

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB834 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Ann Coody

Reading Clerk

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR ENGROSSED
6 SENATE BILL NO. 834

By: Ford of the Senate

and

Jones of the House

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8
9
10 PROPOSED COMMITTEE SUBSTITUTE

11 An Act relating to schools; establishing the School
12 District Empowerment Program; stating purpose;
13 exempting certain districts from certain statutory
14 requirements and rules; granting school districts
15 certain options; specifying certain requirements
16 participating school districts shall comply with;
17 identifying districts for participation and
18 implementation of program; specifying method of
19 selection of remaining districts and timeline for
20 implementation; providing for codification; and
21 providing an effective date.

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

23 SECTION 1. NEW LAW A new section of law to be codified
24 in the Oklahoma Statutes as Section 3-129 of Title 70, unless there
is created a duplication in numbering, reads as follows:

A. There is hereby established the School District Empowerment
Program which shall be administered by the State Board of Education.

1 The purpose of the program is to empower locally elected school
2 board members to govern school districts and make decisions based on
3 the needs of their students and circumstances.

4 B. Except as otherwise provided for in this subsection, a
5 school district identified by the State Board of Education for
6 participation in the School District Empowerment Program shall be
7 exempt from all statutory requirements and State Board of Education
8 rules from which charter schools are exempt as provided for in the
9 Oklahoma Charter Schools Act. Nothing in this section shall prevent
10 a school district board of education from choosing to follow any or
11 all state laws, rules, or regulations from which a charter school is
12 exempt. A participating school district shall have the option to
13 adopt policies to implement any requirement for the school district
14 that is consistent with any statutory requirement or mandate or
15 Board rule, but a participating school district shall comply with
16 the following requirements:

17 1. Students who reside in the school district shall be entitled
18 to attend school in the district as set forth in Section 1-114 of
19 Title 70 of the Oklahoma Statutes;

20 2. School districts shall comply with the requirements of the
21 minimum salary schedule for teachers as set forth in Section 18-
22 114.12 of Title 70 of the Oklahoma Statutes;

23 3. Employees of school districts shall continue to participate
24 as members of the Teachers' Retirement System of Oklahoma as set

1 | forth in Section 17-101 et seq. of Title 70 of the Oklahoma
2 | Statutes;

3 | 4. School districts shall comply with the requirement to
4 | provide a health insurance plan for employees of the district as set
5 | forth in Section 5-117.5 of Title 70 of the Oklahoma Statutes;

6 | 5. School districts shall require any person employed as a
7 | teacher to file with the district board a current Oklahoma criminal
8 | history record from the Oklahoma State Bureau of Investigation as
9 | well as a national criminal history record check as defined in
10 | Section 150.9 of Title 74 of the Oklahoma Statutes. Each district
11 | shall adopt a policy regarding criminal history record checks as set
12 | forth in Section 5-142 of Title 70 of the Oklahoma Statutes or
13 | Section 5-142.1 of Title 70 of the Oklahoma Statutes, as applicable;

14 | 6. School districts shall comply with the requirement to
15 | evaluate teachers and to train personnel designated to conduct
16 | personnel evaluations as set forth in Sections 6-101.10 and 6-101.11
17 | of Title 70 of the Oklahoma Statutes, the dismissal and due process
18 | procedures for administrators as set forth in Sections 6-101.13
19 | through 6-101.15 of Title 70 of the Oklahoma Statutes, and the due
20 | process procedures for teachers as set forth in Sections 6-101.21
21 | through 6-101.26 of Title 70 of the Oklahoma Statutes. A teacher
22 | shall not have the right to a trial de novo in district court as
23 | stated in Section 6-101.26 of Title 70 of the Oklahoma Statutes and
24 |

1 as set forth in Section 6-101.27 of Title 70 of the Oklahoma
2 Statutes;

3 7. School districts shall comply with the requirement to make
4 payroll deductions for either or both professional organization dues
5 and political contributions upon the request of an employee as set
6 forth in Section 5-139 of Title 70 of the Oklahoma Statutes;

7 8. School districts shall employ as teachers, counselors,
8 librarians, school nurses, superintendents, principals, supervisors,
9 or any other instructional, supervisory or administrative employee,
10 only those persons who are certified or licensed by the State Board
11 of Education in accordance with the Oklahoma Teacher Preparation
12 Act, except for persons exempt from the certification or licensure
13 requirements as otherwise provided by law;

14 9. School districts shall be required to offer and students
15 enrolled in the school district shall be required to complete the
16 curriculum requirements as set forth in Section 11-103.6 of Title 70
17 of the Oklahoma Statutes;

18 10. Students enrolled in the school district shall be required
19 to demonstrate mastery of the state academic content standards as
20 set forth in Section 1210.523 of Title 70 of the Oklahoma Statutes;
21 and

22 11. Members of the school district board of education shall be
23 required to satisfy the instruction and continuing education
24

1 requirements as set forth in Sections 5-110, 5-110.1 and 5-110.2 of
2 Title 70 of the Oklahoma Statutes.

3 C. School districts which include a school that has been
4 identified for school improvement for the 2009-2010 school year by
5 the State Board of Education pursuant to the Elementary and
6 Secondary Education Act of 1965, as amended, 20 U.S.C., Section 6301
7 et seq., shall be identified for participation in the School
8 District Empowerment Program and shall implement the program
9 beginning in the 2010-2011 school year.

10 D. 1. By September 30, 2010, the State Board of Education
11 shall randomly select twenty percent (20%) of districts from each of
12 the following categories for implementation during the 2011-2012
13 school year:

- 14 a. districts with an Average Daily Membership (ADM) of
15 less than two hundred fifty (250),
- 16 b. districts with an ADM of less than five hundred (500)
17 and greater than or equal to two hundred fifty (250),
- 18 c. districts with an ADM of less than two thousand
19 (2,000) and greater than or equal to five hundred
20 (500), and
- 21 d. districts with an ADM of two thousand (2,000) or more.

22 2. The selection of districts as directed by this subsection
23 shall:

- 24 a. occur during open meetings of the Board,

1 b. occur each year thereafter, for implementation by the
2 districts selected during the following school year,
3 until all districts have been selected to implement
4 the program, and

5 c. be applicable to the number of districts in each
6 category as of September 30, 2010, to allow for all
7 districts to be selected by September 30, 2014.

8 SECTION 2. This act shall become effective September 1, 2009.

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10 52-1-7507 KB 03/31/09

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