

1 ENGROSSED HOUSE  
2 BILL NO. 3156

By: Hickman, Fisher and Strohm  
of the House

3 and

4 Jolley of the Senate  
5  
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8 An Act relating to schools; amending Section 1,  
9 Chapter 312, O.S.L. 2013, as amended by Section 3,  
10 Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section  
11 3-129.11), which relates to the School District  
12 Empowerment Program; modifying application process  
13 for school districts to become exempt from certain  
14 statutory and regulatory requirements; adding process  
15 for certain school districts; providing for adoption  
16 of a resolution for exemption by the board of  
17 education; requiring certain notification; providing  
18 for continuation of exemption; requiring automatic  
19 revocation of exemption under certain circumstances;  
20 making certain exemption procedures apply to certain  
21 school districts; updating statutory citation;  
22 providing an effective date; and declaring an  
23 emergency.  
24

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

19 SECTION 1. AMENDATORY Section 1, Chapter 312, O.S.L.  
20 2013, as amended by Section 3, Chapter 124, O.S.L. 2014 (70 O.S.  
21 Supp. 2015, Section 3-129.11), is amended to read as follows:

22 Section 3-129.11 A. There is hereby established the School  
23 District Empowerment Program which shall be administered by the  
24 State Board of Education. The purpose of the program is to empower

1 locally elected school board members to govern school districts and  
2 make decisions based on the needs of their students and  
3 circumstances.

4 B. ~~1.~~ Subject to the provisions of this section, a school  
5 district shall be allowed to ~~submit a request to the State Board of~~  
6 ~~Education for an exemption~~ become exempt from all statutory  
7 requirements and State Board of Education rules from which charter  
8 schools are exempt, as provided for in the Oklahoma Charter Schools  
9 Act, through the procedures set forth in subsection C or D of this  
10 section.

11 C. 1. A school district that has received an average grade of  
12 C or above on the annual school reports prepared by the State Board  
13 pursuant to Section 1210.545 of this title may elect to be exempt as  
14 provided for in subsection B of this section by adoption of a  
15 resolution by the board of education of the school district. Prior  
16 to adoption of a resolution, the board shall give notice of the  
17 proposed action which includes a list of the statutory requirements  
18 or mandates and State Board rules from which the board is proposing  
19 to be exempt and shall provide for a period of public review and  
20 comment.

21 2. The board shall notify the State Department of Education  
22 upon adoption of a resolution approving the exemption.  
23  
24

1       3. The adopted exemption shall continue until the board votes  
2 to revoke the exemption and comply with or implement the statutory  
3 requirements or mandates and State Board rules.

4       4. If a school district that has adopted an exemption as  
5 provided for in this subsection receives an average grade of D or  
6 lower on the annual school reports prepared by the State Board  
7 pursuant to Section 1210.545 of this title for two (2) consecutive  
8 years, the exemption shall be automatically revoked. Thereafter the  
9 school district shall only be allowed to apply for an exemption as  
10 provided for in subsection D of this section.

11       D. 1. A school district that has received an average grade of  
12 D or lower on the annual school reports prepared by the State Board  
13 pursuant to Section 1210.545 of this title may submit a request to  
14 the State Board for an exemption from all statutory requirements and  
15 State Board rules from which charter schools are exempt, as provided  
16 for in the Oklahoma Charter Schools Act. Any request for exemption  
17 shall include a plan which outlines the goals sought to be achieved  
18 at a minimum, include including the educational and fiscal benefits  
19 and the anticipated impacts or outcomes the plan will have in the  
20 district.

21       2. Within ninety (90) days after receiving the request and  
22 plan, the State Board shall approve or disapprove the request. If  
23 the State Board does not approve the request, it shall provide to  
24 the school district a written explanation of the basis for its

1 decision. The school district may resubmit an amended request at  
2 any time after the denial. The request shall be approved by the  
3 State Board before implementation by the school district. An  
4 approved request and plan shall be for no longer than three (3)  
5 years. Prior to the beginning of the third year, the school  
6 district may apply for renewal of the approved request and plan.  
7 The school district shall be required to submit an annual report and  
8 the State Board shall annually assess the academic achievement and  
9 fiscal status of the school district.

10 ~~C.~~ E. Nothing in this section shall prevent a school district  
11 board of education from choosing to follow any or all state laws,  
12 rules or regulations from which a charter school is exempt. A  
13 school district which has ~~been granted approval by the State Board~~  
14 ~~for an~~ an exemption as set forth in subsection ~~B C~~ C or D of this section  
15 shall have the option to adopt policies to implement any requirement  
16 for the school district that is consistent with any statutory  
17 requirement or mandate or State Board rule, but a participating  
18 school shall comply with the following requirements:

19 1. Students who reside in the school district shall be entitled  
20 to attend school in the district as set forth in Section 1-114 of  
21 this title;

22 2. School districts shall comply with the requirements of the  
23 minimum salary schedule for teachers as set forth in Section ~~18-~~  
24 ~~114.12~~ 18-114.14 of this title;

1           3. Employees of school districts shall continue to participate  
2 as members of the Teachers' Retirement System of Oklahoma as set  
3 forth in Section 17-101 et seq. of this title;

4           4. School districts shall comply with the requirement to  
5 provide a health insurance plan for school district employees as set  
6 forth in Section 5-117.5 of this title and to establish or make  
7 available to school district employees a cafeteria plan as set forth  
8 in Section 26-104 of this title;

9           5. School districts shall require any person employed by the  
10 school district to file with the district board a current Oklahoma  
11 criminal history record check from the Oklahoma State Bureau of  
12 Investigation as well as a national criminal history record check as  
13 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Each  
14 district shall adopt a policy regarding criminal history record  
15 checks as set forth in Section 5-142 of this title;

16           6. School districts shall comply with the requirement to  
17 evaluate teachers and to train personnel designated to conduct  
18 personnel evaluations as set forth in Sections 6-101.10 and 6-101.11  
19 of this title, the dismissal and due process procedures for  
20 administrators as set forth in Sections 6-101.13 through 6-101.15 of  
21 this title and the due process procedures for teachers as set forth  
22 in Sections 6-101.21 through 6-101.26 of this title;

23           7. School districts shall comply with the requirement to make  
24 payroll deductions for either or both professional organization dues

1 and political contributions upon the request of an employee as set  
2 forth in Section 5-139 of this title;

3 8. School districts shall comply with the dismissal and due  
4 process procedures for education support employees as set forth in  
5 Sections 6-101.40 through 6-101.47 of this title;

6 9. School districts shall employ as teachers, counselors,  
7 librarians, school nurses, superintendents, principals, supervisors  
8 or any other instructional, supervisory or administrative employee  
9 only those persons who are certified by the State Board of Education  
10 in accordance with the Oklahoma Teacher Preparation Act, except for  
11 persons exempt from the certification requirements as otherwise  
12 provided by law;

13 10. School districts shall provide for negotiations between  
14 school employees and school districts as set forth in Sections 509.1  
15 through 509.11 of this title;

16 11. School districts shall be required to offer and students  
17 enrolled in the school district shall be required to complete the  
18 curriculum requirements as set forth in Section 11-103.6 of this  
19 title;

20 12. Students enrolled in the school district shall be required  
21 to demonstrate mastery of the state academic content standards as  
22 set forth in Section 1210.523 of this title; and

23 13. Members of the school district board of education shall be  
24 required to satisfy the instruction and continuing education

