STATE OF OKLAHOMA

1st Session of the 54th Legislature (2013)

HOUSE BILL 2087 By: Nelson and Casey

AS INTRODUCED

An Act relating to schools; creating the Allowing Local Administrators More Options Act; stating purpose; providing procedure for exempting school districts from certain statutory requirements and rules; providing authority of the State Board of Education; granting school districts certain options; requiring school districts to comply with certain requirements; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-128.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Allowing Local Administrators More Options Act".

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-128.2 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The purpose of the Allowing Local Administrators More Options Act is to empower locally elected school board members to

govern school districts and make decisions based on the needs of their students and circumstances.

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

2. Within sixty (60) days after receiving the request and plan for deregulation, the State Board shall approve or disapprove the request. If the State Board does not approve the request, it shall provide to the school district a written explanation of the basis for its decision. The school district may resubmit an amended request at any time after denial. The request shall be approved by the State Board before implementation by the school district. An approved request and plan shall be for no longer than three (3) years. Prior to the beginning of the third year, the school district may apply for renewal of the approved request and plan. The school district shall be required to submit an annual report and

the State Board shall annually assess the academic achievement and fiscal status of the school district.

C. Nothing in this section shall prevent a school district which has been granted approval by the State Board for the exemption as set forth in subsection B of this section from choosing to follow any or all state laws, rules, or regulations from which a charter school is exempt. A school district which has been granted approval for the exemption shall have the option to adopt policies to implement any requirement for the school district that is consistent with any statutory requirement or mandate or Board rule.

D. A school district which has been granted approval by the State Board for the exemption as set forth in subsection B of this section shall comply with all statutory requirements and State Board rules which charter schools are required to comply with and the following requirements:

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

2. The minimum salary schedule for teachers as set forth in Section 18-114.12 of Title 70 of the Oklahoma Statutes;

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

4. Provide a health insurance plan for school district employees as set forth in Section 5-117.5 of Title 70 of the Oklahoma Statutes and to establish or make available to school district employees a cafeteria plan as set forth in Section 26-104 of Title 70 of the Oklahoma Statutes;

5. Require any person employed by the school district to file with the district board a current Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Each district shall adopt a policy regarding criminal history record checks as set forth in Section 5-142 of Title 70 of the Oklahoma Statutes, as applicable;

6. Evaluate teachers and to train personnel designated to conduct personnel evaluations as set forth in Sections 6-101.10 and 6-101.11 of Title 70 of the Oklahoma Statutes;

7. Comply with the dismissal and due process procedures for administrators as set forth in Sections 6-101.13 through 6-101.15 of Title 70 of the Oklahoma Statutes;

8. Comply with the due process procedures for teachers as set forth in Sections 6-101.21 through 6-101.26 of Title 70 of the Oklahoma Statutes;

9. Make payroll deductions for either or both professional organization dues and political contributions upon the request of an

employee as set forth in Section 5-139 of Title 70 of the Oklahoma Statutes;

10. Offer to students and require students enrolled in the school district to complete the curriculum requirements as set forth in Section 11-103.6 of Title 70 of the Oklahoma Statutes;

11. Require students enrolled in the school district to demonstrate mastery of the state academic content standards as set forth in Section 1210.523 of Title 70 of the Oklahoma Statutes;

12. Employ as teachers, counselors, librarians, school nurses, superintendents, principals, supervisors, or any other instructional, supervisory or administrative employee, only those persons who are certified or licensed by the State Board of Education in accordance with the Oklahoma Teacher Preparation Act, except for persons exempt from the certification or licensure requirements as otherwise provided by law;

13. Provide for negotiations between school employees and school districts as set forth in Sections 509.1 through 509.11 of Title 70 of the Oklahoma Statutes;

14. Require schools within the school district to observe one minute of silence each day as set forth in Section 11-101.2 of Title 70 of the Oklahoma Statutes;

15. Require members of the school district board of education to satisfy the instruction and continuing education requirements as

set forth in Sections 5-110, 5-110.1 and 5-110.2 of Title 70 of the Oklahoma Statutes; and

16. All school district reporting requirements contained in state law, rules or regulations.

SECTION 3. This act shall become effective July 1, 2013.

SECTION 4. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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