

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 1817

By: Hardin

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6 AS INTRODUCED

7 An Act relating to schools; amending Section 3,  
8 Chapter 353, O.S.L. 2010 (70 O.S. Supp. 2010, Section  
9 3-129.3), which relates to the Empowered Schools and  
10 School Districts Act; requiring a public school to  
11 submit an empowerment plan upon submission of a  
petition signed by certain parents and legal  
guardians; requiring the public school to collaborate  
with parents and legal guardians; providing an  
effective date; and declaring an emergency.

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

15 SECTION 1. AMENDATORY Section 3, Chapter 353, O.S.L.  
16 2010 (70 O.S. Supp. 2010, Section 3-129.3), is amended to read as  
17 follows:

18 Section 3-129.3 A. 1. A public school, zone, or district may  
19 submit to its school district board of education an empowerment plan  
20 as described in subsection C of this section.

21 2. A school district board of education shall receive and  
22 review each empowerment plan submitted pursuant to paragraph 1 of  
23 this subsection. The school district board of education shall  
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1 either approve or disapprove the empowerment plan within sixty (60)  
2 days after receiving the plan.

3 3. If the school district board of education rejects the plan,  
4 it shall provide to the public school, zone, or district that  
5 submitted the plan a written explanation of the basis for its  
6 decision. A public school, zone, or district may resubmit an  
7 amended empowerment plan at any time after denial.

8 4. If the school district board of education approves the plan,  
9 it shall proceed to seek approval of the school, zone, or district  
10 as an empowered school, zone, or district pursuant to Section ~~6~~ 3-  
11 129.6 of this ~~act~~ title.

12 B. If more than fifty percent (50%) of the parents or legal  
13 guardians of students attending a public school, including parents  
14 and legal guardians of elementary or middle school students who  
15 normally matriculate into a middle school or high school, sign a  
16 petition requesting that the public school seek designation as an  
17 empowered school, the public school shall be required to submit an  
18 empowerment plan to the board of education as provided for in this  
19 section. The public school shall collaborate with the parents and  
20 legal guardians of the students in the preparation for and creation  
21 of the empowerment plan for the public school.

22 C. A school district board of education may initiate and  
23 collaborate with one or more public schools of the school district  
24 to create one or more empowerment plans, as described in subsection

1 C of this section. In creating an empowerment plan the school  
2 district board of education shall ensure that each public school  
3 that would be affected by the plan has the opportunity to  
4 participate in the creation of the plan.

5 ~~C.~~ D. Each empowerment plan shall include the following  
6 information:

7 1. A statement of the mission of the school, zone, or district  
8 and why designation as an empowered school, zone, or district would  
9 enhance the ability of the school, zone, or district to achieve its  
10 mission;

11 2. A description of the innovations the school, zone, or  
12 district would implement, which may include, but not be limited to,  
13 innovations in school staffing, curriculum and assessment, class  
14 scheduling, use of financial and other resources, and faculty  
15 recruitment, employment, evaluation, and compensation;

16 3. A listing of the programs, policies, or operational  
17 documents within the school, zone, or district that would be  
18 affected by the innovations identified by the school, zone, or  
19 district and the manner in which they would be affected. The  
20 programs, policies, or operational documents may include, but not be  
21 limited to:

22 a. the research-based educational program to be  
23 implemented,

24 b. the length of school day and school year,

- c. the student promotion and graduation policies to be implemented,
- d. the assessment plan,
- e. the proposed budget, and
- f. the proposed staffing plan;

4. A description of any statutory, regulatory, or district policy requirements that would need to be waived for the school, zone, or district to implement the identified innovations;

5. A description of any provision of the collective bargaining agreement in effect for the personnel at the school, zone, or district that would need to be waived for the school, zone, or district to implement its identified innovation;

6. An identification of the improvements in academic performance that the school, zone, or district expects to achieve in implementing the innovations;

7. An estimate of the cost savings and increased efficiencies, if any, the school, zone, or district expects to achieve in implementing the identified innovations;

8. Evidence that both a majority of the administrators and a majority of the teachers employed at the school, zone, or district approve the empowerment plan and consent to the designation as an empowered school, zone, or district. The determination of approval and consent of the plan shall be obtained by means of a secret ballot vote;

1 9. A statement of the level of support for designation as an  
2 empowered school, zone, or district demonstrated by the other  
3 persons employed at the school, zone, or district, the students and  
4 parents of students enrolled in the school, zone, or district, and  
5 the community surrounding the school, zone, or district; and

6 10. Any additional information required by the school district  
7 board of education of the school district in which the empowerment  
8 plan would be implemented.

9 ~~D.~~ E. Each plan for creating an empowered school zone or  
10 district whether submitted by a group of public schools or created  
11 by a school district board of education through collaboration with a  
12 group of public schools, shall also include the following additional  
13 information:

14 1. A description of how innovations in the schools in the  
15 empowered school zone or district would be integrated to achieve  
16 results that would be less likely to be accomplished by each school  
17 working alone; and

18 2. An estimate of any economies of scale that would be achieved  
19 by innovations implemented jointly by the schools within the  
20 empowered school zone or district.

21 ~~E.~~ F. No employee of a school, zone, or district shall be  
22 discriminated against by the school district board of education, the  
23 superintendent of the school district, or any other administrative  
24 officer of the school district or by any employee organization, an

1 officer of the organization, or a member of the organization for  
2 exercising or not exercising the rights provided for under the  
3 Empowered Schools and School Districts Act. An employee of a school  
4 district or an officer or member of an employee organization shall  
5 be prohibited from impeding, restraining or coercing an employee of  
6 a school, zone or district from exercising the rights provided for  
7 under the act or causing an employer to impede, restrain or coerce  
8 an employee from exercising the rights provided for under the act.

9 SECTION 2. This act shall become effective July 1, 2011.

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

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