related to the proposed common school code were traced through the Interim, House, and Senate Committees on Education and the Committees of the Whole. Through the examination, determination was made that the work load of the Legislature was demanding, and that the Education Committees received and acted upon a large majority of legislative bills in any given legislative year and legislators probably aspired to serve on these committees because of the significant amount of legislation the Education Committees addressed. Finally, it was determined that much of the action which occurred in the Education Committee was not altered in the Committee of the Whole.

The last statement is perhaps the most significant. By tracing substantive issues through the legislative process, the first question of the committee system of the Oklahoma Legislature as being the crucial area for the performance of legislative tasks was answered affirmatively and supported. The second question of whether major educational decisions related to the school code were made



in the Committees on Education was also answered affirmatively and supported. But Chapter III had shown that there were a number of political forces that influenced the committees as they worked on the school code. Therefore, the question must be raised, even though the decisions were made in committee, were the committees merely a mirror for those forces or did the committees provide real leadership in educational change? To put the question another way, was the Legislature a reactionary body or did they take a leadership role in educational decisions related to the school code of 1970?

## CHAPTER V

### CONCLUSION

The politics of education is a new and still largely uncharted area of research. Few educators, and even fewer citizens, recognize the relationship of politics to education.

Several scholars have attempted to show that relationship. For example, Roald Campbell stated that educational policy making at all governmental levels is immersed in politics and Roscoe Martin pointed out that politics may be a way of looking at the public school system and its management. Ralph Kimbrough noted that if the educational leader has opinions about educational policies and takes action, politics is involved. What these scholars have attempted to say is simply that there exists a vital and longstanding connection between politics and education. That connection is further documented by noting that there are 17,000 local school districts in the United States, and the government of education in each of these local districts is somewhat unique. There are also the other entities of federal, state, city and county government which might be involved in the government of education.

When decisions are made by these various entities of government, controversy usually occurs. These controversies are generated by demands upon government and generally these demands are greater than the resources. Therefore, when entities of government begin to convert the demands into public policy, controversies arise as to which demands (education, hospitals, health, highways, etc.) will get the attention of legislative policymakers. Another significant consideration is that as demands on available resources grow, education, like other institutions, will have to compete for what is available.

In reference to the Oklahoma Legislature, few legislators would question their responsibility for conversion of serious demands of their constituents into public policy. Regarding educational policy this study found that conversion of demand to policy occurs in the committee system. However, the committee system, as powerful as it is, is not a free agent. It is subjected to a myriad of forces which attempt to influence its work. The forces that influenced the Committees on Education as they worked on the common school codes of 1949 and 1970 were examined in this study. Those forces included governors, committee chairmen, legislative leaders, lobbyists, rural and urban constituencies, and election-year politics. Finally, the importance of the committee system in the Oklahoma Legislature was examined. This study revealed that the Legislature was involved in the

educational decision-making process and that involvement was primarily reflected through the activities of the Committees on Education.

If indeed, education and politics are inseparable, the major speculative question raised by this work is: "What possibilities exist for school reform?"

The Oklahoma Constitution contains language to the effect that the Legislature has the responsibility for maintaining a thorough and efficient system of public education. In fulfilling this obligation, the legislature has generally enacted statutes regarding the structure, policy and finance of common school education. But the state provisions in these areas generally have fallen far short. The legislature then is confronted with perplexing problems as they seek to satisfy the constitutional mandates and court decrees relative to good schools for all. To further complicate, state financial resources are limited, and therefore, legislation enacted regarding common schools is based upon political responses to educational needs. These responses are often generated without adequate theoretical and policy framework derived from empirical research. Those political responses to educational issues could be classified as neutral, favorable, or negative, and are made because "political" considerations were involved in the educational decision-making process. In other words, an educational policy only has value if that policy will gain a majority of legislative votes for its passage. Generally, to obtain a majority of

votes on any legislative issue, compromises and trade-offs are inevitable.

The compromises and trade-offs on legislation are usually a result of the strength of political forces which influence legislators as they work on a major piece of legislation. Those forces were evidenced in the common school codes of 1949 and 1970, where governors, committee chairmen, legislative leadership, lobbyists, professional educators, constituencies, and election considerations had provided considerable influence for the passage of the school codes. If political forces have a significant impact and influence on legislators, as they apparently do, then the Legislature is basically going to be a reactionary body rather than a leadership body in the educational decision-making process.

If meaningful school reform is to occur, it is most likely to come from those who know something about the needs of the schools; that is the professionals. If this study demonstrates anything, it demonstrates that the professionals, although they had significant input into the school code of 1970, were not by any means the most significant political force. All too often, there exists a wide division among professional educators as to what is good for education in Oklahoma. Consequently, their political influence is weakened by their diversification of views and they are only able to achieve limited goals. Other forces probably less informed, were responsible for modification of the code. The result was a change surely, but not sweeping reform. Thus, the key feature of the school code, that of equalization of school finance, was modified to the

extent that it did not provide the deep and sweeping reform advocated by the experts. The Legislative committees appeared to be guided in their actions as much by political considerations as by the real need for a comprehensive restructuring of school finance.

A major implication of this study would seem to be that if carefully researched reform is to occur, it would be necessary for the professionals to exert much more political power than they were able to in the school code struggle. Educators then can only achieve an expansion of their goals in proportion to the amount of influence or power they are able to exert on the legislative committees and Legislature. Further, educators who would like to change the pattern of education, which normally involves increased expenditures, will be compelled to negotiate with Legislators who are pressured by other interests that desire other goals. However, the effectiveness of educators in using political techniques and in penetrating governmental systems to obtain their desired goals seems limited. This limitation seemed apparent as other political forces had a greater influence on the school code. If this is true it seems unlikely that educational reform will come in the near future, as the Legislature and its important education committees will bow to political forces, necessitating compromises which will result in a fragmented system of common school education in Oklahoma. That system will reflect the vested interests of those political forces which hold the greatest political considerations will continue to deter the Legislature from bold and aggressive action.

## A SELECTED BIBLIOGRAPHY

- Bailey, Stephen K. et al. Schoolmen and Politics. Syracuse, N.Y.: Syracuse Univ. Press, 1962.
- Balyeat, Frank A. "County High Schools in Oklahoma," Chronicles of Oklahoma, XXXVII (1959), p. 196.
- Bendiner, Robert. The Politics of Schools. New York: Harper and Row, 1969.
- Benson, Charles S. The Economics of Public Education. 2nd ed. Boston: Houghton Mifflin, 1968.
- Bloomberg, W. Jnr. and M. Sunshine. Suburban Power Structures and Public Education. Syracuse: Syracuse University Press, 1963.
- Bowles, B. D. "The Power Structure in State Education Politics," Phi Delta Kappan, XXXIX (1968), pp. 337-40.
- Bunzel, J. H. "Pressure Groups in Politics and Education," National Elementary Principal, XXXXIII (1964), pp. 12-15.
- Cahill, R. S. and S. P. Hencley. The Politics of Education in the Local Community. Danville, Ill.: Interstate Printers and Publishers, 1964.
- Campbell, Alan K. The Socio-Economic, Political, and Fiscal Environment of Educational Policy-Making in Large Cities. (Paper presented at the American Political Science Assoc. Convention, Sept. 1966.)
- Campbell, Roald F. et. al. The Organization and Control of American Schools. Columbus, Ohio: Charles E. Merrill Books, Inc., 1965.
- Carter, Richard. Voters and Their Schools. Stanford: School of Education, Institute for Communication Research, 1960.
- Carter, Richard F. and John Sutthoff. Communities and Their Schools. Stanford, Calif.: Institute for Communication Research, Stanford Univ., 1960.
- Cole, S. "The Unionization of Teachers: Determinants of Rank-and-File Support," Sociology of Education, XXXI (1968), pp. 66-88.

- Colton, David. State Power and Local Decision-Making in Education. Paper presented to the American Educational Research Assoc., Feb. 1969.
- Conant, James B. Shaping Educational Policy. New York: McGraw-Hill Book Company, Inc., 1964.
- Crain, R. L. The Politics of School Desegregation. Chicago: Aldine, 1968.
- Crane, W. "Politics of Education," Education Forum, XXIII (January, 1959), p. 201.
- Daily Herald, Sapulpa, Oklahoma (April 9, 1970), p. 1.
- Daily Oklahoman (February 2, 7, 16), p. 1.
- Daily Oklahoman (March 3, 1949), p. 1.
- Daily Oklahoman (April 9, 17, 24, 30, 1970), p. 1.
- Daily Oklahoman (May 25, 1949), p. 1.
- Daily Oklahoman (May 1, 1970), p. 1.
- Davis, O. A. "Empirical Evidence of Political Influence upon the Expenditure Policies of Public Schools," J. Margolis, ed. The Public Economy of Urban Communities. Baltimore: Johns Hopkins, 1965.
- Decker, Michael. "Representing the Educational Policy-Making Process: A Problem-Solving Approach," Education and Urban Society, 1 (1969), pp. 265-88.
- Dye, R. R. "Politics, Economics, and Educational Outcomes in the States," Educational Administration Quarterly, III (1967), p. 30.
- Easton, David. A Framework for Political Analysis. Englewood Cliffs, N. J.: Prentice-Hall, 1965a.
- \_\_\_\_\_. A Systems Analysis of Political Life. New York: John Wiley and Sons, 1965b.
- Easton, D. "The Function of Formal Education in a Political System," School Review, (1957), pp. 304-16.
- Eldersveld, Samuel J. "American Interest Groups: A Survey or Research and Some Implications for Theory and Method," Interest Groups on Four Continents. ed. Henry W. Ehrmann. Pittsburgh: University of Pittsburgh Press, 1958.



- Elliot, Thomas H. "Toward an Understanding of Public School Politics," American Political Science Review, LIII (1959), pp. 1032-51.
- Ferguson, LeR. C. How State Legislators View the Problem of School Needs. Washington: Government Printing Office, 1960.
- Gittell, Marilyn and Alan G. Hevesi. The Politics of Urban Education. New York: Frederick A. Praeger, 1969.
- Gregg, R. T. "Political Dimensions of Educational Leadership," Teachers College Record, LXVII (1965), pp. 118-25.
- Gross, N. Who Runs Our Schools? New York: Wiley, 1958.
- Hamlin, H. M. "Organized Citizen Participation in the Public Schools," Review of Educational Research, XXIII (1953), pp. 346-52.
- Hirsch, W. Z. "Determinants of Public Education Expenditures," National Tax Journal, XIII (1960), pp. 24-40.
- Iannaccone, Laurence. Politics in Education. New York: The Center for Applied Research in Education, 1967.
- James, H. T. "Schools are in Politics," Nations Schools, LXII (October, 1958), pp. 53-55.
- \_\_\_\_\_. Wealth, Expenditures, and Decision-Making for Education. Stanford: Stanford University Press, 1963.
- Karns, Edward A. "Politics: A Vital Force in Education," Educational Leadership, XXVIII (October, 1970), pp. 38-39.
- Kimbrough, Ralph B. Political Power and Educational Decision-Making. Chicago: Rand McNally, 1964.
- Kirst, Michael W. (ed.) The Politics of Education at Local, State, and Federal Levels. Berkely, California: McCutchan, in press.
- Lambert, Guy H. A History Outline: Oklahoma State Department of Education, 1900 - 1965. El Reno: Board of Education, 1967.
- Larmee, R. A. "Commercial Pressures and the Local Schools," Theory into Practice, IV (1965), pp. 176-80.
- Litt, E. "Educational and Political Enlightenment in America," Annals of the American Academy of Political and Social Science, CCCLXI (1965), pp. 32-39.

- Lutz, Frank W. and Joseph J. Azzarelli. Struggle for Power in Education. New York: The Center for Applied Research in Education, Inc., 1966.
- Mackinnon, F. The Politics of Education: A Study of the Political Administration of the Public Schools. Toronto: University of Toronto Press, 1960.
- Macridis, Roy C. "Interest Groups in Comparative Analysis," The Journal of Politics, XXIII (February, 1961), pp. 25-45.
- Mantel, S. J. "Education and the Political Process," Peabody Journal of Education, XXXIV (July, 1956), pp. 105-10.
- Marconnit, G. D. "State Legislatures and the School Curriculum," Phi Delta Kappan, XXXIX (1968), pp. 269-72.
- Martin, Roscoe C. Government and the Suburban School. Syracuse, New York: Syracuse Univ. Press, 1962.
- Massialas, Byron G. Education and the Political System. Reading, Mass: Addison-Wesley, 1969.
- Masters, Nicholas A. et. al. State Politics and the Public Schools. New York: Alfred A. Knopf, 1964.
- McCarty, D. J. "How Community Power Structures Influence Administrative Tenure," American School Board Journal, CXXXVIII (1964), pp. 11-13.
- \_\_\_\_\_. "School Board Membership: Why Do Citizens Serve," Administrator's Notebook, VIII (1959), pp. 1-4.
- Miller, Delbert C. "Decision-Making Cliques in Community Power Structures: A Comparative Study of an American and an English City," The American Journal of Sociology, LXIV (November, 1958), pp.
- \_\_\_\_\_. "Democracy and Decision-Making in the Community Power Structure," Power and Democracy in America, ed. William V. D'Antonio and Howard J. Ehrlich, Notre Dame, Ind: University of Notre Dame Press, 1961.
- Minar, D. W. "Community Basis of Conflict in School System Politics," American Sociological Review, XXXI (1966), pp. 822-35.
- Miner, J. Social and Economic Factors in Spending for Public Education. Syracuse: Syracuse University Press, 1963.
- Mitchell, D. "How Kentucky Teachers Won At Politics," Phi Delta Kappan, XXXIV (1963), pp. 25-27.
- Oklahoma Constitution. 1907 and 1970.

- Oklahoma House of Representatives, Journal. 1949 and 1970.
- Oklahoma Legislative Council, Minutes, Special Committee on Revision and Codification of Common School Law, 1969-71.
- Oklahoma Legislative Council, Biennial Report, 1948.
- Oklahoma Public School: A Survey Report to the Oklahoma Governor's Advisory Committee on Common School Education 1964 (Tennessee: George Peabody College for Teachers, 1964, p. 29.
- Oklahoma Revised Statutes. 1909, 1950, 1960, and 1970.
- Oklahoma Senate, Journal. 1949 and 1970.
- Oklahoma Session Laws. 1909-1949.
- Perry, Don W. "History of Oklahoma's School Endowment," Chronicles of Oklahoma, XIII, No. 4 (December, 1935), pp. 381-390.
- Rosenthal, Alan. Governing Education. Garden City, New York: Anchor Books, 1969a.
- Rosenthal, A. "Pedagogues and Power: A Descriptive Survey," Urban Affairs Quarterly, II (1966), pp. 83-102.
- Rozzell, Forest. The Politics of Education: To Lobby or Not to Lobby, Department of Health Education and Welfare, U. S. Office of Education, ERIC System, February 21, 1968.
- Saran, R. "Decision-Making by a local Educational Authority," Public Administration, XXXV (1967), pp. 387-402.
- Sayre, Wallace S. "The Politics of Education," Teachers College Record, LXV (1963), pp. 178-83.
- State Superintendent of Public Instruction Biennial Reports. 1909-1949.
- Stroufe, Gerald. Political Systems Analysis in Educational Administration: Can the Emporor be Clothed? (Paper presented at the American Educational Research Assoc., Feb. 1969.)
- Thomas, J. A. "Educational Decision-Making and the School Budget," Administrator's Notebook, XI (1963)
- Tulsa World. 1970.
- Usdan, M. D. The Political Power of Education in New York State. New York Institute of Administrative Research, Teachers College, Columbia University, 1963.

- Usdan, Michael et al. Educational and State Politics. New York: Teachers College Press, Columbia Univ., 1969.
- Walden, J. C. "School Board Changes and Superintendent Turnover," Administrator's Notebook, XV (1967).
- Weiler, H. "Education and Political Development," Review of Educational Research, XXXVIII (1968), pp. 231-42.
- Wildavsky, Aaron. The Politics of the Budgetary Process. Boston: Little, Brown and Company, 1964.
- Willis, C. L. "Analysis of Voter Response to School Financial Proposals," Public Opinion Quarterly, XXXI (1967-68), pp. 648-51.
- Zeigler, Harmon. The Political World of the High School Teacher. Eugene Center for Advance Study of Educational Administration, University of Oregon, 1966.

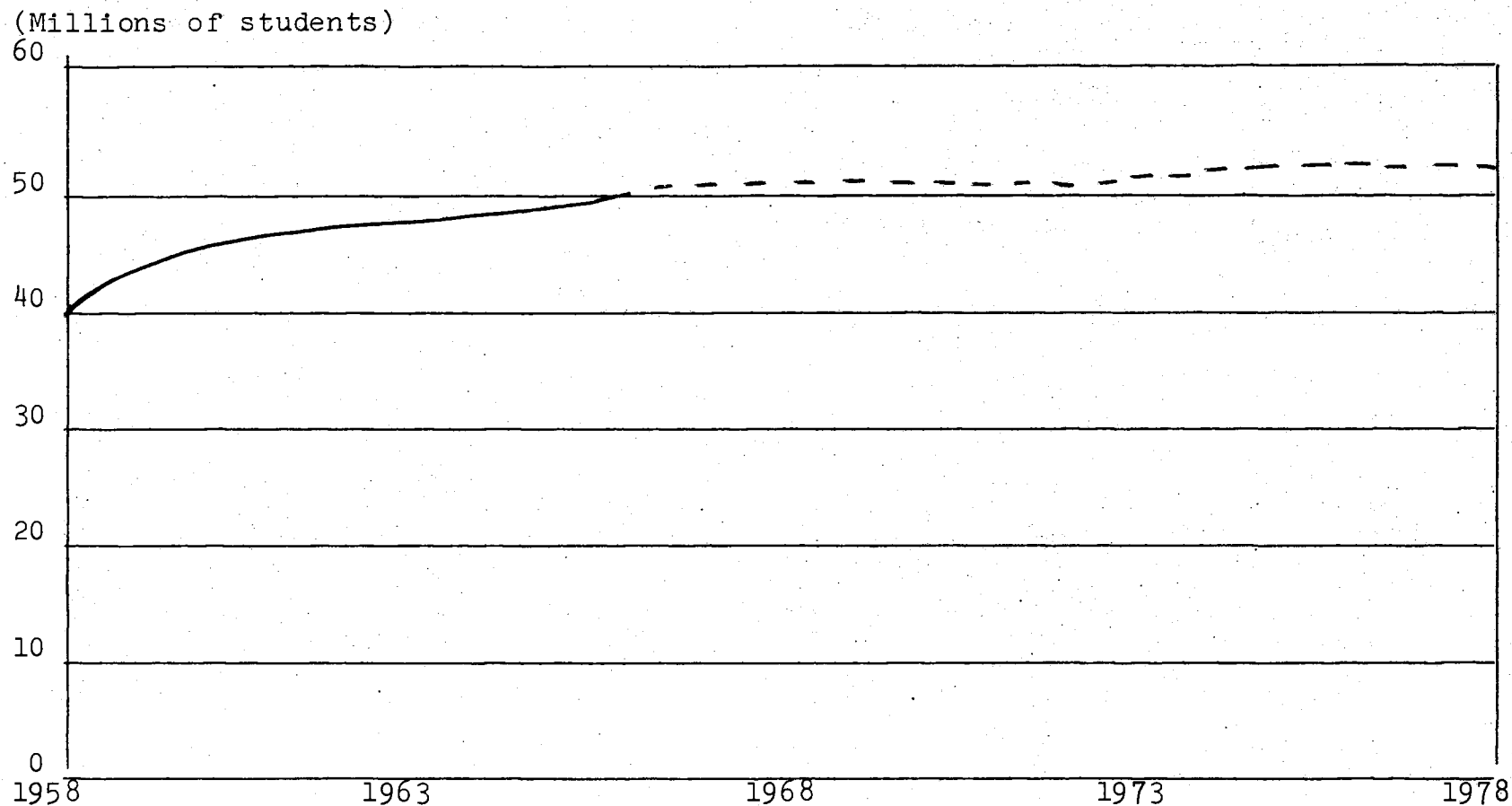
## APPENDIXES

APPENDIX A

ENROLLMENT IN GRADED K-12 OF REGULAR DAY SCHOOLS:

UNITED STATES, FALL 1958 to 1978

ENROLLMENT IN GRADES K-12 OF REGULAR DAY SCHOOLS: UNITED STATES,  
FALL 1958 TO 1978



SOURCE: U.S. Office of Education. "Projections of Educational Statistics to 1978-79."

APPENDIX B

TOTAL EXPENDITURES BY REGULAR ELEMENTARY AND SECONDARY

DAY SCHOOLS: UNITED STATES, 1958-59

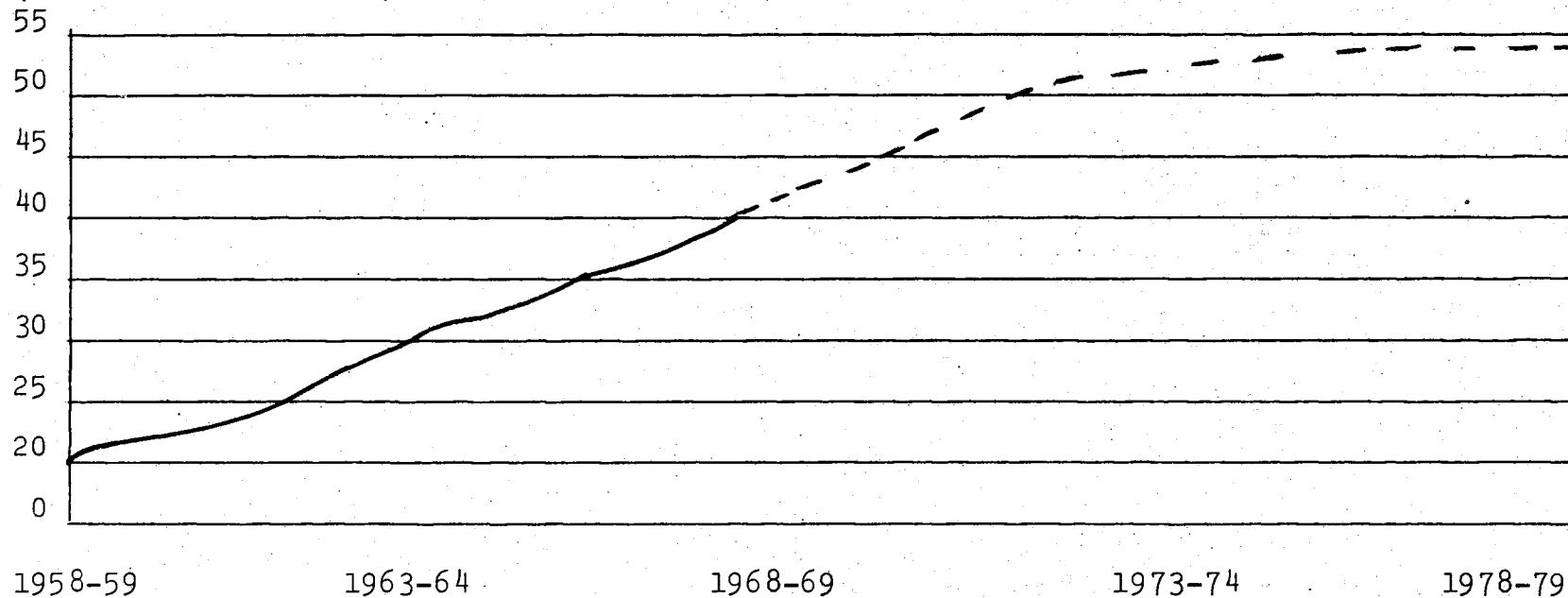
TO 1978-79



# TOTAL EXPENDITURES BY REGULAR ELEMENTARY AND SECONDARY

DAY SCHOOLS: UNITED STATES, 1958-59 TO 1978-79

(Billions of dollars)



SOURCE: U.S. Office of Education. "Projections of Educational Statistics to 1978-79."

APPENDIX C

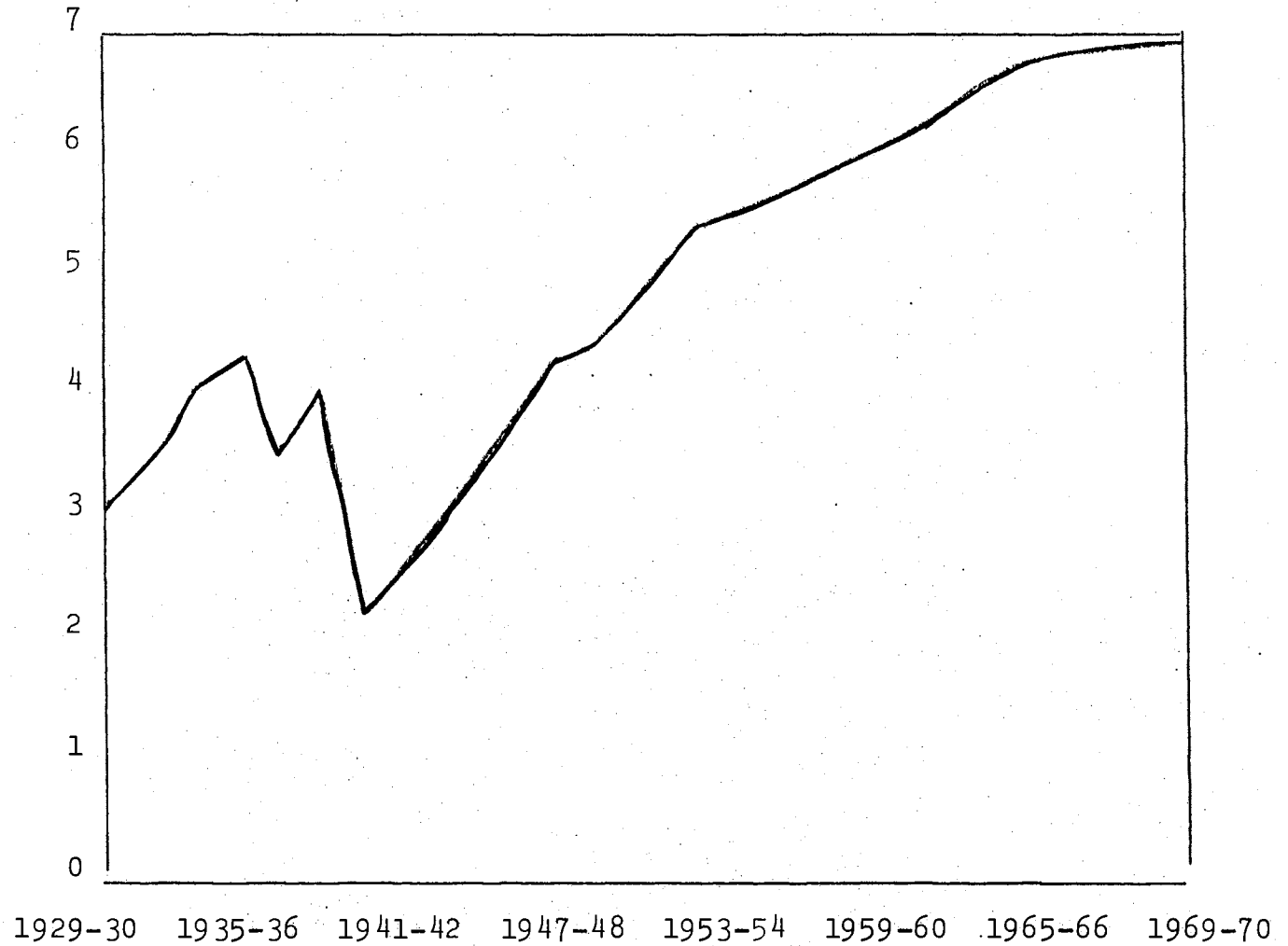
TOTAL EXPENDITURES FOR EDUCATION AS A PERCENTAGE OF GROSS

NATIONAL PRODUCT: UNITED STATES,

1929-30 TO 1969-70

TOTAL EXPENDITURES FOR EDUCATION AS A  
PERCENTAGE OF GROSS NATIONAL PRODUCT:  
UNITED STATES, 1929-30-TO 1969-70

Percent



SOURCE: U.S. Office of Education. Digest of Educational Statistics, 1970.

## APPENDIX D

### THE PROPOSED SCHOOL FINANCE PLAN

#### BASIC PRINCIPLES

## The Proposed School Finance Plan

### Basic Principles

Examination of the present school finance plan reveals that there are many inequities in the educational opportunities existing in the various districts in the State. Furthermore, most of the districts having the severest limits on educational opportunities are asking the citizens to make a greater financial sacrifice to attain these limited opportunities.

One of the major goals in the development of the new finance plan was to provide greater quality of opportunity through more comparable efforts on the part of taxpayers across the State.

The present finance plan is geared to bench-marks dating back to 1963-64 based on the overall plan developed several decades ago. Increases in financial efforts by the State have tended to widen, rather than narrow the gap between the relatively poor and relatively rich districts. Consequently, a further goal in the development of a new finance plan was to lend reasoning to the application of the additional financial aids provided at state level.

The present finance plan has undergone adjustment over the years with sincere effort to improve education in the State. Through these adjustments, the plan has become difficult to administer and extremely difficult to understand. Therefore, another goal in the development of the new finance plan was to simplify the program so that not only could it be easily understood by professionals and lay people as well but also could lend

itself to computerization so that there could be a rapid calculation of the aids due to the districts in the state.

Adjustments are constantly necessary in all states. Therefore a major goal sought in the new finance plan was to develop a process through which changes in financial allocation could be made without destroying the principles of equality of opportunity and effort while still maintaining the basic simplicity of the plan.

Several handicaps exist in the development of any new finance plan. In Oklahoma, constitutional limits restrict changes that can be made without constitutional amendment. The proposed new finance plan is devised to operate without constitutional change and still attain the goals which are set forth in previous paragraphs. Even desirable minimum efforts at equalization, to say nothing about optimum equalization, require considerable increases in state appropriations. Efforts at equalization should not reduce exemplary programs to mediocrity but rather must direct inadequate programs toward excellence. The proposed new plan is designed to continue the trend toward upgrading aid to less able districts over a period of years as additional funds become available. This may be accomplished without distorting the principles on which the plan is developed.

#### Basic Procedures

State participation in educational financing in Oklahoma as

proposed by the new finance plan would be based on two aspects. The foundation program aspect is similar to the minimum program concept used in the present finance program. It is based on the constitutional provisions establishing the major changeable costs. The foundation program concept is still favorably considered by most present day experts in educational finance. Consequently, no provision for constitutional change is included in the proposed plan. Unfortunately, constitutional provisions set changeable income at a rate too low to establish an adequate foundation base support. However, the second aspect of the proposed plan is designed to provide an equitable matching plan which establishes a level of state support which is inversely proportional to the equalized property value in each district.

The Foundation Program. The cost of the foundation program is determined by granting a base support level per pupil which would be uniform in all districts. This represents a major departure from the present minimum program concept. The pupil would be used as the unit for determining need whereas the present program uses the teacher unit to establish the cost. Several other factors are included in establishing the foundation program cost. These are special education, vocational education, transportation, and minimum cost of administration.

Current testing of the overall plan established the basic support level per pupil at \$250. This level is used because in relationship to the equalizing matching grants, a realistic total per pupil income should be reached. For each classroom unit in special education, a district is given an allowance of \$4500. This

sum is selected because of the fact special education classes must have a smaller pupil/teacher ratio. This represents an increase in financial aid to schools which provide the special education programs. For each vocational education classroom unit, a district is granted an additional \$2500. This amount is based on present practice in vocational education and grants aid in about the same proportion as is granted under the present system. Districts operating a state approved vocational technical school would not receive this grant because they are reimbursed for these teachers through the Department of Vocational Education. The proposed plan provided that school districts be allowed 75 percent of the actual cost of providing pupil transportation based on the average for the past six years. Many students of educational finance feel that probably all expenditures for transportation should be allowed on a minimum program. However, some sharing of the cost by the local unit should provide the restraints needed to prevent unwarranted expenditures. The final factor in the foundation program cost, that of the allowance for minimum costs for administration, is calculated at \$75/pupil of each of the first 250 pupils.

State participation in the foundation program is determined by subtracting from the foundation program cost, as described above, certain revenues which will be called chargeable income. The total of the chargeable income is referred to as the Foundation Program Income. These items include 15 mills of the net equalized valuation of the district, 75 percent of the districts' share of the County four-mill levy and the dedicated revenues. The dedicated revenues are the districts' school land allocations,



auto license income, gross production income, and REA income. All the miscellaneous revenues previously charged are not considered chargeable in the new program. There is one major departure from the present minimum program income plan. The amount of money chargeable on the 15 mill provision is based on an equalized district net valuation. The equalized valuation is determined by adjusting the districts real property value (as determined by county assessor) to the value that would result if the real property were assessed at the state average sales to assessment rate. This provision is included because much of the inequity that exists in the present program results from the wide range in assessment practices. A district in a county that under assesses receives more state aid proportionately than does a district in a county that assesses above the average.

The Equalized Percentage Matching Program. The major departure from the present finance program is in the equalized percentage matching provision. At present, the State Legislature has committed itself to an incentive aid of \$92 per pupil by the fiscal year 1970-71 for every district that levies the five-mill emergency levy. In this way the wealthier districts can levy five mills, receive the same incentive per pupil as does the less able district. The less able districts generally must levy all additional mills allowable to offer a program which is below the level of program that the wealthy district can provide with the five mills. The proposed plan would distribute the available state contribution on an equalized basis on all mills levied by the local district. The equalization would be based on a percentage grant

that would be inversely proportional to the districts' net equalized value per child.

The formula for determining the equalized percentage matching grants is similar to that used in Rhode Island, New York, and several other states. It is somewhat difficult to explain to persons not familiar with school financing. In principle, it accomplishes the task of equalization of effort. For each district, the net equalized value per ADA is determined by dividing the net district equalized value (as explained in the foundation aspect of the plan) by the district average daily attendance. A state net valuation is determined by dividing the total state net valuation by the state average daily attendance. This produces a district wealth ratio (high for wealthier districts and low for poor districts). This district wealth ratio is converted to a district local support level by multiplying it by the percent of local support the state would determine. The plan is presently being tested with a 65% local and 35% state contribution. Should the legislative increase the amount of state aid, this percentage ratio could be changed to a proportion like 60% local to 40% state. The formula then would prorate the additional money on an equalized basis. To determine what a district's state support level would be, its local support level would be subtracted from one. The formula becomes operational by converting the support levels to dollars per pupil in average daily attendance per mill. This is best explained by showing the actual calculation for the state. In 1968-69 the state net valuation per pupil in average daily attendance was \$6098. One mill levied on this valuation would produce

\$6.098 per ADA. Since the matching ration of 65% - 35% is being used in the testing, the district would have available \$9.381 for each mill for each ADA. This amount is referred to in the formula as the equalized percentage matching support level. To determine how much of this the state would contribute, the \$9,381 is multiplied by the district's state support ratio. This product, the dollar amount per mill per pupil that the state would pay the district, is referred to as the equalized percentage matching grant. This amount multiplied by 20, the number of mills a district may levy above the 15 mills chargeable in the foundations program, equals the amount the district would receive per ADA. Then further multiplication by the district's ADA would equal the district's total equalized percentage matching grant. The foundation aid added to the equalized percentage matching grant would be the total state aid pid to a district.

The formula as described would bring about full equalization on the millage beyond the foundation program. Because of the wide range of ability and the limited finances available at state level, the proposed plan as now being tested provides that no district state support level would be calculated at less than .30 and none could be higher than .55 with the hope that enough money may be available to help the poor districts, now or later, by raising the .55 allowed as maximum.

The program is being tested by comparing aids districts would receive under the proposed plan to what they would receive if the present plan were projected to 1970-71 commitments. To accomplish this projection, \$40 per ADA is added to the district's foundation

and incentive aid. This is done to account for the additional incentive money the legislature has promised to the schools.

As stated earlier in this report, no new finance program should reduce programs already operating at a high level. To assure that districts will not have their revenue level reduced, the save-harmless factor is made operational through what will be called the A-factor. The A-factor is calculated by determining the state aid per ADA for each program. This is a simple computation. The calculated state aid is divided by the district's ADA. The state aid per ADA for the new program is subtracted from the state aid per ADA for the present program. Obviously, if this results in a negative number, the district would receive more through the new program than through the present program and the factor would be ignored. A positive number would represent the aid paid above the calculated aid to be provided by the new plan.

With the growth of the state economy, in several years there should be few schools receiving the A-factor adjustment.

APPENDIX E

STATUTORY REFERENCES ON THE LEGISLATIVE COUNCIL  
AND LEGISLATIVE PROCEDURAL MATTERS

## Title 74, Oklahoma Statutes 1971

Sec. 451. Creation; members; chairman and vice chairman;  
vacancies

Sec. 452. Duties of Legislative Council; divisions

Sec. 453. Duties with respect to state and local governments  
and enforcement of law

Sec. 454. Oaths, subpoenas; witnesses; production of papers,  
books, etc.; depositions; contempt proceedings on  
noncompliance; fees and mileage of witnesses

Sec. 455. Duties of state and local officers, boards, etc.

Sec. 456. Executive committee; standing and special com-  
mittees; expenses; per diem

Sec. 457. Messages by Governor to Council

Sec. 458. Secretary of Council; research work; services of  
state library and departments in legislative  
research; employment of assistants and research  
agencies

Sec. 459. Minutes of meetings; reports to legislature;  
attendance by legislators

Sec. 460. Recommendations of Council

Sec. 461. No compensation; expenses; powers of chairman and  
vice chairman

Sec. 462. Meeting place; office space

Prefiling of Bills and Joint Resolutions: 75 O.S. 1971, Sec.

26.11-26.14

Fiscal Notes: 75 O.S. 1971, Sec. 26.31-26.35

Timetable Schedule for Legislative Procedures: 74 O.S. 1971, Sec.

26.21

Data Processing Specialist: 74 O.S. 1971, Sec. 118.14; 74 O.S.

Supp. 1972, Sec. 118.9a; 62 O.S. Supp. 1972, Sec. 41.41

## APPENDIX F

### SENATE STANDING COMMITTEE RULES



The following Standing Committees shall be elected by a majority of the Senate and no additions shall be made to any Committee except when a two-thirds (2/3) majority of the Senate agrees thereto:

1. Agriculture
2. Appropriations and Budget
3. Banks and Banking
4. Commerce
5. Constitutional Revision and Regulatory Services
6. County, State and Federal Government
7. Education - Common
8. Education - Higher
9. Elections and Privileges
10. Employment and Printing
11. Engrossed and Enrolled Bills
12. Environmental Quality
13. Governmental Reforms
14. Industrial and Labor Relations
15. Insurance
16. Judiciary
17. Municipal Government
18. Oil and Gas
19. Parks, Forestry and Industrial Development
20. Professions and Occupations
21. Public Safety and Penal Affairs
22. Public and Mental Health

- 23. Revenue and Taxation
- 24. Roads and Highways
- 25. Senate Administration
- 26. Social Welfare
- 27. Soil and Water Resources
- 28. Wildlife

(a) The Committee on Rules, in all future organizations of the Senate in subsequent sessions, shall have a total membership of twenty and the three members of the Senate with the most seniority shall be members of this Committee and the seventeen remaining members shall be elected as herein provided.

(b) No member of the Senate shall serve on more than four standing Committees, however, membership on the committees of Employment and Printing, Engrossed and Enrolled Bills and Senate Administration shall not count in this limitation.

(c) The Committee on Rules, by a majority vote, may recommend the use of special forms and equipment to expedite the work of the Senate.

(d) Names of House authors shall not be added to nor stricken from any measure lodged in the Senate except when accompanied by a request in writing signed by the House member or members whose names would be added or stricken from such measure.

(e) Any measure which shall have been considered and action taken thereon by a Committee during the first regular session, resulting in action thereon to postpone consideration

indefinitely, shall not be considered as pending and shall not be considered further by said Committee during the 2nd regular session. All measures pending before Committees during the 2nd regular session and not disposed of by the Committees will be stricken upon adjournment Sine Die.

(f) Any business, bill or joint resolution pending in the Legislature at the final adjournment of the 1st Regular Session of a Legislature shall carry over with the same status to the 2nd Regular Session, provided, however, that this Rule shall not apply to bills and resolutions pending in a Conference Committee at the time of said adjournment.

(g) Any measure which has been on General Order on the Senate Calendar during the 1st Regular Session and no disposition made as set out in Rule (e) may be referred within five (5) legislative days to General Order by the President Pro Tempore at the convening of the 2nd Regular Session or at any time upon approval of a majority of the Committee to which it was referred.

(h) The Legislative Council may authorize or conduct interim study on any measure not previously disposed of as set out in Rule (e), if properly authorized.

## APPENDIX G

### HOUSE COMMITTEE RULES

Section 1: Appointment of

(a) The following standing committees shall report upon the subjects named and such other matters as may be referred to them:

1. Agriculture
2. Appropriations and Budget
3. Banks and Banking
4. Business and Industry
5. Constitutional Revision
6. County, State, and Federal Government
7. Criminal Jurisprudence
8. Education, Common
9. Education, Higher
10. Elections and Privileges
11. Engrossed and Enrolled Bills
12. Environmental Quality
13. Governmental Reforms
14. House Administration
15. Industrial and Labor Relations
16. Industrial Development
17. Insurance
18. Judiciary
19. Mental Health and Retardation
20. Municipal Government
21. Oil and Gas
22. Professions and Occupations
23. Public Health
24. Public Safety and Penal Affairs

25. Public Service Corporations
26. Recreation and Tourism
27. Revenue and Taxation
28. Roads and Highways
29. Social Welfare
30. Soil and Water Resources
31. Veterans and Military Affairs
32. Ways and Means
33. Wildlife
34. Rules

(b) (Speaker to assign committee rooms)

## Section 2: Membership

(a) Each member shall be eligible for appointment on four (4) committees. Total membership on each committee shall be limited to thirty (30).

(b) (Speaker to be ex officio member of all standing committees)

(c) (Speaker Pro Tempore to be ex officio member of all standing committees)

## Section 3: Procedure

(a) Do Pass

When any standing or special committee or a majority of the members thereof return a bill with the recommendation that it "Do Pass", the same shall be printed and placed on the Calendar under the heading, "Bills on General Order."

(b) Do Not Pass

When any standing or special committee returns a bill with the recommendation that it "Do not Pass", if accepted, this shall constitute final action unless majority and minority committee reports be filed.

(c) Majority and Minority Reports

When there is a majority and minority committee report the bill shall be read at length and five (5) minutes shall be allowed each side to debate the question on the reception of the majority or minority report. If the majority report is such as to reject the bill and minority report is such as to accept the bill, the question shall be put in the following form: "Shall the Minority Report be substituted for the Majority Report?" and the Chair, upon the request of any member, shall explain the effect of the adoption of the motion. If such motion prevail, the bill shall be printed and placed on the Calendar under the heading, "Bills on General Order," and shall have the same status as if reported favorably by the committee.

If the majority report is such as to entitle the bill to further consideration, then the Chair shall put the question in the following form: "Shall the Majority Report prevail?" and further procedure shall be had as hereinabove set forth.

(d) (Resolutions referred to committee)

(e) (Final date for submitting Standing Committee Reports)

(f) No committee shall sit during the session of the House or Committee of the Whole without special leave.

#### Section 4: Investigation

(a) No committee of the House of Representatives shall conduct any investigation into any department, institution, or business, or concerning any individual, or have authority to subpoena witnesses or administer oaths to such witnesses, or incur any expense in any investigation unless first authorized by a resolution or a bill of the House in open session authorizing the same; provided, this shall not prohibit the customary hearings on any bill or resolution referred to such committee by the Speaker in the ordinary course of business.

(b) (Investigation)

(c) (Conference Committee Reports)

#### Section 5: Amendments

Amendments to any bill approved by a standing committee shall be incorporated into the printed bill, the same as if included in the original bill, but amendments shall be kept in record form by the engrossing department.

#### Section 6: Debate

(Author or Committee Chairman to close debate)

#### Section 7: Press

No reporter shall appear before any committee in advocacy of or in opposition to any subject under discussion before such committee. A violation of this rule will be sufficient cause for the removal of such reporter by the Speaker.



#### Section 8: Withdrawal of Bill from Committee

When under proper order of business a motion is made to withdraw a bill from committee for consideration or to refer to another committee, the same shall be in order and debatable and five (5) minutes each allowed the proponents and opponents of the motion; such motion shall require a two-thirds vote of those elected to and constituting the House. The chairman of any standing or special committee may at any time move the reassigning of any bill assigned to his committee when he shall have ascertained that the assignment of such bill to his committee is inappropriate; such motion shall require a majority of those present and voting.

#### Section 9: Public Hearing Notice

Upon written request by an House member for Public Hearing, notice of date and time of such hearings shall be publicly announced by the committee chairman; and such time and date shall not be less than three (3) legislative days from date such request was received by such committee.

#### Section 10: Pending Legislation at Adjournment of First Regular Session

Any bill or joint resolution pending in the House at the final adjournment of the first regular session of a legislative term shall carry over to the second regular session with the same status as if there had been no adjournment; provided, however, this Rule

shall not apply to bills and resolutions pending in a Conference Committee at the time of said adjournment.

APPENDIX H

MEMBERS OF THE OKLAHOMA STATE SENATE AND HOUSE  
OF REPRESENTATIVES COMMITTEES ON  
EDUCATION--FIRST AND SECOND  
SESSIONS OF THE 32ND  
LEGISLATURE

## SENATE

NAME	ADDRESS	COUNTY	DIST.	POL.
Baggett, Bryce	Oklahoma City	Oklahoma	41	D
Breckinridge, Peyton A.	Tulsa	Tulsa	38	R
Crow, Herschal	Altus	Cotton, Jackson, Tillman	25	D
Hamilton, James E., Vice-Chairman	Heavener	LeFlore, Sequoyah	4	D
Howard, Gene C.	Tulsa	Tulsa	36	D
Keels, J. Lee	Oklahoma City	Oklahoma	44	D
Luton, John D.	Muskogee	Muskogee	9	D
McGraw, Joseph R., Jr.	Tulsa	Tulsa	39	R
Martin, Ernest D.	Ardmore	Carter, Love	14	D
Massey, John	Durant	Atoka, Bryan, Johnston, Marshall	6	D
Miller, George A., Chairman	Ada	Coal, Murray, Pontotoc	13	D
Murphy, Robert M.	Stillwater	Payne	21	D
Porter, E. Melvin	Oklahoma City	Oklahoma	48	D
Short, Jack M.	Oklahoma City	Oklahoma	46	R
Smalley, Phil	Norman	Cleveland	16	D
Stansberry, Richard D.	Oklahoma City	Oklahoma	40	R
Terrill, Al	Lawton	Comanche	32	D

## HOUSE OF REPRESENTATIVES

NAME	ADDRESS	COUNTY	DIST.	POL.
Abbott, Lonnie L.	Ada	Pontotoc	25	D
Allard, Lou S., Chairman	Drumright	Creek, Okfuskee	29	D
Anderson, Robert E.	Enid	Garfield	41	R
Bean, Lewis	Pawhuska	Osage	36	D
Bengtson, L.H., Jr.	Oklahoma City	Oklahoma	89	D
Boren, David L.	Seminole	Seminole	28	D
Briscoe, Bill	Claremore	Nowata, Rogers	9	D
Browsers, Clyde E.	Sand Springs	Tulsa	66	D
Clemons, A.J.	Midwest City	Oklahoma	95	D
Coffin, Donald	Guthrie	Noble, Logan	31	D
Conaghan, Brian F.	Tonkawa	Kay	38	R
Cox, Barbour	Chandler	Lincoln, Logan	32	D
Doornbos, C. W.	Bartlesville	Washington	11	R
Ferguson, Leslie Guy	Tulsa	Tulsa	79	R
Harrison, Jack M.	May	Dewey, Ellis, Harper, Roger Mills	59	D
Hesser, Jake E.	Stillwater	Payne	34	D
Hill, Ben H.	Tulsa	Tulsa	73	D
Jones, William G.	Wilburton	Haskell, Latimer, Pittsburg	17	D
Lindstrom, Jack L.I.	Lawton	Comanche	64	D
McKee, Marvin E.	Guymon	Cimarron, Texas, Beaver	61	D
Murphy, Mike	Idabel	McCurtain	1	D
Odom, Martin	Hitchita	McIntosh, Okmulgee	15	D
Payne, Gary E.	Atoka	Atoka, Marshall, Love, Bryan	20	D
Spearman, C.H., Jr.	Edmond	Oklahoma	81	D
Tabor, Pauline, Vice Chairman	Durant	Bryan	21	D
Vann, Charles W.	Pauls Valley	Garvin	23	D
York, Marvin B.	Oklahoma City	Oklahoma	92	D

APPENDIX I

MEMBERSHIP OF AND REFERENCE OF BILL AND  
JOINT RESOLUTIONS TO STANDING  
COMMITTEES OF THE SENATE  
(1968-1970)

MEMBERSHIP OF AND REFERENCE OF BILLS AND JOINT RESOLUTIONS  
TO STANDING COMMITTEES OF THE SENATE

2nd Session of the 31st Oklahoma Legislature(1968)

COMMITTEE	Number of Members	R E F E R R A L S <sup>1</sup>						Total
		Senate Products			House Products			
		SB	SJR	Total	HB	HJR	Total	
Judiciary	13	60	2	62	67	5	72	134
Appropriations and Budget	16	57	1	58	56		56	114
Governmental Affairs	13	43	12	55	22	5	27	82
Education	18	28	2	30	19		19	49
Business, Industry and Labor Relations	13	34		34	15		15	49
Revenue and Taxation	7	20		20	17		17	37
Health, Welfare and Veterans' Affairs	13	22		22	12	2	14	36
Committee on Committees and Rules	16	17	9	26	6	1	7	33
Agriculture	6	20		20	9	1	10	30
Conservation and Economic Development	9	18		18	10		10	28
Roads, Highways and Public Safety	20	15		15	10		10	25
TOTAL REFERRALS		334	26	360	243	14	257	617

<sup>1</sup>Includes joint reference to two or more committees;  
excludes re-reference to same committee.

MEMBERSHIP OF AND REFERENCE OF BILLS AND JOINT RESOLUTIONS  
TO STANDING COMMITTEES OF THE SENATE

1st Session of the 32nd Oklahoma Legislature (1969)

COMMITTEE	Number of Members	R E F E R R A L S <sup>1</sup>						Total
		Senate Products			House Products			
		SB	SJR	Total	HB	HJR	Total	
Judiciary	9	91	2	93	69	1	70	163
Appropriations and Budget	18	60		60	53	1	54	114
Governmental Affairs	9	46	2	48	33		33	81
Education	17	25	2	27	20	2	22	49
Roads and Highways	14	22	1	23	19	2	21	44
Revenue and Taxation	7	29	1	30	13		13	43
Constitutional Revisions and Regulatory Services	7	10	16	26	7	8	15	41
Business Relations	9	20		20	14		14	34
Agriculture	8	20	1	21	11		11	32
Municipal Government	8	20		20	4		4	24
Finance and Commerce	9	14		14	6		6	20
Public Affairs	7	9		9	11		11	20
Public Health	10	13		13	6		6	19
Conservation and Economic Development	9	13		13	4		4	17
Rules	15	4		4	9	1	10	14
TOTAL REFERRALS		396	25	421	279	15	294	715

<sup>1</sup>Includes joint reference to two or more committees;  
excludes re-reference to same committee.



## MEMBERSHIP OF AND REFERENCE OF BILLS AND JOINT RESOLUTIONS

TO STANDING COMMITTEES OF THE SENATE<sup>1</sup>

2nd Session of the 32nd Oklahoma Legislature(1970)

COMMITTEE	Number of Members	R E F E R R A L S <sup>2</sup>						Total
		Senate Products			House Products			
		SB	SJR	Total	HB	HJR	Total	
Judiciary	11	62	5	67	46	4	50	117
Appropriations and Budget	18	61		61	49		49	110
Business Relations	9	29		29	12		12	41
Education	17	23		23	11	1	12	35
Governmental Affairs	9	21	1	22	8		8	30
Constitutional Revisions and Regulatory Services	7	8	14	22	4	3	7	29
Roads and Highways	13	16	1	17	12		12	29
Revenue and Taxation	7	16	2	18	7		7	25
Public Health	10	11	3	14	4	1	5	19
Agriculture	8	9		9	7		7	16
Finance and Commerce	9	9		9	6		6	15
Municipal Government	8	6		6	4		4	10
Rules	15	6		6	3		3	9
Conservation and Economic Development	9	5		5	2		2	7
Public Affairs	7	2	1	3	3		3	6
TOTAL REFERRALS		284	27	311	178	9	187	498

<sup>1</sup>Includes only measures introduced in 1970.<sup>2</sup>Includes joint reference to two or more committees;  
excludes re-reference to same committee.

APPENDIX J

MEMBERSHIP OF AND REFERENCE OF BILL AND JOINT  
RESOLUTIONS TO STANDING COMMITTEES OF  
THE HOUSE OF REPRESENTATIVES  
(1968-1970)

## MEMBERSHIP OF AND REFERENCE OF BILLS AND JOINT RESOLUTIONS

## TO STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

2nd Session of the 31st Oklahoma Legislature(1968)

COMMITTEE	Number of Members	R E F E R R A L S <sup>1</sup>						Total
		House Products			Senate Products			
		HB	HJR	Total	SB	SJR	Total	
Appropriations and Budget	30	66	2	68	62	1	63	131
Judiciary	19	47	1	48	40	1	41	89
Revenue and Taxation	19	50	3	53	11		11	64
Jurisprudence	7	37	2	39	12	1	13	52
Education, Common	19	30		30	9	1	10	40
Social Welfare and								
Public Health	16	18	1	19	11		11	30
Legal and Fiscal Advisory	8	17	1	18	6		6	24
Governmental Reform	9	10		10	13		13	23
Banks and Banking	20	13		13	4	1	5	18
Insurance	28	9		9	9		9	18
County, State and Federal Government	15	9	1	10	8		8	18
Constitutional Amendments	9		14	14		3	3	17
Agriculture	11	7		7	9		9	16
Public Safety and Penal Affairs	12	7	1	8	6		6	14
Wildlife	19	8	1	9	5		5	14

<sup>1</sup>Includes joint reference to two or more committees;  
excludes re-reference to same committee.

COMMITTEE	Number of Members	R E F E R R A L S <sup>1</sup>						Total
		House Products			Senate Products			
		HB	HJR	Total	SB	SJR	Total	
Roads and Highways	18	10		10	3		3	13
Water Resources	13	9		9	2		2	11
Ways and Means	14	6	1	7	3	1	4	11
Elections and Privileges	9	5		5	6		6	11
Industrial Development and Parks	21	2		2	6	1	7	9
Rules and Procedures	21	4		4	2	2	4	8
Education, Higher	25	2	1	3	3		3	6
Oil and Gas	22	4		4	2		2	6
Professional and Occupational Regulations	8	6		6				6
Urban Affairs	13	3		3	2	1	3	6
Business and Industry	10	2		2	2		2	4
Municipal Government	11	1		1	3		3	4
Labor Relations	11	4		4				4
Veterans and Military Affairs	5	1		1	2		2	3
Mental Health and Retardation	12	1		1				1
Congressional and Legislative Redistrict- ing	19							0
Research and Investigation	9							0
TOTAL REFERRALS		388	29	417	241	13	254	671

<sup>1</sup>Includes joint reference to two or more committees;  
excludes re-reference to same committee.

## MEMBERSHIP OF AND REFERENCE OF BILLS AND JOINT RESOLUTIONS

## TO STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

1st Session of the 32nd Oklahoma Legislature (1969)

COMMITTEE	Number of Members	R E F E R R A L S <sup>1</sup>						Total
		House Products			Senate Products			
		HB	HJR	Total	SB	SJR	Total	
Judiciary	19	120	1	121	55	1	56	177
Appropriations and Budget	24	85	1	86	66	2	68	154
Business Relations	21	54		54	10		10	64
Governmental Affairs	14	43	4	47	15		15	62
Education	27	37	4	41	13	2	15	56
Constitutional Revisions and Regulatory Services	16	20	22	42	5	3	8	50
Revenue and Taxation	27	33	1	34	15		15	49
Roads and Highways	17	24	1	25	10		10	35
Agriculture	20	20	1	21	9	1	10	31
Public Health	15	17	1	18	8	1	9	27
Conservation and Economic Development	24	12		12	12		12	24
Finance and Commerce	20	16		16	8		8	24
Municipal Government	12	13		13	9		9	22
Public Affairs	10	5		5	3		3	8
Rules	27		1	1	1		1	2
TOTAL REFERRALS		499	37	536	239	10	249	785

<sup>1</sup>Includes joint reference to two or more committees;  
excludes re-reference to same committee.

MEMBERSHIP OF AND REFERENCE OF BILLS AND JOINT RESOLUTIONS  
TO STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES<sup>1</sup>  
2nd Session of the 32nd Oklahoma Legislature (1970)

COMMITTEE	Number of Members	R E F E R R A L S <sup>2</sup>						Total
		House Products			Senate Products			
		HB	HJR	Total	SB	SJR	Total	
Appropriations and Budget	26	79	4	83	66		66	149
Judiciary	16	66	4	70	44	3	47	117
Education	27	26		26	10	2	12	38
Business Relations	20	29		29	9		9	38
Revenue and Taxation	27	23		23	8	3	11	34
Governmental Affairs	14	21	1	22	10	1	11	33
Roads and Highways	18	19		19	11	1	12	31
Finance and Commerce	20	18		18	13		13	31
Constitutional Revisions and Regulatory Services	14	6	8	14	9	6	15	29
Agriculture	20	12	1	13	8		8	21
Public Health	15	9	1	10	7	1	8	18
Conservation and Economic Development	24	7	1	8	1		1	9
Municipal Government	12	5		5	3		3	8
Public Affairs	11	5		5	1	1	2	7
Rules	28							
TOTAL REFERRALS		325	20	345	200	18	218	563

<sup>1</sup>Includes only measures introduced in 1970.

<sup>2</sup>Includes joint reference to two or more committees;  
excludes re-reference to same committee.

APPENDIX K

HOUSE OF REPRESENTATIVES ACTION TAKEN ON BILLS AND  
JOINT RESOLUTIONS REFERRED TO STANDING  
COMMITTEES (1968-1970)

## HOUSE OF REPRESENTATIVES

## ACTION TAKEN ON BILLS AND JOINT RESOLUTIONS

## REFERRED TO STANDING COMMITTEES

2nd Session of 31st Oklahoma Legislature (1968)

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			HB	HJR	SB	SJR	Total	
Appropriations and Budget	131	Do Pass	28	2	19		49	37.40
		Do Pass as Amended	27		38	1	66	50.38
		Died in Committee	11		5		16	12.21
Education, Common	40	Do Pass	10		3	1	14	35.00
		Do Pass as Amended	8		4		12	30.00
		Died in Committee	12		2		14	35.00
Governmental Reform	23	Do Pass	4		9		13	56.52
		Do Pass as Amended	5		3		8	34.78
		Died in Committee	1		1		2	8.70
Judiciary	89	Do Pass	14		19	1	34	38.20
		Do Pass as Amended	30	1	18		49	55.06
		Died in Committee	3		3		6	6.74
Jurisprudence	52	Do Pass	16	2	6	1	25	48.08
		Do Pass as Amended	17		6		23	44.23
		Do Not Pass	1				1	1.92
		Died in Committee	3				3	5.77

This table includes bills referred to second committee and shows final action on bills recommitted to the same committee.



HOUSE OF REPRESENTATIVES  
ACTION TAKEN ON BILLS AND JOINT RESOLUTIONS  
REFERRED TO STANDING COMMITTEES

1st Session of 32nd Oklahoma Legislature (1969)

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			HB	HJR	SB	SJR	Total	
Appropriations and Budget	154	Do Pass	33	1	20	1	55	35.71
		Do Pass as Amended	37		33		70	45.45
		Alive in Committee	14		13	1	28	18.18
		Do Not Pass	1				1	.65
Business Relations	64	Do Pass	10		2		12	18.75
		Do Pass as Amended	7		2		9	14.06
		Alive in Committee	36		6		42	65.63
		Do Not Pass	1				1	1.56
Constitutional Revisions and Regulatory Services	50	Do Pass	4	3	3	2	12	24.00
		Do Pass as Amended	5	6	1	1	13	26.00
		Alive in Committee	11	13	1		25	50.00
Education	56	Do Pass	13	2	8	1	24	42.86
		Do Pass as Amended	11	1	3		15	26.79
		Alive in Committee	13	1	2	1	17	30.36

HOUSE OF REPRESENTATIVES  
ACTION TAKEN ON BILLS AND JOINT RESOLUTIONS  
REFERRED TO STANDING COMMITTEES<sup>1</sup>

2nd Session of 32nd Oklahoma Legislature (1970)

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			HB	HJR	SB	SJR	Total	
Appropriations and Budget	149	Do Pass	19		17		36	24.16
		Do Pass as Amended	43	2	41		86	57.72
		Died in Committee	17	2	8		27	18.12
Business Relations	38	Do Pass	7				7	18.42
		Do Pass as Amended	10		1		11	28.95
		Died in Committee	12		8		20	52.63
Education	38	Do Pass	4		4	2	10	26.32
		Do Pass as Amended	9		2		11	28.94
		Died in Committee	13		4		17	44.74
Judiciary	117	Do Pass	8	4	20	2	34	29.06
		Do Pass as Amended	46		19	1	66	56.41
		Do Not Pass	1		1		2	1.71
		Died in Committee	11		4		15	12.82

<sup>1</sup>Includes only measures introduced in 1970.

This table includes all action on bills and joint resolutions referred to two or more committees and final action on bills recommitted to same committee.

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			HB	HJR	SB	SJR	Total	
Governmental Affairs	62	Do Pass	17	1	8		26	41.93
		Do Pass as Amended	8				8	12.90
		Alive in Committee	18	3	7		28	45.19
Judiciary	177	Do Pass	21		20	1	42	23.73
		Do Pass as Amended	55	1	23		79	44.63
		Alive in Committee	41		10		51	28.81
		Do Not Pass	3		2		5	2.83
Revenue and Taxation	49	Do Pass	4		9		13	26.53
		Do Pass as Amended	5		2		7	14.29
		Alive in Committee	23	1	4		28	57.14
		Do Not Pass	1				1	2.04

The table includes bills referred to second committees and shows final action on bills recommitted to same committee.

APPENDIX L

SENATE ACTION TAKEN ON BILLS AND JOINT  
RESOLUTIONS REFERRED TO STANDING  
COMMITTEES (1968-1970)

## SENATE

## ACTION TAKEN ON BILLS AND JOINT RESOLUTIONS

## REFERRED TO STANDING COMMITTEES

2nd Session of 31st Oklahoma Legislature (1968)

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			SB	SJR	HB	HJR	Total	
Appropriations and Budget	114	Do Pass	28	1	14		43	37.72
		Do Pass as Amended	28		37		65	57.02
		Withdrawn			2		2	1.75
		Died in Committee	1		3		4	3.51
Business, Industry, Labor Relations	49	Do Pass	12		11		23	46.94
		Do Pass as Amended	9		3		12	24.49
		Withdrawn	1				1	2.04
		Died in Committee	12		1		13	26.53
Education	49	Do Pass	5	1	9		15	30.61
		Do Pass as Amended	11	1	6		18	36.73
		Without Recommendation	1				1	2.04
		Withdrawn	1		2		3	6.12
		Died in Committee	10		2		12	24.49
Governmental Affairs	82	Do Pass	13	2	11	3	29	35.37
		Do Pass as Amended	23	7	9	2	41	50.00
		Withdrawn	2				2	2.44
		Died in Committee	5	3	2		10	12.20

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			SB	SJR	HB	HJR	Total	
Judiciary	134	Do Pass	20	1	21		42	31.34
		Do Pass as						
		Amended	26	1	34	3	64	47.76
		Withdrawn	1				1	.75
		Without						
		Recommendation			1		1	.75
		Died in						
		Committee	13		11	2	26	19.40

This table includes bills referred to second committee and shows final action on bills re-referred to the same committee.

## SENATE

## ACTION TAKEN ON BILLS AND JOINT RESOLUTIONS

## REFERRED TO STANDING COMMITTEES

1st Session of 32nd Oklahoma Legislature (1969)

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			SB	SJR	HB	HJR	Total	
Appropriations and Budget	114	Do Pass	14		21	1	36	31.58
		Do Pass as Amended	43		30		73	64.04
		Alive in Committee	3		2		5	4.39
Constitutional Revisions and Regulatory Services	41	Do Pass	1	1	3		5	12.20
		Do Pass as Amended	4	3		1	8	19.51
		Alive in Committee	3	12	3	6	24	58.54
		Withdrawn	2		1		3	7.32
		Without Recommendation				1	1	2.44
Education	49	Do Pass	3		8	2	13	26.53
		Do Pass as Amended	12	2	2		16	32.65
		Alive in Committee	10		9		19	38.78
		Without Recommendation as Amended			1		1	2.04
Governmental Affairs	81	Do Pass	11	1	21		33	40.74
		Do Pass as Amended	10	1	8		19	23.46
		Alive in Committee	25		4		29	35.80

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			SB	SJR	HB	HJR	Total	
Judiciary	163	Do Pass	30	1	36		67	41.10
		Do Pass as Amended	29		23		52	31.90
		Alive in Committee	31	1	10	1	43	26.38
		Withdrawn	1				1	.61

The table includes bills referred to second committees and shows final action on bills recommitted to same committee.



SENATE  
ACTION TAKEN ON BILLS AND JOINT RESOLUTIONS  
REFERRED TO STANDING COMMITTEES

2nd Session of 32nd Oklahoma Legislature (1970)

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			SB	SJR	HB	HJR	Total	
Appropriations and Budget	110	Do Pass	19		20		39	35.45
		Do Pass as Amended	39		29		68	61.82
		Withdrawn	1				1	.91
		Died in Committee	2				2	1.82
Business Relations	41	Do Pass	9		7		16	39.02
		Do Pass as Amended	9		4		13	31.71
		Withdrawn	1				1	2.44
		Died in Committee	10		1		11	26.83
Constitutional Revisions and Regulatory Services	29	Do Pass	1	2	2	2	7	24.14
		Do Pass as Amended	6	10	1		17	58.62
		Died in Committee	1	2	1	1	5	17.24
Education	35	Do Pass	5		2		7	20.00
		Do Pass as Amended	10		7	1	18	51.43
		Without Recommendation	1				1	2.86
		Without Recommendation as Amended			1		1	2.86
		Died in Committee	7		1		8	22.85

COMMITTEE	Total Re- ferred	Action	Number of Bills and Joint Resolutions					Percent Of Total Referred to Committee
			SB	SJR	HB	HJR	Total	
Judiciary	117	Do Pass	20	2	21		43	36.76
		Do Pass as Amended	25	3	21		49	41.88
		Without Recommendation			1	3	4	3.42
		Without Recommendation as Amended	1				1	.85
		Withdrawn			1		1	.85
		Died in Committee	16		2	1	19	16.24

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VITA

Michael J. Hopkins

Candidate for the Degree of

Doctor of Education

Title: OKLAHOMA COMMON SCHOOL CODE OF 1970

Major Field: Secondary Education

Biographical:

Personal Data: Born in San Jose, California, September 26, 1944, the son of Michael Jerry and Ida Lee Carimina; adopted by Albert L. and Mable Irene Hopkins in 1958.

Education: Attended elementary school in San Jose, California; graduated from Enid High School, Enid, Oklahoma, in 1962; received a Bachelor of Arts degree from Northwestern State College, Alva, Oklahoma, in 1966; received the Master of Science degree from Oklahoma State University, Stillwater, Oklahoma, with a major in Education in 1969. Completed requirements for Doctor of Education degree, Oklahoma State University, Stillwater, Oklahoma, May, 1974.

Professional Experience: Instructor of Government and Speech at Northern Oklahoma College, Tonkawa, Oklahoma, 1967-1969; Research Associate, Oklahoma Legislative Council, Oklahoma City, Oklahoma, 1969-1970; Supervisory Development Training Specialist, State Department of Vocational-Technical Education, Stillwater, Oklahoma, 1971-1972; Community Development Specialist, Governor's Office of Community Affairs and Planning, Oklahoma City, Oklahoma, 1972-1973; Program Development Specialist, Oklahoma State University, Stillwater, Oklahoma, 1973 to present.