

ENGROSSED SENATE
BILL NO. 834

By: Ford of the Senate

and

Jones of the House

[schools - School District Empowerment Program -
codification -

effective date]

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-129 of Title 70, unless there is created a duplication in numbering, reads as follows:

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

B. A school district identified by the State Board of Education for participation in the School District Empowerment Program shall be exempt from all statutory requirements and State Board of Education rules from which charter schools are exempt as provided for in the

Oklahoma Charter Schools Act, except as follows:

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

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

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

4. Districts shall comply with the requirement to provide a health insurance plan for employees of the district as set forth in Section 5-117.5; and

5. Districts shall require any person employed as a teacher to file with the district board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Each district shall adopt a policy regarding criminal history record checks as set forth in Section 5-142 of Title 70 of the Oklahoma Statutes or Section 5-142.1 of Title 70 of the Oklahoma Statutes, as applicable.

C. School districts which include a school that has been identified for school improvement for the 2009-2010 school year by the

State Board of Education pursuant to the Elementary and Secondary Education Act of 1965, as amended, 20 U.S.C. 6301 et seq., shall be identified for participation in the School District Empowerment Program and shall implement the program beginning in the 2010-2011 school year.

D. 1. By September 30, 2010, the State Board of Education shall randomly select twenty percent (20%) of districts from each of the following categories for implementation during the 2011-2012 school year:

- a. districts with an Average Daily Membership (ADM) of less than two hundred fifty (250),
- b. districts with an ADM of less than five hundred (500) and greater than or equal to two hundred fifty (250),
- c. districts with an ADM of less than two thousand (2,000) and greater than or equal to five hundred (500), and
- d. districts with an ADM of two thousand (2,000) or more.

2. The selection of districts as directed by this subsection shall:

- a. occur during open meetings of the Board,
- b. occur each year thereafter, for implementation by the districts selected during the following school year, until all districts have been selected to implement the program, and

c. be applicable to the number of districts in each category as of September 30, 2010, to allow for all districts to be selected by September 30, 2014.

SECTION 2. This act shall become effective September 1, 2009.

Passed the Senate the 10th day of March, 2009.

Presiding Officer of the Senate

Passed the House of Representatives the ____ day of _____,
2009.

Presiding Officer of the House
of Representatives