

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL 1617

6 By: Halligan

7 COMMITTEE SUBSTITUTE

8 [schools - alternative governance arrangements -
9 State Department of Education - report to certain
10 officials - effective date -

11 emergency]

12
13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY Section 1, Chapter 195, O.S.L.
15 2009 (70 O.S. Supp. 2009, Section 1210.544), is amended to read as
16 follows:

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

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

1 2. Replacing all or most of the school staff assigned to the
2 school, which may include the principal, who are relevant to the
3 failure to make adequate yearly progress and by transferring the
4 replaced staff to another school or by dismissing or not reemploying
5 the replaced staff in accordance with the provisions of the Teacher
6 Due Process Act of 1990;

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

10 4. Turning the operation of the school over to the State Board
11 of Education; or

12 5. Any other major restructuring of the governance arrangement
13 of the school that makes fundamental reforms, such as significant
14 changes in the staffing and governance of the school, to improve
15 student academic achievement in the school and that has substantial
16 promise of enabling the school to make adequate yearly progress. If
17 the chosen governance arrangement does not produce adequate yearly
18 progress within two (2) years from the date of implementation of the
19 restructured governance arrangement, the State Board of Education
20 shall assume control of the school as provided for in subsection B
21 of this section.

22 B. For any school that fails to comply with the provisions of
23 subsection A of this section by the end of the school year following
24 its identification for school improvement for four (4) consecutive

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

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

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

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

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

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