

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)
2ND CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
HOUSE BILL NO. 1491

By: Boyd (Betty) of the House

and

Williams of the Senate

2ND CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to schools; authorizing certain functions be reserved to and performed by local districts; specifying such functions; authorizing certain petitions to instigate education deregulation plans; requiring election on certain questions; specifying election date; requiring certain certification of signatures; limiting such election; amending Section 2, Chapter 307, O.S.L. 1995, Sections 3 and 4, Chapter 307, O.S.L. 1995, as amended by Sections 1 and 2, Chapter 343, O.S.L. 1996 (70 O.S. Supp. 1996, Sections 3-125, 3-126 and 3-127), which relate to the Educational Deregulation Act; modifying purpose of act; requiring the State Board of Education to conduct certain annual outreach plans concerning educational improvement plans; specifying elements to be included in such campaigns; authorizing the holding of certain elections on questions concerning deregulation of public schools; adding authorization for certain exemption; providing for codification; providing an effective date; and declaring an 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 3-124.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

An educational function not specifically delegated to the State Department of Education or the State Board of Education is reserved to and may be performed by the local districts.

Upon petition initiated by not less than ten percent (10%) of the qualified electors of the school district based on the total number of votes cast at the last school board election, and in accordance with Sections 2 through 4 of this act, a school district upon receipt of the petition shall provide notification

by resolution in accordance with Section 13A-109 of Title 26 of the Oklahoma Statutes on the question for adoption of a school district deregulation plan. Any such question shall be submitted at the next annual millage election. The secretary of the county election board shall be responsible for certifying the adequacy of the number of the signatures on the petitions. A deregulation question shall not be submitted more than once per calendar year. Questions approved by a majority of the voters voting at that election shall be submitted to the State Board of Education pursuant to this act. If approved by the voters of that school district and the State Board of Education, the deregulation plan shall be implemented no later than the beginning of the next school year.

SECTION 2. AMENDATORY Section 2, Chapter 307, O.S.L. 1995 (70 O.S. Supp. 1996, Section 3-125), is amended to read as follows:

Section 3-125. A. The purpose of ~~this act~~ the Educational Deregulation 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, upon initiative of the school board or by petition of the voters in that district, 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~~ requirements set forth in subsection ~~D~~ C of Section ~~3~~ 3-126 of this ~~act~~ title and the State Board of Education rules. The plans submitted by school districts pursuant to the provisions of this act 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.

B. Beginning with the 1997-98 school year, the State Board of Education shall conduct an annual outreach campaign to local

boards of education, school district superintendents, administrators, teachers, and parent organizations on the educational options provided in the Education Deregulation Act. The outreach shall place special emphasis upon the statutory requirements which may be waived under the provisions of this act. Workshops conducted annually by the State Department of Education for school personnel and for school board members shall include information on and examples of the options available for statutory waivers and deregulation when appropriate.

SECTION 3. AMENDATORY Section 3, Chapter 307, O.S.L. 1995, as amended by Section 1, Chapter 343, O.S.L. 1996 (70 O.S. Supp. 1996, Section 3-126), is amended to read as follows:

Section 3-126. A. A school district may develop an educational improvement plan by initiative of the school board or, as provided for in Section 1 of this act, a petition filed with the board for a resolution on an educational improvement plan question which includes exemption from the educational-related statutory requirements set forth in subsection C of this section and State Board of Education 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. Each educational improvement plan approved by the State Board of Education shall include the following components:

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 shall include a list of the specific educational-related statutory requirements and State Board of Education 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 from any statutory requirement or State Board of Education rule not related to bilingual and special education programs, health and safety provisions, school finance, State Aid, pupil formula weights, teacher salary and teacher retirement, the Oklahoma School Testing Program, the core curriculum, the Oklahoma Educational Indicators Program and the teacher preparation, examination, licensure, certification, residency and professional development system.

SECTION 4. AMENDATORY Section 4, Chapter 307, O.S.L. 1995, as amended by Section 2, Chapter 343, O.S.L. 1996 (70 O.S. Supp. 1996, Section 3-127), is amended to read as follows:

Section 3-127. A. Prior to the adoption of a resolution by the local board of education as required in subsection A of Section 3-126 of this title and Section 1 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 district bargaining agent of the plan. If no bargaining agent exists for that district, the teachers directly effected shall be notified and allowed to make comments. All comments, recommendations and objections made by the bargaining agent and others to the local board of education

shall be forwarded to the State Board of Education for consideration prior to review of the plan.

B. Each educational improvement plan shall be approved by the State Board of Education before implementation.

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 the Educational Deregulation 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. This act shall become effective July 1, 1997.

SECTION 6. 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.

46-1-7710

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