

Bond Case Briefs

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SCHOOL FINANCE - OKLAHOMA

Independent School District # 52 of Oklahoma County v. Hofmeister

Supreme Court of Oklahoma - June 23, 2020 - P.3d - 2020 WL 3428194 - 2020 OK 56

School districts brought action for writs of mandamus against defendants including Department of Education, alleging districts received insufficient state aid payments for certain years. Other school districts intervened.

The District Court granted summary judgment to intervening districts, finding no requirement for defendants to seek repayment of excessive state aid payments made to certain schools until an audit was performed by auditors approved by the State Auditor and Inspector. Plaintiff districts appealed.

The Supreme Court held that:

- The audit used by the State Board of Education when demanding repayment of improper state aid payments to schools must be performed by auditors approved by the State Auditor and Inspector;
- A school district must possess a legally cognizable right to bring a mandamus proceeding when seeking the payment of funds from a government entity;
- In a mandamus action to compel payment of state aid funds to district, such legally cognizable right must be based upon appropriations and funds which have not lapsed; and
- A district has a legally cognizable interest in funds correctly apportioned to that district, independent of the statutory procedure used by the State Board of Education to recoup improper state aid payments.