

1 STATE OF OKLAHOMA

2 1st Session of the 54th Legislature (2013)

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1385

By: Coody

6
7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending 70 O.S. 2011,
9 Section 1-109, which relates to the length of the
10 school year; amending 70 O.S. 2011, Section 3-118.1,
11 as amended by Section 7, Chapter 223, O.S.L. 2012 (70
12 O.S. Supp. 2012, Section 3-118.1), which relates to
13 budget and operations performance reviews; amending
14 70 O.S. 2011, Sections 3-132, as amended by Section
15 1, Chapter 367, O.S.L. 2012 and 3-140, as amended by
16 Section 2, Chapter 367, O.S.L. 2012 (70 O.S. Supp.
17 2012, Sections 3-132 and 3-140), which relate to the
18 Oklahoma Charter Schools Act; amending 70 O.S. 2011,
19 Section 3-151.1, which relates to the adjusted cohort
20 graduation rate; amending 70 O.S. 2011, Section 3-
21 152.1, which relates to the Academic Achievement
22 Award program; amending 70 O.S. 2011, Section 3-153,
23 as amended by Section 2, Chapter 354, O.S.L. 2012 (70
24 O.S. Supp. 2012, Section 3-153), which relates to
reporting certain plans to the State Board of
Education; amending 70 O.S. 2011, Section 3-161,
which relates to the Student Tracking and Reporting
(STAR) Pilot Program; amending 70 O.S. 2011, Section
5-141.4, which relates to incentive pay plans;
amending 70 O.S. 2011, Section 6-194, which relates
to district professional development programs;
amending 70 O.S. 2011, Section 6-194.2, which relates
to scholarships for attending Great Expectations
Summer Institutes for Teachers; amending 70 O.S.
2011, Section 6-200, as amended by Section 12,
Chapter 223, O.S.L. 2012 (70 O.S. Supp. 2012, Section
6-200), which relates to professional development
institutes; amending 70 O.S. 2011, Section 6-204.2,
as amended by Section 2, Chapter 360, O.S.L. 2012 (70
O.S. Supp. 2012, Section 6-204.2), which relates to

1 the Education Leadership Oklahoma program; amending
2 70 O.S. 2011, Section 6-210, which relates to the
3 Inner City Schools Rescue program; amending 70 O.S.
4 2011, Section 11-109.1, which relates to awards of
5 funds to nonprofit arts organizations; amending 70
6 O.S. 2011, Sections 1210.541, as amended by Section
7 15, Chapter 223, O.S.L. 2012 and 1210.544 (70 O.S.
8 Supp. 2012, Section 1210.541), which relate to
9 Oklahoma Educational Indicators Program; amending 70
10 O.S. 2011, Sections 1210.573, 1210.574 and 1210.575,
11 which relate to the Developmental Research School
12 Act; deleting references to the Academic Performance
13 Index; changing references from the Academic
14 Performance Index to academic performance data;
15 changing statutory references; modifying categories
16 and awards provided under the Academic Achievement
17 Award (AAA) program; authorizing the State Board of
18 Education to establish certain categories and levels;
19 deleting references to the school improvement list;
20 changing references from schools on the improvement
21 list to schools in need of improvement; changing
22 references from low performing schools to schools in
23 need of improvement; changing references from high
24 challenge schools to schools in need of improvement;
deleting references to Academic Performance Index and
Adequate Yearly Progress; adding statutory reference;
updating statutory references; repealing 70 O.S.
2011, Sections 3-150 and 3-151, which relate to the
Academic Performance Index; providing an effective
date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-109, is
amended to read as follows:

Section 1-109. A. For all public schools in Oklahoma, school
shall actually be in session and classroom instruction offered:

1. For not less than one hundred eighty (180) days; or

1 2. For not less than one thousand eighty (1,080) hours each
2 school year, if a district board of education adopts a school-hours
3 policy and notifies the State Board of Education prior to September
4 15 of the applicable school year.

5 B. Not more than thirty (30) hours each school year may be used
6 for attendance of professional meetings and teachers may be paid for
7 a length of term in excess thereof, under conditions hereinafter
8 outlined. Subject to district board of education policy or
9 collective bargaining agreement, additional professional leave days
10 may be granted for individual teachers to attend or participate in
11 professional meetings, staff development training, or National Board
12 certification portfolio development as provided for in Section 6-
13 204.2 of this title.

14 C. A school district may authorize parent-teacher conferences
15 to be held during a regular school day. If authorized by the school
16 district, parent-teacher conferences shall be counted as classroom
17 instruction time for no more than six (6) hours per semester, for a
18 total of twelve (12) hours per school year.

19 D. A school district may maintain school for less than a full
20 school year only when conditions beyond the control of school
21 authorities make the maintenance of the term impossible and the
22 State Board of Education has been apprised and has expressed
23 concurrence in writing.

1 E. The State Board of Education shall establish criteria for an
2 extended-day schedule for schools subject to paragraph 1 of
3 subsection A of this section. The criteria shall:

4 1. Prescribe a lengthened school day within limits determined
5 not to be detrimental to quality instruction; and

6 2. Ensure that the schedule is equivalent in annual hours of
7 instruction to the one-hundred-eighty-day school year specified in
8 paragraph 1 of subsection A of this section; and

9 3. Be consistent with the provisions of this section and
10 Sections 1-111 and 1-112 of this title, but may result in fewer
11 annual days of instruction.

12 F. The State Board of Education may authorize school districts
13 to implement an extended-day schedule for instruction pursuant to
14 the criteria developed. The State Board of Education shall require
15 the participating school districts to prepare a report of the impact
16 of the extended-day schedule.

17 G. Notwithstanding the provisions of subsections E and F of
18 this section, a school district board of education subject to
19 paragraph 1 of subsection A of this section may adopt and implement
20 an extended-day schedule for grades nine through twelve subject to
21 the following requirements:

22 1. The annual number of hours of instruction shall equal or
23 exceed one thousand eighty (1,080) hours, which is the equivalent of
24 one hundred eighty (180) days of instruction as specified in

1 subsection A of this section for six (6) hours each day as specified
2 in Section 1-111 of this title;

3 2. The annual number of days of instruction shall equal or
4 exceed one hundred eighty (180) days as specified in subsection A of
5 this section;

6 3. The schedule adopted shall be consistent with the provisions
7 of Sections 1-111 and 1-112 of this title, except that for not more
8 than one (1) day per week, a school day shall consist of not less
9 than five (5) hours devoted to academic instruction in a regular
10 classroom setting;

11 4. The district shall hold a public hearing prior to the
12 adoption of an extended-day schedule authorized pursuant to this
13 subsection; and

14 5. The district shall document the impact on student
15 achievement as determined by the academic performance ~~index~~ data
16 score and any other relevant factors that are a result of
17 implementation of an extended-day schedule authorized pursuant to
18 this subsection and provide an annual report to the State Board of
19 Education of the results. If improvement in student achievement
20 cannot be documented in the report, the district board of education
21 shall revoke authorization as provided by this subsection. If the
22 district does not revoke authorization after student achievement is
23 not documented in the report, the State Board of Education may deny
24 accreditation of any school in violation of this subsection.

1 H. If subject to paragraph 2 of subsection A of this section, a
2 district board of education or designee may elect to close a school
3 during the school day for inclement weather purposes. In such an
4 event, the number of hours incurred in classroom instruction time
5 prior to school closure shall be counted toward the one thousand
6 eighty (1,080) hours per year requirement.

7 I. Nothing in this section shall be construed to affect the
8 Fair Labor Standards Act status of any school district employee.

9 SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-118.1, as
10 amended by Section 7, Chapter 223, O.S.L. 2012 (70 O.S. Supp. 2012,
11 Section 3-118.1), is amended to read as follows:

12 Section 3-118.1 A. The Office of Educational Quality and
13 Accountability is hereby authorized to conduct a performance review
14 program to determine the effectiveness and efficiency of the budget
15 and operations of school districts that have:

16 1. Administrative service costs which are above the expenditure
17 limits established for school districts in Section 18-124 of this
18 title or have total expenditures in excess of the district's adopted
19 budget;

20 2. A district ~~Academic Performance Index (API)~~ academic
21 performance data score, calculated pursuant to ~~Section 3-150 of this~~
22 title the Elementary and Secondary Education Act of 1965, as amended
23 or reauthorized, that is below the state average ~~API~~ academic
24 performance data;

1 3. Had a request for a performance review submitted by the
2 Governor or the State Superintendent of Public Instruction;

3 4. A district student eligibility rate for free or reduced-
4 price meals under the National School Lunch Act that is above the
5 state average; or

6 5. Submitted a request for a performance review subsequent to a
7 majority vote of the district's board of education.

8 B. Funds appropriated by the Legislature to the Office of
9 Educational Quality and Accountability may be expended to fulfill
10 the provisions of this section. The Office of Educational Quality
11 and Accountability may contract with an outside entity or hire
12 personnel to assist in the development and design of the program.
13 The Office of Educational Quality and Accountability may contract
14 with outside entities to assist in conducting performance review
15 programs. Such entities shall be chosen through a competitive bid
16 process. Invitations to bid for the performance reviews shall be
17 open to any public or private entity. Contracts for performance
18 reviews shall not be done on a sole source basis.

19 C. 1. If a performance review is conducted as authorized
20 pursuant to paragraphs 1 through 4 of subsection A of this section,
21 the entire cost of the review shall be borne by the Office of
22 Educational Quality and Accountability.

23 2. If a school district requests a performance review, as
24 authorized pursuant to paragraph 5 of subsection A of this section,

1 twenty-five percent (25%) of the entire cost of the review shall be
2 borne by the school district and seventy-five percent (75%) of the
3 cost of the review shall be borne by the Office of Educational
4 Quality and Accountability.

5 3. Districts shall be selected for review by the Commission for
6 Educational Quality and Accountability contingent upon the
7 availability of funding.

8 D. The Office of Educational Quality and Accountability shall
9 engage in follow-up, outreach and technical assistance to help
10 school districts and others understand, interpret, and apply the
11 recommendations and best practices resulting from performance
12 reviews conducted pursuant to this section.

13 E. After a performance review of a school district is completed
14 by the Office of Educational Quality and Accountability, the school
15 district may implement all or part of the recommendations contained
16 in the review.

17 F. If a school district experiences a cost savings that is
18 directly attributable to implementation of performance review
19 recommendations, the cost savings shall be expended by the school
20 district for classroom expenses. Classroom expenses shall include
21 but are not limited to teacher salaries and purchasing textbooks,
22 teaching material, technology and other classroom equipment.
23 Classroom expenditures shall not include administrative services as
24

1 defined in Section 18-124 of this title or for equipment or
2 materials for administrative staff.

3 SECTION 3. AMENDATORY 70 O.S. 2011, Section 3-132, as
4 amended by Section 1, Chapter 367, O.S.L. 2012 (70 O.S. Supp. 2012,
5 Section 3-132), is amended to read as follows:

6 Section 3-132. A. The Oklahoma Charter Schools Act shall apply
7 only to charter schools formed and operated under the provisions of
8 the act. Charter schools shall be sponsored only as follows:

9 1. By a school district with an average daily membership of
10 five thousand (5,000) or more and which all or part of the school
11 district is located in a county having more than five hundred
12 thousand (500,000) population according to the latest Federal
13 Decennial Census;

14 2. By a school district which has a school site ~~listed on the~~
15 ~~school improvement list as determined~~ that has been identified as in
16 need of improvement by the State Board of Education pursuant to the
17 Elementary and Secondary Education Act of 1965, as amended or
18 reauthorized;

19 3. By a technology center school district if the charter school
20 is located in a school district served by the technology center
21 school district and the school district has an average daily
22 membership of five thousand (5,000) or more and which all or part of
23 the school district is located in a county having more than five
24

1 hundred thousand (500,000) population according to the latest
2 Federal Decennial Census;

3 4. By a technology center school district if the charter school
4 is located in a school district served by the technology center
5 school district and the school district has a school site ~~listed on~~
6 ~~the school improvement list as determined~~ that has been identified
7 as in need of improvement by the State Board of Education pursuant
8 to the Elementary and Secondary Education Act of 1965, as amended or
9 reauthorized;

10 5. By a comprehensive or regional institution that is a member
11 of The Oklahoma State System of Higher Education if the charter
12 school is located in a school district that has an average daily
13 membership of five thousand (5,000) or more and which all or part of
14 the school district is located in a county having more than five
15 hundred thousand (500,000) population according to the latest
16 Federal Decennial Census. In addition, the institution shall have a
17 teacher education program accredited by the Oklahoma Commission for
18 Teacher Preparation and have a branch campus or constituent agency
19 physically located within the school district in which the charter
20 school is located;

21 6. By a comprehensive or regional institution that is a member
22 of the Oklahoma State System of Higher Education if the charter
23 school is located in a school district that has a school site ~~listed~~
24 ~~on the school improvement list as determined~~ that has been

1 identified as in need of improvement by the State Board of Education
2 pursuant to the Elementary and Secondary Education Act of 1965, as
3 amended or reauthorized. In addition, the institution shall have a
4 teacher education program accredited by the Oklahoma Commission for
5 Teacher Preparation and have a branch campus or constituent agency
6 physically located within the school district in which the charter
7 school is located;

8 7. By a federally recognized Indian tribe, operating a high
9 school under the authority of the Bureau of Indian Affairs as of
10 November 1, 2010, if the charter school is for the purpose of
11 demonstrating native language immersion instruction, and is located
12 within its former reservation or treaty area boundaries. For
13 purposes of this paragraph, native language immersion instruction
14 shall require that educational instruction and other activities
15 conducted at the school site are primarily conducted in the native
16 language;

17 8. By the State Board of Education when the applicant of the
18 charter school is the Office of Juvenile Affairs or the applicant
19 has a contract with the Office of Juvenile Affairs to provide a
20 fixed rate level E, D, or D+ group home service and the charter
21 school is for the purpose of providing education services to youth
22 in the custody or supervision of the state. Not more than two
23 charter schools shall be sponsored by the Board as provided for in
24

1 this paragraph during the period of time beginning July 1, 2010,
2 through July 1, 2016; or

3 9. By the State Board of Education when the applicant of the
4 charter school is the Statewide Virtual Charter School Board created
5 in Section ~~3~~ 3-145.1 of this ~~act~~ title and the charter school is for
6 the purpose of establishing a full-time statewide virtual charter
7 school.

8 B. Any charter or enterprise school operating in the state
9 pursuant to an agreement with the board of education of a school
10 district on July 1, 1999, may continue to operate pursuant to that
11 agreement or may contract with the board of education of the school
12 district pursuant to the Oklahoma Charter Schools Act. Nothing in
13 the Oklahoma Charter Schools Act shall prohibit a school district
14 from applying for exemptions from certain education-related
15 statutory requirements as provided for in the Educational
16 Deregulation Act.

17 C. For purposes of the Oklahoma Charter Schools Act, "charter
18 school" means a public school established by contract with a board
19 of education of a school district, an area vocational-technical
20 school district, a higher education institution, a federally
21 recognized Indian tribe, or the State Board of Education pursuant to
22 the Oklahoma Charter Schools Act to provide learning that will
23 improve student achievement and as defined in the Elementary and
24 Secondary Education Act of 1965, 20 U.S.C. 8065.

1 D. A charter school may consist of a new school site, new
2 school sites or all or any portion of an existing school site. An
3 entire school district may not become a charter school site.

4 SECTION 4. AMENDATORY 70 O.S. 2011, Section 3-140, as
5 amended by Section 2, Chapter 367, O.S.L. 2012 (70 O.S. Supp. 2012,
6 Section 3-140), is amended to read as follows:

7 Section 3-140. A. Except for a charter school sponsored by the
8 State Board of Education, a charter school shall enroll those
9 students whose legal residence is within the boundaries of the
10 school district in which the charter school is located and who
11 submit a timely application, or those students who transfer to the
12 district in which the charter school is located in accordance with
13 Section 8-103 or 8-104 of this title, unless the number of
14 applications exceeds the capacity of a program, class, grade level,
15 or building. Students who reside in a school district where a
16 charter school is located shall not be required to obtain a transfer
17 in order to attend a charter school in the school district of
18 residence. If capacity is insufficient to enroll all eligible
19 students, the charter school shall select students through a lottery
20 selection process. Except for a charter school sponsored by the
21 State Board of Education, a charter school shall give enrollment
22 preference to eligible students who reside within the boundaries of
23 the school district in which the charter school is located. Except
24 for a charter school sponsored by the State Board of Education, a

1 charter school created after the effective date of this act shall
2 give enrollment preference to eligible students who reside within
3 the boundaries of the school district in which the charter school is
4 located and who attend a school site ~~listed on the school~~
5 ~~improvement list as determined~~ that has been identified as in need
6 of improvement by the State Board of Education pursuant to the
7 Elementary and Secondary Education Act of 1965, as amended or
8 reauthorized. A charter school may limit admission to students
9 within a given age group or grade level. A charter school sponsored
10 by the State Board of Education when the applicant of the charter
11 school is the Office of Juvenile Affairs shall limit admission to
12 youth that are in the custody or supervision of the Office of
13 Juvenile Affairs. A charter school sponsored by the State Board of
14 Education when the applicant of the charter school is the Statewide
15 Virtual Charter School Board shall enroll those students who are
16 legal residents of this state and who have been approved for a
17 transfer pursuant to Section 8-103 or 8-104 of this title.

18 B. Except for a charter school sponsored by the State Board of
19 Education, a charter school shall admit students who reside in the
20 attendance area of a school or in a school district that is under a
21 court order of desegregation or that is a party to an agreement with
22 the United States Department of Education Office for Civil Rights
23 directed towards mediating alleged or proven racial discrimination
24

1 unless notice is received from the resident school district that
2 admission of the student would violate the court order or agreement.

3 C. A charter school may designate a specific geographic area
4 within the school district in which the charter school is located as
5 an academic enterprise zone and may limit admissions to students who
6 reside within that area. An academic enterprise zone shall be a
7 geographic area in which sixty percent (60%) or more of the children
8 who reside in the area qualify for the free or reduced school lunch
9 program.

10 D. Except as provided in subsections B and C of this section, a
11 charter school shall not limit admission based on ethnicity,
12 national origin, gender, income level, disabling condition,
13 proficiency in the English language, measures of achievement,
14 aptitude, or athletic ability.

15 SECTION 5. AMENDATORY 70 O.S. 2011, Section 3-151.1, is
16 amended to read as follows:

17 Section 3-151.1 A. For purposes of establishing a uniform and
18 accurate definition of high school graduation rate for school
19 districts and secondary schools in the state, the State Board of
20 Education shall adopt and implement a four-year adjusted cohort
21 graduation rate and an extended-year adjusted cohort graduation
22 rate. The Board shall utilize and report the four-year adjusted
23 cohort graduation rate and the extended-year adjusted cohort
24 graduation rate at the secondary school site, the school district

1 and the state level, and the graduation rates shall be reported in
2 the aggregate as well as disaggregated by subgroups as required in
3 the Elementary and Secondary Education Act of 2001 (ESEA), P.L. No.
4 107-110, also known as the No Child Left Behind Act of 2001.

5 B. The Board shall use the four-year adjusted cohort graduation
6 rate for purposes of determining the high school graduation rate
7 indicator for the ~~Academic Performance Index as established in~~
8 ~~Section 3-150 of Title 70 of the Oklahoma Statutes~~ academic
9 performance data calculation beginning with state and district
10 report cards providing results of assessments administered in the
11 2011-2012 school year. The Board shall use the four-year adjusted
12 cohort graduation rate for establishing the high school graduation
13 rate for measuring alternate year percentage growth targets as set
14 forth in Section ~~2~~ 3-151.2 of this ~~act~~ title beginning with the
15 2012-2013 school year.

16 C. The four-year adjusted cohort graduation rate shall be
17 defined as the number of students who graduate in four (4) years
18 with a standard high school diploma divided by the number of
19 students who entered high school four (4) years earlier, adjusted
20 for transfers in and out of the school, émigrés and deceased
21 students. Students who graduate in four (4) years shall include
22 students who earn a standard high school diploma at the end of their
23 fourth year, before the end of their fourth year, and during a
24 summer session immediately following their fourth year. To remove a

1 student from a cohort, a school district shall confirm in writing or
2 by electronic means that a student has transferred out of the school
3 site or school district, has emigrated to another country or is
4 deceased. For a student who transfers out of a school site or
5 school district, the written or electronic confirmation shall be
6 official and document that the student has enrolled in another
7 school site or school district or in an educational program that
8 culminates in a standard high school diploma. Students who graduate
9 with a credential other than a standard high school diploma or a
10 higher diploma, including but not limited to a General Educational
11 Development (GED) credential, certificate of attendance, or any
12 alternative award, shall not be included in the graduation rate
13 calculation as set forth in this subsection as a student who
14 graduated in four (4) years with a standard high school diploma but
15 shall be included in the number of students who entered high school
16 four (4) years earlier.

17 D. The extended-year adjusted cohort graduation rate shall be
18 defined as the number of students who graduate in four (4) years or
19 five (5) years with a standard high school diploma divided by the
20 number of students who form the adjusted cohort for the four-year
21 graduation rate as calculated as provided for in subsection C of
22 this section, provided that the adjustments add to the cohort all
23 students who transfer into the cohort by the end of the year of
24 graduation being considered and subtract students who transfer out,

1 emigrate to another country or are deceased by the end of that year.
2 The extended-year adjusted cohort graduation rate shall be reported
3 separately from the four-year adjusted cohort graduation rate.

4 SECTION 6. AMENDATORY 70 O.S. 2011, Section 3-152.1, is
5 amended to read as follows:

6 Section 3-152.1 A. The State Board of Education shall develop
7 an Academic Achievement Award (AAA) program. The AAA program shall
8 provide monetary awards to qualified employees at:

9 1. The top school site that attains the highest overall student
10 achievement as measured by the average of the last three reported
11 ~~Academic Performance Index (API)~~ academic performance data scores in
12 each of the five groups based on average daily membership (ADM) as
13 provided for in subsection D of this section;

14 2. The top school site that attains the highest annual
15 improvement in student achievement as measured by the average of the
16 last three reported ~~Academic Performance Index (API)~~ academic
17 performance data scores in each of five groups based on average
18 daily membership (ADM) as provided for in subsection D of this
19 section; and

20 3. ~~All school sites that attain an average API score of one~~
21 ~~thousand five hundred (1,500) for the last three reported API scores~~
22 ~~for regular education students tested; and~~

23 4. All school sites that attain the "Gold", "Silver", or
24 "Bronze" levels as measured by ~~an average API~~ academic performance

1 ~~data score as established in paragraph 6 of subsection B of this~~
2 ~~section for the last three reported API scores by the State Board of~~
3 ~~Education.~~

4 B. 1. No later than March 31 of each year, the State Board of
5 Education shall provide a monetary award to all qualified employees
6 at school sites designated as recipients of the Academic Achievement
7 Award as calculated pursuant to this section.

8 2. The Board shall determine the amount of funds available for
9 the AAA program, which shall include funds appropriated for the AAA
10 program and may include other funds identified by the Board, which
11 may be used for this purpose. Each year, based on the amount of
12 available funding, the Board shall provide awards to all qualified
13 employees at school sites which have qualified for awards in each
14 category in the following order, with awards being made for each
15 subsequent category to as many school sites which have qualified for
16 awards as can be funded with the remaining funds:

- 17 a. paragraph 3 of this subsection,
- 18 b. paragraph 4 of this subsection, and
- 19 c. paragraph 5 of this subsection,
- 20 ~~d. subparagraph a of paragraph 6 of this subsection,~~
- 21 ~~e. subparagraph b of paragraph 6 of this subsection, and~~
- 22 ~~f. subparagraph c of paragraph 6 of this subsection.~~

23 3. The Board shall determine the top school site in each of the
24 groups as designated in subsection D of this section that have

1 achieved the highest overall student achievement as measured by the
2 average of the last three reported API academic performance data
3 scores ~~as calculated pursuant to Section 3-150 of this title.~~

4 4. The Board shall determine the top school site in each of the
5 groups as designated in subsection D of this section that have
6 achieved the highest annual average percentage improvement in
7 student achievement as measured by the average of the last three
8 reported API academic performance data scores ~~as compared to the~~
9 ~~previous three-year average of reported API scores.~~

10 5. ~~The Board shall determine the school sites that have an~~
11 ~~average API score of one thousand five hundred (1,500) for the last~~
12 ~~three reported API scores for regular education students tested.~~

13 ~~6. The Board shall determine the school sites that have an~~
14 ~~average API score for the last three reported API scores that meet~~
15 ~~the following levels:~~

16 a. ~~Gold level - an average API score between one thousand~~
17 ~~four hundred ninety-nine (1,499) and one thousand~~
18 ~~three hundred ninety-five (1,395),~~

19 b. ~~Silver level - an average API score between one~~
20 ~~thousand three hundred ninety-four (1,394) and one~~
21 ~~thousand two hundred seventy-five (1,275), and~~

22 c. ~~Bronze level - an average API score between one~~
23 ~~thousand two hundred seventy-four (1,274) and one~~
24 ~~thousand one hundred fifty-five (1,155) attained the~~

1 Gold, Silver, or Bronze levels based on the academic
2 performance data score.

3 ~~7.~~ 6. In the event of tie scores, the Board shall select the
4 school site with the highest annual percentage improvement in
5 student achievement as measured by the ~~API~~ academic performance data
6 score as compared to the previous year. If a tie still exists, the
7 Board shall select the school site with the highest annual
8 percentage improvement in reading achievement as compared to the
9 previous year as measured by the reading assessments administered
10 pursuant to Section 1210.508 of this title.

11 ~~8.~~ 7. Any school site that qualifies for more than one award as
12 provided for in paragraphs 3, 4, and 5 ~~and~~ 6 of this subsection
13 shall receive the award with the highest monetary amount the school
14 site qualifies for as calculated pursuant to subsection C of this
15 section, but in no case shall any school site receive more than one
16 award.

17 C. 1. The amount of monetary award to be paid to each
18 qualified employee at each school site identified as an award
19 recipient as determined pursuant to paragraphs 3 and 4 of subsection
20 B of this section shall be Two Thousand Dollars (\$2,000.00).

21 ~~2. The amount of monetary award to be paid to each qualified~~
22 ~~employee at each school site identified as having an average API~~
23 ~~score of one thousand five hundred (1,500) for the last three~~
24 ~~reported API scores for regular education students tested as~~

1 ~~determined pursuant to paragraph 5 of subsection B of this section~~
2 ~~shall be Two Thousand Dollars (\$2,000.00).~~

3 3. The amount of monetary award to be paid to each qualified
4 employee at each school site identified as having attained the Gold,
5 Silver, or Bronze levels as determined ~~pursuant to paragraph 6 of~~
6 ~~subsection B of this section~~ by the State Board of Education shall
7 be as follows:

- 8 a. One Thousand Dollars (\$1,000.00) for each Gold level
9 school,
- 10 b. Five Hundred Dollars (\$500.00) for each Silver level
11 school, and
- 12 c. Two Hundred Fifty Dollars (\$250.00) for each Bronze
13 level school.

14 D. Groups shall be designated based on average daily membership
15 (ADM) as follows:

- 16 1. Group 1 - 0 to 135 ADM;
- 17 2. Group 2 - 136 to 235 ADM;
- 18 3. Group 3 - 236 to 345 ADM;
- 19 4. Group 4 - 346 to 505 ADM; and
- 20 5. Group 5 - 506 or more ADM.

21 E. For purposes of this section, "qualified employees" means
22 all certified personnel employed to serve as a teacher, principal,
23 supervisor, administrator, counselor, librarian, or certified or
24 registered nurse at a school site which has been identified as a

1 recipient of an Academic Achievement Award for at least eighty-five
2 (85) days or equivalent hours of the school year which is the last
3 school year used to calculate the three-year average API score which
4 is used to determine eligibility for an award. For charter schools
5 formed and operated pursuant to the Oklahoma Charter School Act,
6 qualified employees shall include all administrative and
7 instructional personnel that meet the requirements of this
8 subsection regardless of whether they are certified. Qualified
9 employees shall not include certified personnel who are employed at
10 the school site in a noncertified position and the superintendent of
11 the school district. Qualified employees shall include the
12 certified personnel employed at an elementary school site for at
13 least eighty-five (85) days or equivalent hours of the school year
14 if students who are enrolled at the elementary site were enrolled in
15 an early elementary school site which contains only prekindergarten,
16 kindergarten, first- or second-grade levels that qualifies for an
17 award. Qualified employees shall include the certified personnel
18 employed at an early elementary school site which contains only
19 prekindergarten, kindergarten, first- or second-grade levels for at
20 least eighty-five (85) days or equivalent hours of the school year
21 if students who were enrolled at the early elementary site are now
22 enrolled at an elementary school site that qualifies for an award.

23 F. Qualified employees who are assigned to more than one school
24 site which is identified as an award recipient shall qualify for

1 only one award, which shall be the highest award the employee
2 qualifies for. For qualified employees who are employed as less
3 than a one full-time-equivalent employee (FTE) by a school district
4 and are assigned to a school site identified as an award recipient
5 or who are employed as one FTE by a school district but are assigned
6 as less than one FTE at a school site identified as an award
7 recipient, the amount of the monetary award paid to the qualified
8 employee shall be prorated based on the prior year final certified
9 personnel FTE reported on the certified personnel report for the
10 school site for the qualified employee.

11 G. No school site or school district shall be liable for
12 payment of awards pursuant to this section. Awards shall not be
13 included in the calculation of the salary of the teacher for
14 purposes of meeting the district or statutory minimum salary
15 schedule or for purposes of calculating Teachers' Retirement System
16 of Oklahoma contributions or benefits.

17 H. The State Board of Education shall promulgate rules
18 necessary for the implementation of this section. The Board shall
19 annually announce and recognize the school sites that have qualified
20 for an award under the Academic Achievement Award program and shall
21 post a list of the school sites on the Internet website for the
22 State Department of Education.

23
24

1 SECTION 7. AMENDATORY 70 O.S. 2011, Section 3-153, as
2 amended by Section 2, Chapter 354, O.S.L. 2012 (70 O.S. Supp. 2012,
3 Section 3-153), is amended to read as follows:

4 Section 3-153. A. School districts with one or more school
5 sites ~~which are~~ that have been identified ~~for school improvement as~~
6 ~~determined~~ as in need of improvement by the State Board of Education
7 pursuant to the requirements of the No Child Left Behind Act of
8 2001, P.L. No. 107-110, shall be required to electronically submit
9 the following plans to the State Board of Education:

10 1. The school improvement plan as required in Section 5-117.4
11 of this title; and

12 2. The capital improvement plan as required in Section 18-153
13 of this title.

14 B. School districts that do not have any school sites which ~~are~~
15 have been identified ~~for school improvement as determined~~ as in need
16 of improvement by the State Board of Education, pursuant to the
17 requirements of the No Child Left Behind Act of 2001, P.L. No. 107-
18 110, shall not be required to submit the plans as set forth in
19 subsection A of this section.

20 SECTION 8. AMENDATORY 70 O.S. 2011, Section 3-161, is
21 amended to read as follows:

22 Section 3-161. A. There is hereby created the Student Tracking
23 and Reporting (STAR) Pilot Program. The purpose of the Pilot
24 Program shall be to provide for the development and implementation

1 of a horizontal school district and school site level student data
2 management and reporting system based on the Schools
3 Interoperability Framework (SIF) industry open-standard. The
4 developed student data management and reporting system shall provide
5 horizontal articulation of student academic data, student
6 demographic data and other relevant student information. Horizontal
7 articulation shall assimilate the data from the classroom level, to
8 the school site level, and to the district level, with the
9 capability to analyze and disseminate the data back to the school
10 site and classroom level when required by teachers and
11 administrators to support informed and improved classroom
12 instruction. The student data management and reporting system shall
13 vertically interoperate with the Oklahoma State Student Information
14 System, referred to as the Wave Program. Vertical interoperability
15 shall allow for the student data management and reporting system to
16 exchange necessary and requested student data elements with the Wave
17 Program. Nothing in this section shall prohibit the State Board of
18 Education from developing and defining student data elements
19 necessary for the Wave Program. The Pilot Program shall incorporate
20 the following objectives:

- 21 1. Provide for academic performance reporting at the district
22 level for all students in grade levels five, eight, ten and twelve.
23 Academic performance reporting shall include report card grades,
24 student performance results from multiple standardized assessments,

1 including at least one norm-referenced assessment, Oklahoma State
2 Testing Program results for grade levels five, eight, and End-of-
3 Instruction assessments, and ACT college entrance examination scores
4 when applicable;

5 2. Provide for a horizontal data aggregation system at the
6 school district and site level that facilitates storage, retrieval
7 and distribution of data both horizontally, at the school district
8 and site levels, and vertically to the Wave Program, including all
9 necessary student data elements to support academic performance
10 reporting;

11 3. Provide for a reporting structure at the district level that
12 shall address all state and federal reporting requirements,
13 including those specified in the federal act known as the No Child
14 Left Behind Act (NCLB), and data elements used in determining
15 district and site academic performance ~~levels for the Academic~~
16 ~~Performance Index~~ data. The district level reporting structure
17 shall also provide for the transfer of aggregated school district
18 and site level data in Extensible Markup Language (XML), an industry
19 open-standard data format, to both state and federal agencies if
20 required by the agencies in an aggregated format;

21 4. Develop, define and implement necessary data elements and
22 codes to meet reporting requirements to support horizontal
23 articulation of data at the district and site level and to provide
24 effective transfer of data for state and federal reporting.

1 Provided, that if SIF or the State Board of Education has not
2 defined data elements and codes necessary for the development of the
3 student data management and reporting system, the participating
4 pilot program school districts may create the necessary data
5 elements and codes to support horizontal articulation of data at
6 district and site levels and to provide effective transfer of data
7 for state and federal reporting requirements. Nothing in this
8 paragraph shall prohibit the State Board of Education from defining
9 data elements and codes not defined in the SIF specifications for
10 the Wave Program and from requiring all school districts, including
11 the pilot program school districts, to use the data elements for the
12 vertical transfer of data. These data elements and codes may
13 include, but are not limited to, expanded student entry, gain and
14 loss codes and unique course identification codes;

15 5. Provide for a historical data warehousing system at the
16 school district and site levels to archive and retrieve
17 comprehensive student data in order to provide all Pilot Program
18 teachers and administrators with the necessary student academic
19 performance indicators, including report card grades and multiple
20 assessment data, to inform and improve instructional programs at the
21 classroom level;

22 6. Provide for the aggregation of student performance
23 credentialing at both school district and site levels. The Pilot
24 Program schools shall develop credentialing criteria that shall

1 include, but is not limited to, all areas of academic performance as
2 outlined in paragraph 1 of this subsection, plus additional
3 performance indicators pertaining to life skills, citizenship, and
4 when applicable, employability skills and career
5 awareness/exploration. Pilot Program schools shall develop a
6 summary or condensed portfolio of student credentialing results
7 within the transcript of all graduating students, to include
8 cumulative credentialing data for students from grades six through
9 twelve. The student credentialing portfolio shall be developed so
10 that it can be electronically distributed via secure vertical
11 transmission. Any transmission of a student portfolio to
12 institutions of higher education and to other entities such as
13 potential employers shall comply with the provisions of the Family
14 Education Rights & Privacy Act (FERPA);

15 7. Provide for a continuous school and student improvement
16 framework through the measurement of comprehensive, cumulative
17 student growth by analyzing multiple academic performance
18 measurements. Such measurements shall document relative growth over
19 time so as to determine continuous improvement at the individual
20 student, grade and school-wide levels; and

21 8. Provide for professional development in the use of
22 techniques and tools to improve student achievement to teachers in
23 the Pilot Program. Provide training to administrators and support
24

1 personnel in the implementation of the student data management and
2 reporting system.

3 B. The student data management and reporting system shall be
4 designed to deliver specific data to the Wave Program as is
5 required. Options shall be explored to facilitate the future
6 development of secure data delivery systems at district and site
7 levels that shall provide information to parents, students,
8 teachers, administrators and the community regarding student, site
9 and district level academic growth.

10 C. The Pilot Program participants shall utilize a system for
11 data articulation and continuous improvement that is currently being
12 utilized or developed by a school district or districts in the state
13 as the model for the Student Tracking and Reporting Pilot Program.
14 The model system shall include the following proven capabilities:

15 1. Proven systemic methodology to electronically generate state
16 and federal reports;

17 2. Proven methodology to manage, analyze, and securely deliver
18 student academic and performance data to administrators and
19 teachers;

20 3. Two (2) or more years implementing a horizontal articulation
21 solution based on the SIF specifications; and

22 4. One (1) or more years implementing a horizontal articulation
23 solution allowing for interoperability between multiple SIF
24 specification versions and with a demonstrated capacity in using a

1 Zone Integration Server (ZIS) application that provides for the
2 exchange of student data between more than five disparate education
3 software systems and a ZIS that utilizes more than five industry-
4 built SIF agents.

5 D. There is hereby created the Student Tracking and Reporting
6 (STAR) Coordinating Committee. The Committee shall consist of five
7 (5) members as follows:

8 1. One member to be appointed by the Speaker of the Oklahoma
9 House of Representatives;

10 2. One member to be appointed by the President Pro Tempore of
11 the Senate;

12 3. One member to be appointed by the Governor;

13 4. One member to be appointed by the Superintendent of Public
14 Instruction; and

15 5. One member who represents OneNet appointed by the Chancellor
16 of Higher Education.

17 E. The State Superintendent of Public Instruction shall call
18 the first meeting of the Committee within thirty (30) days after the
19 effective date of this act. The Committee shall select a Chair of
20 the Committee from among the members at the first meeting.

21 Subsequent meetings of the Committee shall be held at the call of
22 the Chair or by a quorum of the members. The Committee shall meet
23 at such times as is necessary.

24

1 F. Members of the Committee shall receive no compensation for
2 serving on the Committee, but shall receive travel reimbursement as
3 follows:

4 1. State agency employees who are members of the Committee
5 shall be reimbursed for travel expenses incurred in the performance
6 of their duties by their respective agencies in accordance with the
7 State Travel Reimbursement Act; and

8 2. All other Committee members shall be reimbursed by the State
9 Board of Education for travel expenses incurred in the performance
10 of their duties on the Committee in accordance with the State Travel
11 Reimbursement Act.

12 G. The STAR Coordinating Committee shall select five public
13 school districts to participate in the Pilot Program. One school
14 district shall be selected from each of the four quadrants of the
15 state. One school district shall be selected from a large urban
16 area in the state based on population. The Committee shall
17 establish criteria, including but not limited to technical capacity
18 and knowledge criteria, that school districts shall be required to
19 meet in order to qualify to participate in the Pilot Program. The
20 Committee shall select the participating school districts by
21 September 15, 2005.

22 H. The STAR Coordinating Committee shall develop standards and
23 procedures necessary for carrying out the objectives of the Pilot
24

1 Program and for acquiring resources, materials, and software for the
2 Pilot Program.

3 I. At the direction of the STAR Coordinating Committee, the
4 State Board of Education shall contract with experts or specialists
5 and for training, materials, and software as is necessary to
6 accomplish purposes of the Pilot Program.

7 J. By July 1, 2006, the STAR Coordinating Committee shall
8 report on the progress and developments accomplished through the
9 Pilot Program.

10 SECTION 9. AMENDATORY 70 O.S. 2011, Section 5-141.4, is
11 amended to read as follows:

12 Section 5-141.4 A. 1. In addition to incentive pay plans
13 authorized pursuant to Section 5-141.2 of ~~Title 70 of the Oklahoma~~
14 ~~Statutes~~ this title, beginning with the 2012-13 school year, a
15 school district may implement an incentive pay plan that rewards
16 teachers who are increasing student and school growth in
17 achievement.

18 2. Teacher performance shall be measured using the Oklahoma
19 Teacher and Leader Effectiveness Evaluation System (TLE) as set
20 forth in Section ~~6~~ 6-101.16 of this ~~act~~ title.

21 3. Individual teacher incentive pay awards shall be based upon:
22 a. achieving either a "superior" or "highly effective"
23 rating under the TLE, and
24

1 b. grade level, subject area, or school level performance
2 success.

3 B. 1. Beginning with the 2012-13 school year, a school
4 district may implement an incentive pay plan as authorized pursuant
5 to this section.

6 2. For purposes of this section, "leader" means a principal,
7 assistant principal or any other school administrator who is
8 responsible for supervising classroom teachers.

9 3. School leader effectiveness shall be measured using the
10 Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as
11 set forth in Section ~~6~~ 6-101.16 of this ~~act~~ title.

12 4. Individual school leader incentive pay awards shall be based
13 upon:

14 a. achieving either a "superior" or "highly effective"
15 rating under the TLE, and

16 b. grade level, subject area, or school level performance
17 success.

18 C. Incentive pay plans implemented pursuant to subsections A
19 and B of this section shall be developed through a collaborative
20 planning process involving stakeholders, including teachers and
21 school leaders.

22 D. In addition to individual teacher and leader incentive pay
23 plans, as authorized pursuant to this section, districts may develop
24 and implement incentive pay systems for:

1 1. Teaching in critical shortage subject areas including, but
2 not limited to, foreign language;

3 2. Teachers and leaders who work in ~~low-performing~~ schools
4 identified as in need of improvement as determined by the State
5 Board of Education;

6 3. Teaching in the subject areas of Science, Technology,
7 Engineering, and Math (STEM); or

8 4. Teachers and leaders who work in schools or school districts
9 designated by the State Board of Education as hard-to-staff.

10 E. 1. Prior to implementation of any incentive pay plan
11 developed pursuant to this section, the school district board of
12 education shall place the plan on the agenda for public comment at a
13 meeting of the district board of education.

14 2. After approval of the incentive pay plan, the school
15 district board of education shall submit the plan to the State Board
16 of Education for final approval. Within sixty (60) days of receipt
17 of the plan, the State Board shall review and approve or reject the
18 plan. If it is determined that the plan meets the requirements of
19 this section, the State Board shall approve the plan. If the plan
20 does not meet the requirements of this section, the State Board
21 shall reject the plan and provide written notification to the school
22 district board of education along with the grounds for rejection.

23 3. The district board of education shall comply with the
24 provisions of this subsection for any year a plan is to be modified.

1 F. Any incentive pay award shall be an annual award and shall
2 not be a part of a continuing contract for an employee. Any
3 incentive pay award to any teacher or leader shall not exceed more
4 than fifty percent (50%) of the regular salary of the teacher or
5 leader, exclusive of fringe benefits or extra duty pay. Any
6 incentive pay awards received shall be excluded from compensation
7 for purposes of calculating retirement pursuant to the Teachers'
8 Retirement System of Oklahoma and shall not be subject to taxes
9 levied by the Federal Insurance Contributions Act (F.I.C.A.), to the
10 extent such exemption is provided by federal law.

11 SECTION 10. AMENDATORY 70 O.S. 2011, Section 6-194, is
12 amended to read as follows:

13 Section 6-194. A. The district boards of education of this
14 state shall establish professional development programs for the
15 certified and licensed teachers and administrators of the district.
16 Programs shall be adopted by each board based upon recommendations
17 of a professional development committee appointed by the board of
18 education for the district. For the fiscal years ending June 30,
19 2011, and June 30, 2012, a school district board of education may
20 elect not to adopt and offer a professional development program for
21 certified and licensed teachers and administrators of the district.
22 If a school district elects not to adopt and offer a professional
23 development program, the district may expend any monies allocated
24 for professional development for any purpose related to the support

1 and maintenance of the school district as determined by the board of
2 education of the school district.

3 B. Each professional development committee shall include
4 classroom teachers, administrators and parents, guardians or
5 custodians of children in the school district and shall consult with
6 a higher education faculty. A majority of the members of the
7 professional development committee shall be composed of classroom
8 teachers. The teacher members shall be selected by a designated
9 administrator of the school district from a list of names submitted
10 by the teachers in the school district. The members selected shall
11 be subject to the approval of a majority vote of the teachers in the
12 district. At a minimum, once every four (4) years the committee
13 shall include at least one school counselor in its membership.

14 C. In developing program recommendations, each professional
15 development committee shall annually utilize a data-driven approach
16 to analyze student data and determine district and school
17 professional development needs. The professional development
18 programs adopted shall be directed toward development of
19 competencies and instructional strategies in the core curriculum
20 areas for the following goals:

- 21 1. Increasing the academic performance ~~index~~ data scores for
22 the district and each school site;
- 23 2. Closing achievement gaps among student subgroups;

24

1 3. Increasing student achievement as demonstrated on state-
2 mandated tests and the ACT;

3 4. Increasing high school graduation rates; and

4 5. Decreasing college remediation rates.

5 Each program may also include components on classroom management
6 and student discipline strategies, outreach to parents, guardians or
7 custodians of students, special education, and racial and ethnic
8 education, which all personnel defined as teachers in Section 1-116
9 of this title shall be required to complete on a periodic basis.

10 The State Board of Education shall provide guidelines to assist
11 school districts in developing and implementing racial and ethnic
12 education components into professional development programs. At
13 least once a year a program shall be offered which includes a
14 component of teacher training on recognition and reporting of child
15 abuse and neglect which all teachers shall be required to complete.

16 Additionally at least one time per year, beginning in the 2009-2010
17 school year, training in the area of autism shall be offered and all
18 resident teachers of students in early childhood programs through
19 grade three shall be required to complete the autism training during
20 the resident year and at least one time every three (3) years
21 thereafter. All other teachers and education support professionals
22 of students in early childhood programs through grade three shall be
23 required to complete the autism training at least one time every
24 three (3) years. The autism training shall include a minimum

1 awareness of the characteristics of autistic children, resources
2 available and an introduction to positive behavior supports to
3 challenging behavior. Each adopted program shall allow school
4 counselors to receive at least one-third (1/3) of the hours or
5 credit required each year through programs or courses specifically
6 designed for school counselors.

7 Districts are authorized to utilize any means for professional
8 development that is not prohibited by law including, but not limited
9 to, professional development provided by the district, any state
10 agency, institution of higher education, or any private entity.

11 D. Except as otherwise provided for in this subsection, each
12 licensed or certified teacher in this state shall be required by the
13 district board of education to meet the professional development
14 requirements established by the board, or established through the
15 negotiation process. Except as otherwise provided for in this
16 subsection, the professional development requirements established by
17 each board of education shall require every teacher to annually
18 complete a minimum number of the total number of points required to
19 maintain employment. Failure of any teacher to meet district board
20 of education professional development requirements may be grounds
21 for nonrenewal of such teacher's contract by the board. Such
22 failure may also be grounds for nonconsideration of salary
23 increments affecting the teacher. For the fiscal years ending June
24 30, 2011, and June 30, 2012, a licensed or certified teacher shall

1 not be required to complete any points of the total number of
2 professional development points required. Provided, a teacher may
3 elect to complete some or all of the minimum number of points
4 required for the two (2) fiscal years and any points completed shall
5 be counted toward the total number of points required to maintain
6 employment. If a teacher does not complete some or all of the
7 minimum number of points required for one (1) or both fiscal years,
8 the total number of points required to maintain employment shall be
9 adjusted and reduced by the number of points not completed.

10 E. Each district shall annually submit a report to the State
11 Department of Education on the district level professional
12 development needs, activities completed, expenditures, and results
13 achieved for each school year by each goal as provided in subsection
14 C of this section. If a school district elects not to adopt and
15 offer a professional development program as provided for in
16 subsection A of this section, the district shall not be required to
17 submit an annual report as required pursuant to this subsection but
18 shall report to the State Department of Education its election not
19 to offer a program and all professional development activities
20 completed by teachers and administrators of the school district.

21 F. Subject to the availability of funds, the Department shall
22 develop an online system for reporting as required in subsection E
23 of this section. The Department shall also make such information
24 available on its website.

1 SECTION 11. AMENDATORY 70 O.S. 2011, Section 6-194.2, is
2 amended to read as follows:

3 Section 6-194.2 A. Beginning with the 1997-98 school year, the
4 State Board of Education shall award scholarships to public school
5 districts who wish to have teachers and administrators from certain
6 school sites attend the Great Expectations Summer Institutes for
7 Teachers offered by an institution within The Oklahoma State System
8 of Higher Education. Any school district applying for a scholarship
9 for teachers and administrators from a school site which is
10 currently, or has been ~~declared, a high challenge~~ identified as a
11 school in need of improvement pursuant to the provisions of
12 ~~subsection C of~~ Section 1210.541 of this title for any of the
13 previous three (3) school years, shall be given priority for receipt
14 of such scholarship. Scholarships shall be awarded based on the
15 amount of funds allocated to the State Department of Education for
16 such purpose.

17 B. The State Board of Education shall develop criteria for
18 scholarship awards and shall promulgate rules as necessary to
19 implement the process by which the scholarships shall be awarded.

20 SECTION 12. AMENDATORY 70 O.S. 2011, Section 6-200, as
21 amended by Section 12, Chapter 223, O.S.L. 2012 (70 O.S. Supp. 2012,
22 Section 6-200), is amended to read as follows:

23 Section 6-200. A. Subject to the availability of funds, the
24 State Board of Education shall have authority to develop and

1 administer training for residency committees and training for
2 professional development through professional development
3 institutes. Included in the professional development institutes
4 training shall be technology training. Professional development
5 institutes shall be defined as continuing education experiences
6 which consist of a minimum of thirty (30) clock hours. The
7 institutes shall be competency-based, emphasize effective learning
8 practices, require collaboration among participants, and require
9 each participant to prepare a work product which can be utilized in
10 the classroom by the participant. Any state professional
11 development institutes administered by the Board shall be chosen
12 through a competitive bid process and if funds are available subject
13 to peer review. The Board, prior to offering any professional
14 development institute, shall promulgate rules related to
15 administering state professional development institutes.

16 B. The State Board of Education shall develop, offer and
17 administer professional development institutes to train elementary
18 school teachers in reading education and if funds are available,
19 which may include but not be limited to grant, foundation, or other
20 funds, to train middle school teachers in reading education. Funds
21 appropriated for this purpose shall be used for the cost of
22 developing, administering and contracting for the professional
23 development institutes. When possible, certified reading
24 specialists shall be included as consultants. All costs of the

1 institutes shall be included in the contract price and no tuition or
2 registration fee shall be collected from teachers attending the
3 institutes. The institutes shall be offered by or through the
4 Commission. Working in conjunction with the State Department of
5 Education, the Commission shall develop a state plan for
6 administration of such institutes and shall report on or before
7 November 1 of each year to the Governor and the Legislature on the
8 format of and participation in the institutes. The State Department
9 of Education shall cooperate with and provide any information
10 requested, including data available through the state student record
11 system, to the State Board of Education as is necessary to carry out
12 the provisions of this section.

13 C. Subject to the availability of funds, the State Board of
14 Education shall:

15 1. Contract for an independent evaluation of the reading
16 professional development institutes. The evaluation shall determine
17 adherence to program requirements as provided in this section and
18 the program's effectiveness in increasing teacher knowledge and
19 student achievement; and

20 2. Provide continued support of the reading professional
21 development institutes through ongoing teacher development at
22 individual school sites. Funds may be used for the cost of mentor
23 training, payment for substitute teachers, on-site facilitation, and
24 any other costs necessary to ensure improved reading by students.

1 D. 1. For the purpose of implementing comprehensive reading
2 reform and systemic change, the State Board of Education shall award
3 one-year grants renewable for up to two (2) additional years to
4 public schools that serve students in kindergarten through third
5 grade. The grants will provide for:

6 a. a five-day initial professional development institute
7 in elementary school reading for teachers of
8 kindergarten through third grade, instructional
9 leaders, and principals,

10 b. a three-day follow-up professional development
11 institute in elementary school reading for teachers of
12 kindergarten through third grade and instructional
13 leaders, and

14 c. continued support through ongoing teacher development
15 at school sites, including four (4) days of
16 professional development for principals and literacy
17 resource specialists, and six (6) days of on-site
18 visits by a program consultant.

19 2. In order to qualify for a grant pursuant to this subsection,
20 the following requirements shall be met:

21 a. at least eighty percent (80%) of the teachers of
22 kindergarten through third grade at the school shall
23 have demonstrated support for the training program
24 provided pursuant to this subsection,

1 b. the principal shall ensure that all members of the
2 leadership team and all teachers of kindergarten
3 through third grade will participate in all phases of
4 the training program,

5 c. the school district shall ensure that any new teacher
6 of kindergarten through third grade or principal at
7 the school will participate in all phases of the
8 training program, and

9 d. the school district shall employ a literacy resource
10 specialist for at least two (2) years after completion
11 of the training provided in this subsection. One or
12 more districts may share a literacy resource
13 specialist upon approval of the Board.

14 3. Any school which has been determined by the State Board of
15 Education to be a school in need of improvement ~~or a school that has~~
16 ~~not made adequate yearly progress in reading~~ shall be given priority
17 for receipt of a grant. Grants to local school districts may be
18 awarded based on the amount of funds allocated to the State Board of
19 Education for the purposes of this section. Funds may be used for
20 payment for substitute teachers, program consultants, on-site
21 facilitation, and literacy resource specialists.

22 4. For program evaluation purposes, each school awarded a grant
23 pursuant to this subsection shall provide to the Commission student-
24 level data and results of the reading assessments administered

1 pursuant to the Oklahoma School Testing Program Act for the year
2 prior to the grant award, for each year a grant is received by the
3 school, and for three (3) years after completion of the program. If
4 funds are not sufficient to award grants to all eligible applicants,
5 schools may be placed on a waiting list for priority consideration
6 for the following year's round of grant awards which shall be
7 superior to the priority given to schools as provided in paragraph 3
8 of this subsection, if the school provides student data for the
9 current year to the Board as provided in this paragraph.

10 5. The professional development institutes in elementary
11 reading provided pursuant to this section shall incorporate the
12 requirements of the Reading Sufficiency Act.

13 E. As additional funds become available for such purpose, the
14 Board shall develop and offer professional development institutes
15 in:

- 16 1. Mathematics for teachers in grades kindergarten through
17 nine;
- 18 2. The use of technology in the classroom;
- 19 3. Training of residency committee members in teacher
20 mentoring; and
- 21 4. Hands-on inquiry-based science for elementary teachers.

22 SECTION 13. AMENDATORY 70 O.S. 2011, Section 6-204.2, as
23 amended by Section 2, Chapter 360, O.S.L. 2012 (70 O.S. Supp. 2012,
24 Section 6-204.2), is amended to read as follows:

1 Section 6-204.2 A. Subject to the availability of funds, the
2 Oklahoma Commission for Teacher Preparation and the State Board of
3 Education are authorized to establish the Education Leadership
4 Oklahoma program.

5 B. The purposes of the Education Leadership Oklahoma program
6 are:

7 1. Provide teachers throughout the state information about
8 National Board certification and the Education Leadership Oklahoma
9 program scholarships and services;

10 2. Provide technical assistance and National Board certified
11 mentors to all teachers seeking National Board certification upon
12 request;

13 3. Provide scholarships, pursuant to the Education Leadership
14 Oklahoma Act and Oklahoma Commission for Teacher Preparation rules,
15 for teachers seeking National Board certification;

16 4. Provide a bonus to teachers who achieve National Board
17 certification pursuant to the Education Leadership Oklahoma Act and
18 State Board of Education rules;

19 5. Reward teachers who achieve National Board certification
20 without the financial support of the Education Leadership Oklahoma
21 program by awarding them the application fee and the amount of the
22 scholarship given to Education Leadership Oklahoma participants
23 pursuant to this section and commission rules; and

24 6. Provide recognition to National Board certified teachers.

1 C. Except as otherwise provided for in subsection P of this
2 section, to fulfill the objectives of the Education Leadership
3 Oklahoma Act, the Oklahoma Commission for Teacher Preparation shall:

4 1. Inform teachers of the Education Leadership Oklahoma program
5 and the scholarships and services it provides to teachers seeking
6 National Board certification, emphasizing recruiting efforts toward
7 teachers at high-poverty schools, ~~low-achieving~~ schools identified
8 as in need of improvement and in counties with the lowest percentage
9 of teachers who have achieved National Board certification;

10 2. Collect and review applications to the scholarship program
11 from interested teachers;

12 3. Establish an applicant review committee for the purpose of
13 identifying scholarship recipients pursuant to the Education
14 Leadership Oklahoma Act for the Education Leadership Oklahoma
15 program; and

16 4. Ensure that all scholarship recipients, alternates, and
17 teachers seeking National Board certification independently receive
18 adequate information regarding the level of commitment required to
19 acquire National Board certification.

20 D. The applicant review committee shall:

21 1. Consist of:

22 a. five classroom teachers appointed by the State Board
23 of Education, at least one of whom shall be a National
24 Board certified teacher, if available,

1 b. five classroom teachers appointed by the Oklahoma
2 Commission for Teacher Preparation, at least one of
3 whom shall be a National Board certified teacher, if
4 available,

5 c. three classroom teachers appointed by the Oklahoma
6 State Regents for Higher Education, at least one of
7 whom shall be a National Board certified teacher, if
8 available, and

9 d. a chair to be designated by the Executive Director of
10 the Oklahoma Commission for Teacher Preparation from
11 among the appointed members; and

12 2. Except as otherwise provided for in subsection P of this
13 section, select up to four hundred teachers each year, of whom a
14 minimum of twenty-five percent (25%) teach at schools ~~on the school~~
15 identified as in need of improvement list as determined by the State
16 Board of Education pursuant to the No Child Left Behind Act or
17 schools with more than fifty percent (50%) of students who qualify
18 for the free and reduced price lunch program, and the appropriate
19 number of alternates, who:

20 a. have demonstrated a commitment to excellence in
21 teaching,

22 b. meet all eligibility requirements for potential
23 certification as established by the National Board for
24 Professional Teaching Standards,

1 c. are employed in an Oklahoma public school, and

2 d. meet other requirements of the Commission.

3 E. Subject to the availability of funds appropriated by the
4 Legislature for the purposes of this subsection and except as
5 otherwise provided for in subsection P of this section, the
6 application fee for National Board certification shall be paid for
7 scholarship recipients by the Commission, and scholarship recipients
8 shall be provided a scholarship in the amount of Five Hundred
9 Dollars (\$500.00) to cover other expenses associated with obtaining
10 National Board certification.

11 F. It is the intent of the Legislature that the Oklahoma
12 Commission for Teacher Preparation contract with Southeastern
13 Oklahoma State University to establish Education Leadership Oklahoma
14 program training in higher education teacher preparation programs in
15 the state to assist teachers in meeting the requirements to obtain
16 National Board certification.

17 G. Except as otherwise provided for in subsection P of this
18 section, all teachers seeking National Board certification shall be
19 eligible to participate in Education Leadership Oklahoma program
20 training to assist them in meeting the requirements of the National
21 Board certification process, free of charge.

22 H. The Oklahoma Commission for Teacher Preparation shall
23 promulgate rules for the selection of scholarship recipients, the
24

1 selection and utilization of alternates, the payment and
2 reimbursement of application fees, and the issuance of scholarships.

3 I. Subject to district board of education policy or collective
4 bargaining agreement, additional professional leave days may be
5 granted to teachers seeking National Board certification for
6 National Board certification portfolio development. During the two
7 (2) days of the additional professional days granted to teachers for
8 National Board certification portfolio development, a substitute
9 teacher shall be provided by the school district at no cost to the
10 teacher.

11 J. Except as otherwise provided for in subsection P of this
12 section, the State Board of Education shall provide all teachers who
13 attain National Board certification a bonus in the amount of Five
14 Thousand Dollars (\$5,000.00) annually no later than January 31 for
15 as long as they maintain their National Board certification and are
16 teaching in the classroom full-time in an Oklahoma public school.
17 No school or school district shall be liable for payment of bonuses
18 pursuant to this section.

19 K. The bonus shall not be included in the calculation of the
20 teacher's salary for purposes of meeting the district or statutory
21 minimum salary schedule or for purposes of compensating Oklahoma
22 Teachers' Retirement System contributions or benefits.

23 L. The State Board of Education shall promulgate rules for the
24 provision of the bonus pursuant to this section to include, but not

1 be limited to, a process by which a National Board certified teacher
2 will verify that:

- 3 1. The National Board certification has not lapsed; and
- 4 2. The teacher is still a full-time teacher.

5 M. It is the intent of the Legislature that the Oklahoma State
6 Regents for Higher Education incorporate the National Board
7 certification portfolio development into all programs in education
8 leading to a master's level degree.

9 N. Upon implementation of this subsection as provided for in
10 subsection O of this section, the State Board of Education shall
11 provide all teachers who attain National Board certification a bonus
12 in the amount of Seven Thousand Dollars (\$7,000.00) annually no
13 later than January 31 for as long as they maintain their National
14 Board certification and are full-time teachers in an Oklahoma public
15 school. No school or school district shall be liable for payment of
16 bonuses pursuant to this section. Upon implementation, the bonus
17 provided for in this subsection shall replace the bonus provided for
18 in subsection J of this section.

19 O. Implementation of subsection N of this section shall be
20 contingent upon the appropriation by the Legislature of state funds
21 for the specific purpose of implementing subsection N of this
22 section. Nothing in this section shall prevent the State Board of
23 Education or a school district board of education from utilizing
24

1 private, local, or federal funds to implement subsection N of this
2 section.

3 P. 1. Except as otherwise provided, the Oklahoma Commission
4 for Teacher Preparation shall not accept any applications for the
5 Education Leadership Oklahoma program, award scholarships pursuant
6 to the Education Leadership Oklahoma Act or pay the National Board
7 certification application fee for scholarship recipients after June
8 30, 2010, through June 30, 2013. The Commission may pay any
9 scholarship amounts or pay the National Board certification
10 application fees incurred after June 30, 2010, for any teacher
11 selected for the Education Leadership Oklahoma program before June
12 30, 2010.

13 2. Except as otherwise provided, the State Board of Education
14 shall not provide a bonus in the amount of Five Thousand Dollars
15 (\$5,000.00) as authorized in subsection J of this section beginning
16 June 30, 2010, through June 30, 2013, to any teacher who attains
17 National Board certification after June 30, 2010, through June 30,
18 2013. The Board shall provide a bonus to any teacher who attains
19 National Board certification after June 30, 2010, if the teacher was
20 selected for the Education Leadership Oklahoma program before June
21 30, 2010, or the teacher has submitted an application for National
22 Board certification to the National Board for Professional Teaching
23 Standards before June 30, 2010.

24

1 SECTION 14. AMENDATORY 70 O.S. 2011, Section 6-210, is
2 amended to read as follows:

3 Section 6-210. A. The Oklahoma Commission for Teacher
4 Preparation is authorized to establish the Inner City Schools Rescue
5 program. The purpose of the program shall be to recruit and train
6 licensed or certified teachers to work in inner city schools and to
7 provide technical assistance and support to those teachers who
8 participate in the program and become employed in an inner city
9 school.

10 B. For purposes of this section, an inner city school shall
11 mean a school ~~that is on the school~~ identified as in need of
12 improvement list as determined by the Commission pursuant to the No
13 Child Left Behind Act or where ninety-five percent (95%) or more of
14 the students enrolled in the school qualify for the free and reduced
15 lunch program.

16 C. To fulfill the objectives of the Inner City Schools Rescue
17 program the Commission shall:

- 18 1. Inform teachers of the program;
- 19 2. Collect and review applications for the program from
20 interested teachers; and
- 21 3. Establish an applicant review committee to identify
22 participants for the program.

23 D. Each year the Commission shall select a certain number of
24 teachers, as determined by the Commission, who have demonstrated a

1 commitment to excellence in teaching and to working with at-risk
2 students in the inner city.

3 E. The Commission shall promulgate rules to implement the
4 provisions of this section.

5 SECTION 15. AMENDATORY 70 O.S. 2011, Section 11-109.1,
6 is amended to read as follows:

7 Section 11-109.1 Funds appropriated to the State Board of
8 Education for the Arts-in-Education program shall be awarded on a
9 competitive basis to nonprofit organizations for programs serving
10 schools identified by the State Board of Education, pursuant to
11 Section 1210.541 of this title, as ~~being high challenge schools in~~
12 need of improvement.

13 SECTION 16. AMENDATORY 70 O.S. 2011, Section 1210.541,
14 as amended by Section 15, Chapter 223, O.S.L. 2012 (70 O.S. Supp.
15 2012, Section 1210.541), is amended to read as follows:

16 Section 1210.541 A. The Commission for Educational Quality and
17 Accountability shall determine and adopt a series of student
18 performance levels and the corresponding cut scores pursuant to the
19 Oklahoma School Testing Program Act.

20 B. The Commission for Educational Quality and Accountability
21 shall have the authority to set cut scores using any method which
22 the State Board of Education was authorized to use in setting cut
23 scores prior to July 1, 2013.

24

1 C. The performance levels shall be set by a method that
2 indicates students are ready for the next grade, course, or level of
3 education, as applicable. The Commission for Educational Quality
4 and Accountability shall establish panels to review and revise the
5 performance level descriptors for each subject and grade level. The
6 Commission shall ensure that the criterion-referenced tests
7 developed and administered by the State Board of Education pursuant
8 to the Oklahoma School Testing Program Act in grades three through
9 eight and the end-of-instruction tests administered at the secondary
10 level are vertically aligned by content across grade levels to
11 ensure consistency, continuity, alignment and clarity. The
12 Commission shall adopt performance levels that are labeled and
13 defined as follows:

14 1. Advanced, which shall indicate that students demonstrate
15 superior performance on challenging subject matter;

16 2. Proficient, which shall indicate that students demonstrate
17 mastery over appropriate grade-level subject matter and that
18 students are ready for the next grade, course, or level of
19 education, as applicable;

20 3. Limited knowledge, which shall indicate that students
21 demonstrate partial mastery of the essential knowledge and skills
22 appropriate to their grade level or course; and

23 4. Unsatisfactory, which shall indicate that students have not
24 performed at least at the limited knowledge level.

1 D. The State Board of Education shall develop and implement in
2 accordance with the Elementary and Secondary Education Act of 2001
3 (ESEA), P.L. No. 107-110, also known as the No Child Left Behind Act
4 of 2001, an accountability system as provided for in 20 U.S.C., 6311
5 and any related federal regulations. The accountability system
6 shall be implemented beginning with the 2002-2003 school year and
7 shall be based on the ~~Academic Performance Index~~ data as established
8 pursuant to Section 3-150 of this title and as modified to meet the
9 mandates of the ESEA. For the 2002-2003 school year and every year
10 thereafter the State Board of Education shall publish and ensure
11 that each local education agency is provided with ~~Academic~~
12 ~~Performance Index~~ data annually by site and by district so that the
13 local education agency can make ~~Adequate Yearly Progress~~
14 determinations to identify schools for rewards and sanctions. The
15 State Board of Education shall establish a system of recognition,
16 rewards, sanctions and technical assistance, as required by state
17 law and the Elementary and Secondary Education Act of 2001 (ESEA).

18 E. A school that ~~does not make adequate yearly progress (AYP)~~
19 ~~for two (2) consecutive years, as AYP is defined by the~~
20 ~~accountability system developed~~ is identified as in need of
21 improvement by the State Board of Education pursuant to this
22 section, because of failure to meet either an academic performance
23 target or an attendance or graduation performance target, or both,
24 and is identified ~~for school~~ as in need of improvement pursuant to

1 the Elementary and Secondary Education Act of 1965 (ESEA), as
2 amended, shall utilize the assistance of a school support team or
3 other similar team formed by the State Department of Education to
4 provide support for schools in need of improvement, subject to
5 school support team capacity. The school support team shall review
6 and analyze all facets of operation of the school including the
7 design and operation of the instructional program. The school
8 support team shall assist the school in:

9 1. Incorporating strategies based on scientifically based
10 research that will strengthen the core academic subjects in the
11 school and address the specific academic issues that caused the
12 school to be identified for school improvement;

13 2. Incorporating strategies to promote high quality
14 professional development; and

15 3. Training teachers to analyze classroom and school-level data
16 and use the data to inform instruction.

17 SECTION 17. AMENDATORY 70 O.S. 2011, Section 1210.544,
18 is amended to read as follows:

19 Section 1210.544 A. 1. The State Board of Education shall
20 establish a process to identify schools in the state that are
21 consistently listed as ~~a persistently low-achieving school~~ in need
22 of improvement in accordance with subsection (g) (6) of Section 1003
23 of Title I of the Elementary and Secondary Education Act of 1965
24 (ESEA), as amended. A school district board of education with a

1 school identified as being among the ~~persistently lowest-achieving~~
2 schools in the state that are persistently in need of improvement
3 shall implement one of the following four intervention models for
4 the school:

5 a. turnaround model - replacing the principal and
6 rehiring not more than fifty percent (50%) of the
7 staff and granting to the principal sufficient
8 operational flexibility to fully implement a
9 comprehensive approach to substantially improve
10 student outcomes,

11 b. restart model - converting or closing the school and
12 reopening it as a charter school under an operator or
13 an education management organization that has been
14 selected through a rigorous review process. Except
15 for the average daily membership and county population
16 limitations specified in subsection A of Section 3-132
17 of this title, any charter school created pursuant to
18 this subparagraph shall be subject to the provisions
19 of the Oklahoma Charter Schools Act,

20 c. school closure - closing the school and enrolling the
21 students who attended that school in other schools in
22 the school district that are higher-achieving, or

23 d. transformation model - implementing each of the
24 following strategies:

- 1 (1) replace the principal,
- 2 (2) develop and increase teacher and school-leader
- 3 effectiveness,
- 4 (3) institute comprehensive instructional reform,
- 5 (4) increase learning time and create community-
- 6 oriented schools, and
- 7 (5) provide operational flexibility and sustained
- 8 support.

9 2. If a school that has been identified as being among the
10 ~~persistently lowest-achieving~~ schools in the state that are
11 persistently in need of improvement has already implemented an
12 alternative governance arrangement within the last two (2) years
13 prior to the identification, the school may continue implementation
14 of the alternative governance arrangement.

15 B. 1. Notwithstanding any other provision of state law, for
16 schools that are identified for school improvement by the State
17 Board of Education for four (4) consecutive years, the district
18 board of education shall implement one of the following alternative
19 governance arrangements for the school in accordance with
20 subparagraph (B) of subsection (b) (8) of Section 1116 of Title I of
21 the Elementary and Secondary Education Act of 1965, as amended:

22 a. reopening the school as a public charter school.

23 Except for the average daily membership and county
24 population limitations specified in subsection A of

1 Section 3-132 of this title, any charter school
2 created pursuant to this subparagraph shall be subject
3 to the provisions of the Oklahoma Charter Schools Act,
4 b. replacing all or most of the school staff assigned to
5 the school, which may include the principal, who are
6 relevant to the failure to make adequate yearly
7 progress and by transferring the replaced staff to
8 another school or by dismissing or not reemploying the
9 replaced staff in accordance with the provisions of
10 the Teacher Due Process Act of 1990 or in accordance
11 with subsection C of this section, if applicable,
12 c. entering into a contract with an entity, such as a
13 private management company, with a demonstrated record
14 of effectiveness, to operate the public school,
15 d. turning the operation of the school over to the State
16 Board of Education, or
17 e. any other major restructuring of the governance
18 arrangement of the school that makes fundamental
19 reforms, such as significant changes in the staffing
20 and governance of the school, to improve student
21 academic achievement in the school and that has
22 substantial promise of enabling the school to make
23 adequate yearly progress. If the chosen governance
24 arrangement does not produce adequate yearly progress

1 within two (2) years from the date of implementation
2 of the restructured governance arrangement, the State
3 Board of Education shall assume control of the school
4 as provided for in paragraph 2 of this subsection.

5 2. For any school that fails to comply with the provisions of
6 paragraph 1 of this subsection by the end of the school year
7 following its identification for school improvement for four (4)
8 consecutive years, the State Board of Education shall assume control
9 of the management and operations of the school, including control of
10 the staff assigned to the school. The Board shall retain all funds
11 that otherwise would have been allocated to the school district
12 based on the average daily membership of the school which shall be
13 used to operate the school.

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

20 a. any teacher not retained at the school site shall be
21 given status as a full-time substitute teacher within
22 the school district for a period of not to exceed two
23 (2) years,

1 b. if the teacher is not offered a contract teaching
2 position at a school in the district within the two-
3 year period specified in subparagraph a of this
4 paragraph, the district board shall be authorized to
5 not reemploy the teacher, and

6 c. the district board shall designate trained, certified,
7 instructional staff to provide teacher support,
8 development and evaluation, which may include
9 certified personnel other than administrators.

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

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

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

23 2. Beginning December 31, 2010, and annually each year
24 thereafter, the State Department of Education shall submit a report

1 of the district plans received as provided in paragraph 1 of this
2 subsection to the members of the Senate and House Education
3 Committees.

4 SECTION 18. AMENDATORY 70 O.S. 2011, Section 1210.573,
5 is amended to read as follows:

6 Section 1210.573 A developmental research school may be
7 established by the State Board of Education only for purposes of
8 intervening to aid a ~~high-challenge~~ school in need of improvement as
9 defined in Section 1210.541 of ~~Title 70 of the Oklahoma Statutes~~
10 this title. All developmental research schools shall be affiliated
11 with a college of education within an institution of The Oklahoma
12 State System of Higher Education and shall provide sequential
13 instruction. Nothing in this act shall be construed to prohibit the
14 establishment of a research and development school by an institution
15 of higher education for voluntary and limited attendance.

16 SECTION 19. AMENDATORY 70 O.S. 2011, Section 1210.574,
17 is amended to read as follows:

18 Section 1210.574 If the State Department of Education plans to
19 recommend the establishment of a developmental research school as a
20 means of intervention with a ~~high-challenge~~ school identified as in
21 need of improvement pursuant to Section 1210.541 of ~~Title 70 of the~~
22 ~~Oklahoma Statutes~~ this title, the Department shall notify, in
23 writing, the board of education of the district involved. Upon
24 receipt of the notification, the district board shall have fifteen

1 (15) days to request an opportunity to appear before the State Board
2 of Education. If the district board fails to request an opportunity
3 to appear, the State Board shall proceed without further notice or
4 delay to conclude the matter. If an opportunity to appear is
5 requested by the district board, the State Board shall decide the
6 issues after hearing from representatives of the district and the
7 Department.

8 SECTION 20. AMENDATORY 70 O.S. 2011, Section 1210.575,
9 is amended to read as follows:

10 Section 1210.575 Upon intervention with a ~~high-challenge~~ school
11 identified as in need of improvement and the subsequent
12 establishment of a developmental research school by the State Board
13 of Education, the board of education of the district in which the
14 ~~high-challenge~~ school in need of improvement was located shall be
15 declared abolished by the State Board of Education.

16 SECTION 21. REPEALER 70 O.S. 2011, Sections 3-150 and 3-
17 151, are hereby repealed.

18 SECTION 22. This act shall become effective July 1, 2013.

19 SECTION 23. It being immediately necessary for the preservation
20 of the public peace, health and safety, an emergency is hereby
21 declared to exist, by reason whereof this act shall take effect and
22 be in full force from and after its passage and approval.

23

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