

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2285

By: Pittman

4
5
6 AS INTRODUCED

7 An Act relating to schools; creating the School
8 Innovation Zones Act; stating legislative findings;
9 stating intent and purposes; providing for
10 designation of schools as an innovation zone;
11 directing the State Board of Education to promulgate
12 rules; specifying certain application process and
13 contents; requiring certain standards of review;
14 requiring notification within certain time period;
15 requiring development of an innovation zone plan;
16 specifying contents of an innovation zone plan;
17 providing for certain emphasis of plans; requiring
18 submission of the plans to certain employees and
19 entities; requiring submission of a plan to certain
20 school employees for approval; requiring submission
21 of an approved plan to the board of education for
22 review; requiring submission of an approved and
23 reviewed plan to the Board; directing the Board to
24 communicate reasons for disapproval; granting certain
exceptions upon approval of a plan; requiring
legislative action for a statutory exception;
specifying process for legislative approval;
requiring an amendment or revision process;
establishing process and requirements for employee
approval of a plan; specifying minimum percentage
required for approval; allowing certain employees to
request a transfer; requiring the Board to conduct an
annual progress review; requiring an annual report;
providing for codification; and providing an
effective date.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3-129.21 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 This act shall be known and may be cited as the "School
5 Innovation Zones Act".

6 SECTION 2. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 3-129.22 of Title 70, unless
8 there is created a duplication in numbering, reads as follows:

9 A. The Legislature finds that:

10 1. Decades of school improvement literature substantiate that
11 schools where the principal uses a collaborative and distributed
12 approach to leadership and where the teachers have a unity of
13 purpose, operate in a cohesive learning-centered culture and
14 implement consistent, pervasive and research-based approaches to
15 learning, can and do improve student learning;

16 2. As in all enterprises, rules are established in public
17 education to manage the resources efficiently, allot time among the
18 activities and processes required and ensure attention to the goals
19 mandated, but rules, by their nature, also limit the flexibility of
20 professional educators to engage in those activities and implement
21 those approaches that may best improve the learning of their
22 students for the twenty-first century;

23 3. Allowing individual schools to seek and receive exceptions
24 from certain statutes, policies, rules and interpretations through

1 the creation of school innovation zones will provide them greater
2 control over important educational factors that impact student
3 achievement, such as curriculum, personnel, organization of the
4 school day, organization of the school year, technology utilization
5 and the delivery of educational services to improve student
6 learning; and

7 4. Providing greater flexibility at innovation zone schools
8 will enable school-level, professional educators to exercise more
9 fully their professional judgment to improve student learning for
10 the twenty-first century by instituting creative and innovative
11 practices.

12 B. The intent and purpose of the School Innovation Zones Act is
13 to:

14 1. Provide for the establishment of school innovation zones to
15 improve educational performance;

16 2. Provide principals and teachers at schools approved as
17 innovation zones with greater flexibility and control to meet the
18 needs of a diverse population of students by removing certain
19 policy, rule and statutory constraints;

20 3. Provide a testing ground for innovative educational reform
21 programs and initiatives to be applied on an individual school
22 level;

23 4. Provide information regarding the effects of specific
24 innovations and policies on student achievement;

1 5. Document educational strategies that enhance student
2 success; and

3 6. Increase the accountability of the public schools in the
4 state for student achievement as measured by the state testing
5 programs and local assessment processes identified by the schools.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 3-129.23 of Title 70, unless
8 there is created a duplication in numbering, reads as follows:

9 A. A school site or a group of school sites may be designated
10 as an innovation zone in accordance with the School Innovation Zones
11 Act.

12 B. The State Board of Education shall promulgate rules to
13 implement the provisions of this act. The rules shall include
14 provisions for at least the following:

15 1. A process for a school site or a group of school sites to
16 apply for designation as an innovation zone that encompasses at
17 least the following:

- 18 a. the manner, time and process for the submission of an
19 innovation zone application,
- 20 b. the contents of the application, which shall include a
21 general description of the innovations the school or
22 schools seek to institute and an estimation of the
23 employees who may be affected by the implementation of
24 the innovations, and

1 c. factors to be considered by the Board when evaluating
2 an application, which shall include, but are not
3 limited to, the following factors:

4 (1) the level of staff commitment to apply for
5 designation as an innovation zone as determined
6 by a secret ballot vote at a special meeting of
7 employees eligible to vote on the plan,

8 (2) support from parents, students, and the board of
9 education, and

10 (3) the potential for an applicant to be successful
11 as an innovation zone; and

12 2. Standards for the Board to review applications for
13 designation as innovation zones and to make determinations on the
14 designation of innovation zones.

15 C. The Board shall review innovation zone applications in
16 accordance with the standards adopted by the Board and shall
17 determine whether to designate the applicant as an innovation zone.
18 The Board shall notify an applicant of the determination of the
19 Board within sixty (60) days of receipt of an innovation zone
20 application.

21 SECTION 4. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 3-129.24 of Title 70, unless
23 there is created a duplication in numbering, reads as follows:
24

1 A. The rules promulgated by the State Board of Education
2 pursuant to Section 3 of this act shall include at least the
3 following:

4 1. Each school site or group of school sites designated as an
5 innovation zone or seeking designation as an innovation zone in
6 accordance with the School Innovation Zones Act shall develop an
7 innovation zone plan;

8 2. The innovation zone plan shall contain:

9 a. a description of the programs, policies or initiatives
10 the school site or group of school sites intends to
11 implement as an innovative strategy to improve student
12 learning if the plan is approved in accordance with
13 this act,

14 b. a list of all State Board of Education rules and
15 policies and all state laws, if any, identified as
16 prohibiting or constraining the implementation of the
17 plan, including an explanation of the specific
18 exceptions to the rules, policies and state laws
19 required for plan implementation. A school site or
20 group of school sites may not request an exception nor
21 may an exception be granted from any of the following:

22 (1) the Oklahoma School Testing Program Act, and
23
24

1 (2) any provision of law or policy required by the No
2 Child Left Behind Act of 2001, Public Law No.
3 107-110 or other federal law, and

4 c. any other information the state board requires; and

5 3. The innovation zone plan may include:

6 a. an emphasis in the early childhood through
7 intermediate grade levels on ensuring that each
8 student is prepared fully at each grade level,
9 including additional intervention strategies at grade
10 levels three and eight to reinforce the preparation of
11 students who are not prepared fully for promotion, or
12 an emphasis in the secondary grade levels on ensuring
13 that each student is prepared fully for college or
14 other postsecondary education, as applicable for the
15 school, and

16 b. an emphasis on innovative strategies that allows
17 academically advanced students to pursue academic
18 learning above grade level or not available through
19 the normal curriculum at the school.

20 B. Each school site or group of school sites designated or
21 seeking designation as an innovation zone shall submit its
22 innovation zone plan to the employees of the school, the board of
23 education of the school district having jurisdiction over the school
24 or schools and the State Board of Education.

1 SECTION 5. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3-129.25 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 A. Each school site or group of school sites designated or
5 seeking designation as an innovation zone shall:

6 1. Submit the innovation zone plan for approval to each
7 employee regularly employed at the school if the primary job duties
8 of the employee would be affected by the implementation of the plan.

9 An innovation zone plan is approved by school employees when
10 approved by a vote as provided for in Section 6 of this act;

11 2. Submit the innovation zone plan as approved by school
12 employees to the board of education for review. The board of
13 education shall within sixty (60) days of receipt review the plan
14 and along with recommendations from the Superintendent submit a
15 report of its support or concerns, or both, to the school principal;
16 and

17 3. Submit its innovation zone plan as approved by school
18 employees along with the report of the board of education to the
19 State Board of Education for review. The board of education shall
20 be given an opportunity to present its concerns with the plan, if
21 any, to the Board during its review. Except as provided in
22 subsection D of this section, the Board shall approve or disapprove
23 the plan within sixty (60) days of receipt.

24

1 B. If the plan is disapproved, the Board shall communicate the
2 reasons for the disapproval to the school site or group of school
3 sites and shall make recommendations for improving the plan. The
4 school site or group of school sites may amend the plan pursuant to
5 rules adopted by the Board.

6 C. Upon the approval of an innovation zone plan by the Board
7 all exceptions to Board rules and policies listed within the plan
8 are granted.

9 D. If an innovation zone plan, or a part thereof, may not be
10 implemented unless an exception to a state law is granted, the
11 Legislature may grant an exception through passage of a concurrent
12 resolution. The Board may approve the plan, or the part thereof,
13 only upon the condition that the Legislature acts to grant the
14 exception. If the Board approves a plan on that condition, the
15 Board shall submit the plan with the request for an exception to a
16 state law, along with supporting reasons, to the Speaker of the
17 House of Representatives and the President Pro Tempore of the
18 Senate.

19 E. The rules promulgated by the Board shall include a process
20 for amending or revising an innovation zone plan.

21 SECTION 6. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 3-129.26 of Title 70, unless
23 there is created a duplication in numbering, reads as follows:

24

1 A. An employee shall be eligible to vote on approval of an
2 innovation zone plan in accordance with the provisions of this
3 section if:

- 4 1. The employee is regularly employed at the school; and
- 5 2. The primary job duties of the employee will be affected by
6 the implementation of the innovation zone plan.

7 B. The panel created in subsection D of this section and the
8 principal shall determine which employees are eligible to vote in
9 accordance with this section. No employee may be eligible to vote
10 unless both the panel and the principal determine that the employee
11 is eligible to vote.

12 C. A secret ballot vote at a special meeting of all employees
13 regularly employed at the school who are eligible to vote shall be
14 conducted to determine the following:

- 15 1. The level of employee commitment to apply for designation as
16 an innovation zone in accordance with the School Innovation Zones
17 Act; and
- 18 2. The approval of an innovation zone plan as required by
19 Section 5 of this act.

20 D. A panel consisting of the faculty of the school or schools,
21 one representative of the support personnel employed at the school
22 and three parent members appointed by the principal shall call the
23 meeting required in subsection C of this section, conduct the vote
24 and certify the results to the principal and the board of education.

1 The panel shall provide notice of the special meeting to all
2 employees eligible to vote at least two (2) weeks prior to the
3 meeting and shall provide an absentee ballot to each employee
4 eligible to vote who cannot attend the meeting.

5 E. Approval of at least eighty percent (80%) of the employees
6 who are eligible to vote in accordance with this section shall be
7 required in order to demonstrate that the level of staff commitment
8 at the school is sufficient for the school to apply for designation
9 and before the plan is approved by the school.

10 F. An employee regularly employed at a school applying for or
11 designated as an innovation zone whose job duties may be affected by
12 implementation of the innovation zone plan or proposed plan may
13 request a transfer to another school in the school district. The
14 board of education shall make every reasonable effort to accommodate
15 the transfer.

16 SECTION 7. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 3-129.27 of Title 70, unless
18 there is created a duplication in numbering, reads as follows:

19 A. The State Board of Education shall annually review the
20 progress of the development or implementation of an innovation zone
21 plan.

22 B. The State Board of Education shall provide an annual report
23 on innovation zones and the progress of innovation zone plans to the
24

1 Governor, the Speaker of the House of Representatives and the
2 President Pro Tempore of the Senate.

3 SECTION 8. This act shall become effective November 1, 2013.
4

5 54-1-6527 KB 01/16/13
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24