

ENROLLED SENATE
BILL NO. 1617

By: Halligan of the Senate

and

Denney and Kern of the
House

An Act relating to schools; amending Section 1, Chapter 195, O.S.L. 2009 (70 O.S. Supp. 2009, Section 1210.544), as amended by Section 1 of Enrolled Senate Bill No. 509 of the 2nd Session of the 52nd Oklahoma Legislature, which relates to alternate governance arrangements; requiring certain school districts to submit a compliance plan; requiring the State Department of Education to make an annual report of district plans to the Legislature; creating the Oklahoma School Principal Training Task Force; stating purpose of the Task Force; listing specific topics of study; providing for membership; providing for cochairs, meetings, appointments, quorums and vacancies; providing for staff support; providing for travel reimbursement; requiring Task Force to submit a report by certain date; and providing for noncodification.

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

SECTION 1. AMENDATORY Section 1, Chapter 195, O.S.L. 2009 (70 O.S. Supp. 2009, Section 1210.544), as amended by Section 1 of Enrolled Senate Bill No. 509 of the 2nd Session of the 52nd Oklahoma Legislature, is amended to read as follows:

Section 1210.544 A. Notwithstanding any other provision of state law, for schools that are identified for school improvement by the State Board of Education for four (4) consecutive years, the district board of education shall implement one of the following 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. Reopening the school as a public charter school;

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

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

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

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

B. For any school that fails to comply with the provisions of subsection A of this section by the end of the school year following its identification for school improvement for four (4) consecutive years, the State Board of Education shall assume control of the management and operations of the school, including control of the staff assigned to the school. The Board shall retain all funds that

otherwise would have been allocated to the school district based on the average daily membership of the school which shall be used to operate the school.

C. 1. A district board of education for a district with an average daily membership of more than 30,000 which implements an alternative governance arrangement as provided in paragraph 2 of subsection A of this section may utilize the following procedures, upon approval of the district board and concurrence of the executive committee of the appropriate local bargaining unit:

- a. any teacher not retained at the school site shall be given status as a full-time substitute teacher within the school district for a period of not to exceed two (2) years,
- b. if the teacher is not offered a contract teaching position at a school in the district within the two-year period specified in subparagraph a of this paragraph, the district board shall be authorized to not reemploy the teacher, and
- c. the district board shall designate trained, certified, instructional staff to provide teacher support, development and evaluation, which may include certified personnel other than administrators.

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

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

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

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

SECTION 2. NEW LAW A new section of law not to be codified in the Oklahoma Statutes reads as follows:

A. There is hereby created until December 31, 2010, the Oklahoma School Principal Training Task Force. The Task Force shall conduct a review of the current training requirements for principal certification in Oklahoma and study ways to improve and incorporate more leadership training into the requirements.

B. The Task Force shall study topics including, but not limited to, the following:

1. The current school principal certification requirements;

2. The type and depth of proven leadership skills needed for a school principal to be effective; and

3. Training programs, methods, or models used for developing leadership skills in school principals.

C. The Task Force shall consist of the following members:

1. The Chair of the House of Representatives Committee on Common Education;

2. The Vice Chair of the House of Representatives Committee on Common Education;

3. The Chair of the House of Representatives Appropriations and Budget Subcommittee on Education;

4. The Vice Chair of the House of Representatives Appropriations and Budget Subcommittee on Education;

5. The Chair of the Oklahoma State Senate Committee on Education;

6. The Vice Chair of the Oklahoma State Senate Committee on Education;

7. The Chair of the Oklahoma State Senate Appropriations and Budget Subcommittee on Education;

8. The Vice Chair of the Oklahoma State Senate Appropriations and Budget Subcommittee on Education;

9. One member of the House of Representatives appointed by the Minority Leader of the House of Representatives;

10. One member of the State Senate appointed by the Minority Leader of the State Senate;

11. The State Superintendent of Public Instruction, or designee;

12. The Chancellor of Higher Education, or designee;

13. The Executive Director of the Oklahoma Commission for Teacher Preparation, or designee;

14. A faculty member in the teacher education department of a comprehensive higher education institution within The Oklahoma State System of Higher Education appointed by the Speaker of the House of Representatives;

15. A faculty member in the teacher education department of a regional higher education institution within The Oklahoma State System of Higher Education appointed by the President Pro Tempore of the State Senate; and

16. A representative of a statewide organization representing public school superintendents, appointed by the Governor.

D. The chairs of the Oklahoma State Senate Appropriations and Budget Subcommittee on Education and the House of Representatives Appropriations and Budget Subcommittee on Education shall serve as

cochairs of the Task Force. The cochairs of the Task Force shall call the first meeting of the Task Force. Appointments to the Task Force shall be made by September 1, 2010. Meetings of the Task Force shall be held at the call of either cochair of the Task Force. Members shall serve at the pleasure of their appointing authorities. A majority of the members of the Task Force shall constitute a quorum to transact business, but no vacancy shall impair the right of the remaining members to exercise all of the powers of the Task Force. A vacancy on the Task Force shall be filled by the original appointing authority.

E. Staff support for the Task Force shall be provided by the staff of the House of Representatives and State Senate. The State Department of Education, the Oklahoma State Regents for Higher Education, and the Oklahoma Commission for Teacher Preparation shall provide support and information as requested by the Task Force.

F. Members of the Task Force shall receive no compensation for serving on the Task Force, but shall receive travel reimbursement as follows:

1. Legislative members shall be reimbursed in accordance with Section 456 of Title 74 of the Oklahoma Statutes;

2. State employee members shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies in accordance with the State Travel Reimbursement Act; and

3. All other members shall be reimbursed for travel expenses incurred in the performance of their duties by the appointing authority in accordance with the State Travel Reimbursement Act.

G. The Task Force shall submit a report by December 31, 2010, to the Governor, the President Pro Tempore of the Senate, and the Speaker of the House of Representatives. The report shall include findings for any statutory or regulatory changes necessary to implement the recommendations of the Task Force.

Passed the Senate the 17th day of May, 2010.

Presiding Officer of the Senate

Passed the House of Representatives the 24th day of May, 2010.

Presiding Officer of the House
of Representatives