

ENGROSSED HOUSE
BILL NO. 1852

By: McCorkell of the House

and

Williams (Penny) of the
Senate

(schools - Educational Deregulation Act - amending 70
O.S., Section 5-117.4 - codification - effective date -
emergency)

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

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3-119 of Title 70, unless there
is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Educational
Deregulation Act".

SECTION 2. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 3-120 of Title 70, unless there
is created a duplication in numbering, reads as follows:

The purpose of this act is to ensure that local schools have the
necessary freedom to innovate and improve education systems in order
to maximize student learning and performance. Pursuant to this
purpose, school districts shall be allowed to develop, make
application for and implement educational improvement plans which
would exempt the school district, a school site or any program,
grade level, consortium of schools or school districts or other
group within the district from the educational-related statutory

regulations set forth in subsection D of Section 3 of this act and rules. The plans submitted by school districts and approved by the State Board of Education should emphasize innovation, flexibility, and collaboration at the local school level, accountability at the state and local level, dissemination of results, and strict emphasis on improved student achievement.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-121 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. A school district may develop an educational improvement plan which includes exemption from the educational-related statutory requirements set forth in subsection D of Section 3 of this act and rules for the school district, a school site or any program, grade level, consortium of schools or school districts or other group within the school district. The board of education of the school district shall, through adoption of a resolution, approve the plan prior to application being made to the State Board of Education.

B. The components of each educational improvement plan approved by the State Board of Education shall include:

1. A description of the educational benefits to be derived;
2. A definition of the standards of the plan;
3. Development of definitive work products, such as site improvement plans and progress reports;
4. Demonstration of collaboration by teachers, administrators, higher education representatives, students, parents/families, and the community;
5. Development and the use of an assessment mechanism to determine progress in meeting the goals and objectives of the plan;
6. Development of an in-service training plan to be provided to personnel at the site who will participate in the project;
7. Report on the results of the plan to the State Board of Education and provision of appropriate technical assistance to other

school districts and the State Department of Education as required;
and

8. Explanation of how the plan will affect other schools, programs or sites in the district.

C. Each educational improvement plan approved by the State Board of Education shall include, when appropriate, the following components:

1. An evaluation mechanism to evaluate the population served by the school district or site and the particular needs of the population;

2. An outline of how the scheduled school day and year enhances student learning;

3. A summary of how decision making would be shared;

4. An outline of the staffing pattern and how that pattern enhances or supports the goals and objectives to increase student performance of the plan;

5. An outline of how the curriculum design enhances or supports the goals and objectives of the plan;

6. An indication of how funds will be utilized to meet special needs of the students; and

7. An outline of how appropriate entities within and outside the school will be utilized.

D. Each educational improvement plan shall include a list of the specific educational-related statutory requirements and rules the school district is requesting an exemption from and why each exemption is necessary to success of the plan. The school district shall not be granted an exemption from federal educational-related requirements. A school district may request an exemption only from the following educational-related statutory requirements:

1. The length of school year, number of days used for professional purposes, length of school day, length of school month

and school taught on Saturday requirements set forth in Sections 1-109, 1-110, 1-111 and 1-112 of Title 70 of the Oklahoma Statutes;

2. The textbook use requirements;

3. The class size limitations set forth in Sections 18-113.1, 18-113.2 and 18-113.3 of Title 70 of the Oklahoma Statutes; and

4. Any staff development and entry year requirements.

E. The State Board of Education may exempt the district from any State Board regulation which is necessary to implement the plan, including any curricular regulations.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-122 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Prior to the adoption of a resolution by the local board of education as required in subsection A of Section 3 of this act, the local board of education shall provide for a period of public review and comment on the proposed educational improvement plan and shall notify and allow comment from the bargaining agent of the plan.

B. Each educational improvement plan shall be approved by the State Board of Education before implementation. When a plan is submitted the Board shall give public notice and invite comment on the plan. The Board shall schedule a public hearing for discussion and action on approval of any plan to which an objection has been made during the period of time specified.

C. Approval of a plan shall be for no longer than three (3) years. If a plan is approved, the school district shall be required to submit an annual report and the Board shall provide for an annual assessment of the plan.

D. The Board shall notify the Speaker of the House of Representatives and the President Pro Tempore of the Senate of the approval of plans on a quarterly basis and shall provide the Speaker and the President Pro Tempore with copies of the annual reports and assessments.

E. If the Board determines through the annual assessment process that the school district is not complying with the requirements of this act or is not meeting the goals of the plan it shall first provide notice to the district of its findings. If the school district does not come into compliance or take action to meet the goals of the plan, the Board shall withdraw approval and terminate the plan.

SECTION 5. AMENDATORY 70 O.S. 1991, Section 5-117.4, is amended to read as follows:

Section 5-117.4 A. Each local board of education shall, after convening an advisory planning committee which includes teachers and parents, and after holding at least one public hearing, adopt a four-year school improvement plan for the district. Each plan shall include stated goals that clearly delineate educational expectations, and shall be updated on an annual basis. The plan shall also include a specific program of improvement through academic skill reinforcement and/or remediation pursuant to the provisions of the Oklahoma School Testing Program Act. Such plan shall include an evaluation of the instructional program in the basic skills areas as specified in paragraphs 1 and 2 of subsection A of Section 11-103 of this title and specific plans whereby schools within the district will initiate the planning process of meeting or exceeding the accreditation requirements in Section ~~2~~ 3-104.4 of this ~~act~~ title. The four-year school improvement plan shall include a consideration of the feasibility of participation in any programs which consist of state exemption from educational-related statutes or rules.

B. The school improvement plan shall be submitted to the State Board of Education as provided in Section 3-104.2 of this title.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-123 of Title 70, unless there is created a duplication in numbering, reads as follows:

The State Board of Education shall promulgate rules to implement the provisions of this act.

SECTION 7. This act shall become effective July 1, 1995.

SECTION 8. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 14th day of March, 1995.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate