



JOY HOFMEISTER

STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

MEMORANDUM

TO: The Honorable Members of the State Board of Education

FROM: Brad Clark

DATE: April 25, 2019

SUBJECT: *Tulsa Beyond* –Empowerment Schools Zone Application

On April 5, 2019, the Oklahoma State Department of Education (the “OSDE”) received a request from Tulsa Public Schools (the “District”) for Board approval of its *Tulsa Beyond* Empowerment Schools Act Zone Application (the “Application” or “Plan”). The Oklahoma Empowered Schools and School Districts Act, at 70 O.S. § 3-129.1 *et seq.* (the “Act”), was enacted in 2013 to “empower locally elected school board members to govern school districts and make decisions based on the needs of their students and circumstances.” *See* 70 O.S. § 3-129.11. In effect, the Act allows a school district to submit a request to the State Board of Education (the “Board”) for an exemption from all statutory requirements and Board rules from which public charter schools are exempt.¹ Enclosed for your review and consideration is a copy of the Plan. In light of the information set forth below, the OSDE recommends Board approval of the Plan. Prior to embarking on a review of the Plan, an overview of the Act, its purposes and requirements is provided.

In considering or creating an empowerment plan, the Act *encourages* districts to consider innovations in certain areas, including but not limited to:

1. curriculum and academic standards and assessments;
2. accountability measures, including, but not limited to, formative assessments which measure student growth over time and/or measuring the percentage of students continuing into higher education;
3. Provision of services, including, but not limited to, special education services, services for gifted and talented students, services for limited English proficient students, educational services for students at risk of academic failure, expulsion, or dropping out; and support services provided by the Department of Human Services or county social services agencies; and,

¹ To the best of the OSDE’s knowledge, this is the first plan submitted requesting the flexibilities afforded by the Act.

4. Preparation and counseling of students for transition to postsecondary education or the workforce.

Provided, each empowerment plan **must contain** the following:

1. A statement of the mission of the school, zone, or district and why designation as an empowered school, zone, or district would enhance the ability of the school, zone, or district to achieve its mission;
2. A description of the innovations the school, zone, or district would implement, which may include, but not be limited to, innovations in school staffing, curriculum and assessment, class scheduling, use of financial and other resources, and faculty recruitment, employment, evaluation, and compensation;
3. A listing of the programs, policies, or operational documents within the school, zone, or district that would be affected by the innovations identified by the school, zone, or district and the manner in which they would be affected. The programs, policies, or operational documents may include, but not be limited to:
 - a. the research-based educational program to be implemented,
 - b. the length of school day and school year,
 - c. the student promotion and graduation policies to be implemented,
 - d. the assessment plan,
 - e. the proposed budget, and
 - f. the proposed staffing plan;
4. A description of any statutory, regulatory, or district policy requirements that would need to be waived for the school, zone, or district to implement the identified innovations;
5. A description of any provision of the collective bargaining agreement in effect for the personnel at the school, zone, or district that would need to be waived for the school, zone, or district to implement its identified innovation;
6. An identification of the improvements in academic performance that the school, zone, or district expects to achieve in implementing the innovations;
7. An estimate of the cost savings and increased efficiencies, if any, the school, zone, or district expects to achieve in implementing the identified innovations;
8. Evidence that both a majority of the administrators and a majority of the teachers employed at the school, zone, or district approve the empowerment plan and consent to the designation as an empowered school, zone, or district. The determination of approval and consent of the plan shall be obtained by means of a secret ballot vote;
9. A statement of the level of support for designation as an empowered school, zone, or district demonstrated by the other persons employed at the school, zone, or district, the students and parents of students enrolled in the school, zone, or district, and the community surrounding the school, zone, or district; and
10. Any additional information required by the school district board of education of the school district in which the empowerment plan would be implemented.

See 70 O.S. § 3-129.3

With respect to the Board's approval, the Act expressly provides that the Board **shall** approve the plan within sixty (60) days of receipt of said plan, unless it is determined that the plan:

1. Is likely to result in a decrease in academic achievement in the school, zone, or district, *or*
 2. Is not fiscally feasible.
- See 70 O.S. § 3-129.6.*

Similar to the review conducted on an application for Board sponsorship of a public charter school, if an empowerment plan is received, the OSDE utilizes a review team to ascertain compliance with the law, fulfillment of the purpose of the Act as well as a determination of the soundness and quality of the proposal. The Board's role in the charter school application process will include reviewing reported findings by Department staff, as well as reviewing applications, to determine appropriateness for approval based on the requirements at 70 O.S. §3-132(A)(8).

In the Plan, approved by the District's Board of Education on March 25, 2019, the District has requested to make an empowered zone² inclusive of the following schools: Nathan Hale High School, Daniel Webster High School, and Tulsa Learning Academy. Through the Plan, the District seeks regulatory flexibility in the areas of graduation requirements, attendance, and student learning through personalized learning mechanisms so as to provide the student with control over the pace and place of their education. Further, the Plan was developed over an extended period, including six (6) months of a school design process led not by the district, but by school-based teams of teachers, school leaders, students, and community members, including thousands of hours of community and stakeholder input. In addition, as a part of the collaborative process, school personnel at the requested empowered zone sites voted in favor of the zone at more than 90%.

Again, a copy of the Plan is provided for your review and consideration. As always, should you have any questions relating to the Plan, the OSDE's recommendation for approval of the Plan, or otherwise, please do not hesitate to contact me.

² An "Empowered school zone" is defined in the Act to mean a group of schools of a school district that share common interests, such as geographical location or educational focus, or that sequentially serve classes of students as they progress through elementary and secondary education and in which a school district board of education implements an empowerment plan.

Enclosures: *Tulsa Beyond* Empowerment Schools Act Zone Application
Oklahoma Empowered Schools and School Districts Act

BSC/State of Oklahoma/OneDrive/Board Meeting/Memo – TPS Empowerment