

THE STATE SENATE
Tuesday, February 16, 2010

Committee Substitute for
Senate Bill No. 1617

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1617 - By: Halligan of the Senate and Denney of the House.

[schools - alternative governance arrangements - State Department of Education - report to certain officials - effective date - emergency]

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), 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

1 replaced staff to another school or by dismissing or not reemploying
2 the replaced staff in accordance with the provisions of the Teacher
3 Due Process Act of 1990;

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

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

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

19 B. For any school that fails to comply with the provisions of
20 subsection A of this section by the end of the school year following
21 its identification for school improvement for four (4) consecutive
22 years, the State Board of Education shall assume control of the
23 management and operations of the school, including control of the

1 staff assigned to the school. The Board shall retain all funds that
2 otherwise would have been allocated to the school district based on
3 the average daily membership of the school which shall be used to
4 operate the school.

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

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

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

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

19 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-15-10 - DO
20 PASS, As Amended and Coauthored.