

1 ENGROSSED SENATE AMENDMENT
TO
2 ENGROSSED HOUSE
BILL NO. 3156

By: Hickman, Fisher and Strohm
of the House

and

Jolley of the Senate

8 An Act relating to schools; amending Section 1,
Chapter 312, O.S.L. 2013, as amended by Section 3,
9 Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section
3-129.11), which relates to the School District
10 Empowerment Program; modifying application process
for school districts to become exempt from certain
11 statutory and regulatory requirements; adding process
for certain school districts; providing for adoption
12 of a resolution for exemption by the board of
education; requiring certain notification; providing
13 for continuation of exemption; requiring automatic
revocation of exemption under certain circumstances;
14 making certain exemption procedures apply to certain
school districts; updating statutory citation;
15 providing an effective date; and declaring an
emergency.

18 AUTHOR: Add the following Senate Coauthor: Loveless

19 AMENDMENT NO. 1. Page 1, line 19, insert a new Section 1 to read as
follows

20 "SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-129.3, is
21 amended to read as follows:
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1 Section 3-129.3. A. 1. A public school, zone~~7~~ or district may
2 submit to its school district board of education an empowerment plan
3 as described in subsection C of this section.

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

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

14 4. If the school district board of education approves the plan,
15 it shall proceed to seek approval of the school, zone~~7~~ or district
16 as an empowered school, zone~~7~~ or district pursuant to ~~Section 6~~
17 Section 3-129.6 of this ~~act~~ title.

18 B. A school district board of education may initiate and
19 collaborate with one or more public schools of the school district
20 to create one or more empowerment plans, as described in subsection
21 C of this section. In creating an empowerment plan the school
22 district board of education shall ensure that each public school
23 that would be affected by the plan has the opportunity to
24 participate in the creation of the plan.

1 C. Each empowerment plan shall include the following
2 information:

3 1. A statement of the mission of the school, zone or district
4 and why designation as an empowered school, zone or district would
5 enhance the ability of the school, zone or district to achieve its
6 mission;

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

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

- 18 a. the research-based educational program to be
19 implemented,
- 20 b. the length of school day and school year,
- 21 c. the student promotion and graduation policies to be
22 implemented,
- 23 d. the assessment plan,
- 24 e. the proposed budget, and

1 f. the proposed staffing plan;

2 4. A description of any statutory, regulatory~~7~~ or district
3 policy requirements that would need to be waived for the school,
4 zone~~7~~ or district to implement the identified innovations;

5 5. A description of any provision of the collective bargaining
6 agreement in effect for the personnel at the school, zone~~7~~ or
7 district that would need to be waived for the school, zone~~7~~ or
8 district to implement its identified innovation;

9 6. An identification of the improvements in academic
10 performance that the school, zone~~7~~ or district expects to achieve in
11 implementing the innovations;

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

15 8. Evidence that both a majority of the administrators and a
16 majority of the teachers employed at the school, zone~~7~~ or district
17 approve the empowerment plan and consent to the designation as an
18 empowered school, zone~~7~~ or district. The determination of approval
19 and consent of the plan shall be obtained by means of a secret
20 ballot vote pursuant to subsection E of this section;

21 9. A statement of the level of support for designation as an
22 empowered school, zone~~7~~ or district demonstrated by the other
23 persons employed at the school, zone~~7~~ or district, the students and
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1 parents of students enrolled in the school, zone~~7~~ or district~~7~~ and
2 the community surrounding the school, zone~~7~~ or district; and

3 10. Any additional information required by the school district
4 board of education of the school district in which the empowerment
5 plan would be implemented.

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

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

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

18 E. An empowerment plan approved by a school district board of
19 education pursuant to this section shall be submitted to the
20 teachers employed by each school included in the empowered zone or
21 district for their approval or disapproval. Approval, by means of a
22 secret ballot vote, shall be based on obtaining at each school
23 included in the empowered school zone or district at least a sixty
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1 percent (60%) supermajority vote of the teachers employed by the
2 school.

3 F. No employee of a school, zone, or district shall be
4 discriminated against by the school district board of education, the
5 superintendent of the school district, or any other administrative
6 officer of the school district or by any employee organization, an
7 officer of the organization, or a member of the organization for
8 exercising or not exercising the rights provided for under the
9 Empowered Schools and School Districts Act. An employee of a school
10 district or an officer or member of an employee organization shall
11 be prohibited from impeding, restraining or coercing an employee of
12 a school, zone or district from exercising the rights provided for
13 under the act or causing an employer to impede, restrain or coerce
14 an employee from exercising the rights provided for under the act."

15 and renumber subsequent sections

16 and amend the title to conform

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1 Passed the Senate the 19th day of April, 2016.

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3 _____
4 Presiding Officer of the Senate

5 Passed the House of Representatives the ____ day of _____,
6 2016.

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9 Presiding Officer of the House
10 of Representatives