

1 **SENATE FLOOR VERSION**

2 February 22, 2016

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1187

By: Jolley and Brecheen

6
7 An Act relating to schools; amending Section 1,
8 Chapter 312, O.S.L. 2013, as amended by Section 3,
9 Chapter 124, O.S.L. 2014 (70 O.S. Supp. 2015, Section
10 3-129.11), which relates to the School District
11 Empowerment Program; removing certain requirements
12 for participation; requiring participating schools to
13 demonstrate mastery of certain standards; providing
14 for schools that do not demonstrate mastery;
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. AMENDATORY Section 1, Chapter 312, O.S.L.
19 2013, as amended by Section 3, Chapter 124, O.S.L. 2014 (70 O.S.
20 Supp. 2015, Section 3-129.11), is amended to read as follows:

21 Section 3-129.11. A. There is hereby established the School
22 District Empowerment Program which shall be administered by the
23 State Board of Education. The purpose of the program is to empower
24 locally elected school board members to govern school districts and
make decisions based on the needs of their students and
circumstances.

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

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

23 C. Nothing in this section shall prevent a school district
24 board of education from choosing to follow any or all state laws,

1 rules or regulations from which a charter school is exempt. A
2 school district which has been granted approval by the State Board
3 for exemption as set forth in subsection B of this section shall
4 have the option to adopt policies to implement any requirement for
5 the school district that is consistent with any statutory
6 requirement or mandate or State Board rule, ~~but a participating~~
7 ~~school shall comply with the following requirements:~~

8 ~~1. Students who reside in the school district shall be entitled~~
9 ~~to attend school in the district as set forth in Section 1-114 of~~
10 ~~this title;~~

11 ~~2. School districts shall comply with the requirements of the~~
12 ~~minimum salary schedule for teachers as set forth in Section 18-~~
13 ~~114.12 of this title;~~

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

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

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 this title;~~

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

12 ~~7. School districts shall comply with the requirement to make~~
13 ~~payroll deductions for either or both professional organization dues~~
14 ~~and political contributions upon the request of an employee as set~~
15 ~~forth in Section 5-139 of this title;~~

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

19 ~~9. School districts shall employ as teachers, counselors,~~
20 ~~librarians, school nurses, superintendents, principals, supervisors~~
21 ~~or any other instructional, supervisory or administrative employee~~
22 ~~only those persons who are certified by the State Board of Education~~
23 ~~in accordance with the Oklahoma Teacher Preparation Act, except for~~
24

~~persons exempt from the certification requirements as otherwise provided by law;~~

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

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

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

~~13. Members of the school district board of education shall be required to satisfy the instruction and continuing education requirements as set forth in Sections 5-110, 5-110.1 and 5-110.2 of this title.~~

D. Seventy-five percent (75%) of students enrolled in the empowered school district or empowered school site, as applicable, shall be required to demonstrate mastery of the state academic content standards as set forth in Section 1210.523 of this title. Provided, however, an empowered school district or empowered school site may demonstrate mastery if fifty percent (50%) of its students demonstrate more than one and one-half (1 1/2) years of growth in a measured academic year. An empowered school district or empowered

1 school site that is unable to demonstrate mastery as provided for in
2 this subsection shall be required to implement one of the four
3 intervention models set forth in Section 1210.544 of this title.

4 SECTION 2. This act shall become effective July 1, 2016.

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

9 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
February 22, 2016 - DO PASS AS AMENDED