

1 **SENATE FLOOR VERSION**

2 February 27, 2012

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 1530

By: Ford of the Senate

and

Holland of the House

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8  
9 An Act relating to schools; establishing the School  
10 District Empowerment Program; stating purpose;  
11 providing for petition by districts from certain  
12 statutory requirements and rules; providing method  
13 for approval and appeals; granting school districts  
14 certain options; specifying certain requirements  
15 participating school districts shall comply with;  
16 providing for codification; providing an effective  
17 date; and declaring an emergency.

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

19 SECTION 1. NEW LAW A new section of law to be codified  
20 in the Oklahoma Statutes as Section 3-129.11 of Title 70, unless  
21 there is created a duplication in numbering, reads as follows:

22 A. There is hereby established the School District Empowerment  
23 Program which shall be administered by the State Board of Education.  
24 The purpose of the program is to empower locally elected school  
board members to govern school districts and make decisions based on  
the needs of their students and circumstances.

1 B. 1. Subject to the provisions of this section, a school  
2 district shall be allowed to submit a request to the State Board of  
3 Education for an exemption from all statutory requirements and State  
4 Board of Education rules from which charter schools are exempt as  
5 provided for in the Oklahoma Charter Schools Act. Any request for  
6 exemption shall include a plan which outlines the goals sought to be  
7 achieved at a minimum, include the educational and fiscal benefits  
8 and the anticipated impacts or outcomes the plan will have in the  
9 requesting district.

10 2. Within sixty (60) days after receiving the request and plan  
11 the State Board shall approve or disapprove the request. If the  
12 State Board does not approve the request, it shall provide to the  
13 school district a written explanation of the basis for its decision.  
14 The school district may resubmit an amended request at any time  
15 after denial. The request shall be approved by the State Board  
16 before implementation by the school district. An approved request  
17 and plan shall be for no longer than three (3) years. Prior to the  
18 beginning of the third year, the school district may apply for  
19 renewal of the approved request and plan. The school district shall  
20 be required to submit an annual report and the State Board shall  
21 annually assess the academic achievement and fiscal status of the  
22 school district.

23 C. Nothing in this section shall prevent a school district  
24 board of education from choosing to follow any or all state laws,

1 rules, or regulations from which a charter school is exempt. A  
2 school district which has been granted approval by the State Board  
3 of Education for exemption as set forth in subsection B of this  
4 section shall have the option to adopt policies to implement any  
5 requirement for the school district that is consistent with any  
6 statutory requirement or mandate or Board rule but, a participating  
7 school shall comply with the following requirements:

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

11 2. School districts shall comply with the requirements of the  
12 minimum salary schedule for teachers as set forth in Section 18-  
13 114.12 of Title 70 of the Oklahoma Statutes;

14 3. Employees of school districts shall continue to participate  
15 as members of the Teachers' Retirement System of Oklahoma as set  
16 forth in Section 17-101 et seq. of Title 70 of the Oklahoma  
17 Statutes;

18 4. School districts shall comply with the requirement to  
19 provide a health insurance plan for school district employees as set  
20 forth in Section 5-117.5 of Title 70 of the Oklahoma Statutes and to  
21 establish or make available to school district employees a cafeteria  
22 plan as set forth in Section 26-104 of Title 70 of the Oklahoma  
23 Statutes;

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1           5. School districts shall require any person employed by the  
2 school district to file with the district board a current Oklahoma  
3 criminal history record check from the Oklahoma State Bureau of  
4 Investigation as well as a national criminal history record check as  
5 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Each  
6 district shall adopt a policy regarding criminal history record  
7 checks as set forth in Section 5-142 of Title 70 of the Oklahoma  
8 Statutes;

9           6. School districts shall comply with the requirement to  
10 evaluate teachers and to train personnel designated to conduct  
11 personnel evaluations as set forth in Sections 6-101.10 and 6-101.11  
12 of Title 70 of the Oklahoma Statutes, the dismissal and due process  
13 procedures for administrators as set forth in Sections 6-101.13  
14 through 6-101.15 of Title 70 of the Oklahoma Statutes, and the due  
15 process procedures for teachers as set forth in Sections 6-101.21  
16 through 6-101.26 of Title 70 of the Oklahoma Statutes;

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

21           8. School districts shall employ as teachers, counselors,  
22 librarians, school nurses, superintendents, principals, supervisors,  
23 or any other instructional, supervisory or administrative employee,  
24 only those persons who are certified or licensed by the State Board

1 of Education in accordance with the Oklahoma Teacher Preparation  
2 Act, except for persons exempt from the certification or licensure  
3 requirements as otherwise provided by law;

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

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

12 11. Members of the school district board of education shall be  
13 required to satisfy the instruction and continuing education  
14 requirements as set forth in Sections 5-110, 5-110.1 and 5-110.2 of  
15 Title 70 of the Oklahoma Statutes.

16 SECTION 2. This act shall become effective July 1, 2012.

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.

21 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-27-12 - DO  
22 PASS, As Amended and Coauthored.

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