

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1617

6 By: Halligan

7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending Section 1,  
9 Chapter 195, O.S.L. 2009 (70 O.S. Supp. 2009, Section  
10 1210.544), which relates to alternative governance  
11 arrangements; requiring certain school districts to  
12 submit certain plan to State Department of Education;  
13 requiring Department to submit certain report to  
14 certain officials; providing an effective date; and  
15 declaring an emergency.

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

17 SECTION 1. AMENDATORY Section 1, Chapter 195, O.S.L.  
18 2009 (70 O.S. Supp. 2009, Section 1210.544), is amended to read as  
19 follows:

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

- 1        1. Reopening the school as a public charter school;
- 2        2. Replacing all or most of the school staff assigned to the  
3 school, which may include the principal, who are relevant to the  
4 failure to make adequate yearly progress and by transferring the  
5 replaced staff to another school or by dismissing or not reemploying  
6 the replaced staff in accordance with the provisions of the Teacher  
7 Due Process Act of 1990;
- 8        3. Entering into a contract with an entity, such as a private  
9 management company, with a demonstrated record of effectiveness, to  
10 operate the public school;
- 11       4. Turning the operation of the school over to the State Board  
12 of Education; or
- 13       5. Any other major restructuring of the governance arrangement  
14 of the school that makes fundamental reforms, such as significant  
15 changes in the staffing and governance of the school, to improve  
16 student academic achievement in the school and that has substantial  
17 promise of enabling the school to make adequate yearly progress. If  
18 the chosen governance arrangement does not produce adequate yearly  
19 progress within two (2) years from the date of implementation of the  
20 restructured governance arrangement, the State Board of Education  
21 shall assume control of the school as provided for in subsection B  
22 of this section.
- 23       B. For any school that fails to comply with the provisions of  
24 subsection A of this section by the end of the school year following

1 its identification for school improvement for four (4) consecutive  
2 years, the State Board of Education shall assume control of the  
3 management and operations of the school, including control of the  
4 staff assigned to the school. The Board shall retain all funds that  
5 otherwise would have been allocated to the school district based on  
6 the average daily membership of the school which shall be used to  
7 operate the school.

8 C. 1. Each school district subject to the provisions of  
9 subsection A of this section shall submit a plan for compliance with  
10 this section to the State Department of Education, in a manner  
11 prescribed by the Department.

12 2. Beginning December 31, 2010, and annually each year  
13 thereafter, the State Department of Education shall submit a report  
14 of the district plans received as provided in paragraph 1 of this  
15 subsection to the members of the Senate and House Education  
16 Committees.

17 SECTION 2. This act shall become effective July 1, 2010.

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

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