

1 STATE OF OKLAHOMA

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

3 SENATE BILL 314

By: Ford

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5
6 AS INTRODUCED

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

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

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

21 A. There is hereby established the School District Empowerment
22 Program which shall be administered by the State Board of Education.
23 The purpose of the program is to empower locally elected school
24 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

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

8 2. Within ninety (90) days after receiving the request and
9 plan, the State Board shall approve or disapprove the request. If
10 the State Board does not approve the request, it shall provide to
11 the school district a written explanation of the basis for its
12 decision. The school district may resubmit an amended request at any
13 time after the denial. The request shall be approved by the state
14 Board before implementation by the school district. An approved
15 request and plan shall be for no longer than three (3) years. Prior
16 to the beginning of the third year, the school district may apply
17 for renewal of the approved request and plan. The school district
18 shall be required to submit an annual report and the State Board
19 shall annually assess the academic achievement and fiscal status of
20 the school district.

21 C. Nothing in this section shall prevent a school district
22 board of education from choosing to follow any or all state laws,
23 rules or regulations from which a charter school is exempt. A school
24 district which has been granted approval by the State Board for

1 exemption as set forth in subsection B of this section shall have
2 the option to adopt policies to implement any requirement for the
3 school district that is consistent with any statutory requirement or
4 mandate or State Board rule, but a participating school shall comply
5 with the following requirements:

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

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

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

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

22 5. School districts shall require any person employed by the
23 school district to file with the district board a current Oklahoma
24 criminal history record check from the Oklahoma State Bureau of

1 Investigation as well as a national criminal history record check as
2 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Each
3 district shall adopt a policy regarding criminal history record
4 checks as set forth in Section 5-142 of Title 70 of the Oklahoma
5 Statutes;

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

14 7. School districts shall employ as teachers, counselors,
15 librarians, school nurses, superintendents, principals, supervisors
16 or any other instructional, supervisory or administrative employee
17 only those persons who are certified or licensed by the State Board
18 of Education in accordance with the Oklahoma Teacher Preparation
19 Act, except for persons exempt from the certification or licensure
20 requirements as otherwise provided by law;

21 8. School districts shall be required to offer and students
22 enrolled in the school district shall be required to complete the
23 curriculum requirements as set forth in Section 11-103.6 of Title 70
24 of the Oklahoma Statutes;

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

5 10. Members of the school district board of education shall be
6 required to satisfy the instruction and continuing education
7 requirements as set forth in Sections 5-110, 5-110.1 and 5-110.2 of
8 Title 70 of the Oklahoma Statutes.

9 SECTION 2. This act shall become effective July 1, 2013.

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

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