

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 509

By: Ford, Corn and Marlatt of
the Senate

3
4 and

Coody of the House

5
6
7 (schools - teacher minimum salary schedule -
8 effective date -

9 emergency)

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

AUTHORS: Add the following House Coauthors: Pittman and Denney

AUTHOR: Add the following Senate Coauthor: Rice

AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

"An Act relating to schools; amending Section 1,
Chapter 195, O.S.L. 2009 (70 O.S. Supp. 2009,
Section 1210.544), which relates to alternative
governance arrangements; modifying provisions
related to alternative governance procedures; and
declaring an emergency.

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

1 SECTION 1. AMENDATORY Section 1, Chapter 195, O.S.L.
2 2009 (70 O.S. Supp. 2009, Section 1210.544), is amended to read as
3 follows:

4 Section 1210.544 A. Notwithstanding any other provision of
5 state law, for schools that are identified for school improvement by
6 the State Board of Education for four (4) consecutive years, the
7 district board of education shall implement one of the following
8 alternative governance arrangements for the school in accordance
9 with subparagraph (B) of subsection (b)(8) of Section 1116 of Public
10 Law No. 107-110:

11 1. Reopening the school as a public charter school;

12 2. Replacing all or most of the school staff assigned to the
13 school, which may include the principal, who are relevant to the
14 failure to make adequate yearly progress and by transferring the
15 replaced staff to another school or by dismissing or not reemploying
16 the replaced staff in accordance with the provisions of the Teacher
17 Due Process Act of 1990 or in accordance with subsection C of this
18 section, if applicable;

19 3. Entering into a contract with an entity, such as a private
20 management company, with a demonstrated record of effectiveness, to
21 operate the public school;

22 4. Turning the operation of the school over to the State Board
23 of Education; or

24

1 5. Any other major restructuring of the governance arrangement
2 of the school that makes fundamental reforms, such as significant
3 changes in the staffing and governance of the school, to improve
4 student academic achievement in the school and that has substantial
5 promise of enabling the school to make adequate yearly progress. If
6 the chosen governance arrangement does not produce adequate yearly
7 progress within two (2) years from the date of implementation of the
8 restructured governance arrangement, the State Board of Education
9 shall assume control of the school as provided for in subsection B
10 of this section.

11 B. For any school that fails to comply with the provisions of
12 subsection A of this section by the end of the school year following
13 its identification for school improvement for four (4) consecutive
14 years, the State Board of Education shall assume control of the
15 management and operations of the school, including control of the
16 staff assigned to the school. The Board shall retain all funds that
17 otherwise would have been allocated to the school district based on
18 the average daily membership of the school which shall be used to
19 operate the school.

20 C. 1. A district board of education for a district with an
21 average daily membership of more than 30,000 which implements an
22 alternative governance arrangement as provided in paragraph 2 of
23 subsection A of this section may utilize the following procedures,
24

1 upon approval of the district board and concurrence of the executive
2 committee of the appropriate local bargaining unit:

3 a. any teacher not retained at the school site shall be
4 given status as a full-time substitute teacher within
5 the school district for a period of not to exceed two
6 (2) years,

7 b. if the teacher is not offered a contract teaching
8 position at a school in the district within the two-
9 year period specified in subparagraph a of this
10 paragraph, the district board shall be authorized to
11 not reemploy the teacher, and

12 c. the district board shall designate trained, certified,
13 instructional staff to provide teacher support,
14 development and evaluation, which may include
15 certified personnel other than administrators.

16 2. Any actions taken pursuant to this subsection shall not be
17 subject to the Teacher Due Process Act of 1990. The decision by the
18 district board for renewal or nonrenewal shall be final.

19 3. For purposes of this subsection, a full-time substitute
20 teacher shall perform the duties assigned by the district
21 superintendent and shall continue to receive the same salary,
22 benefits and step increases that the teacher would otherwise be
23 entitled to for the time period the teacher serves as a full-time
24 substitute.

1 SECTION 2. It being immediately necessary for the preservation
2 of the public peace, health and safety, an emergency is hereby
3 declared to exist, by reason whereof this act shall take effect and
4 be in full force from and after its passage and approval."

5 Passed the House of Representatives the 20th day of April, 2010.

6

7

8 Presiding Officer of the House of
9 Representatives

10 Passed the Senate the ____ day of _____, 2010.

11

12

13 Presiding Officer of the Senate

14

15

16

17

18

19

20

21

22

23

24