

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2572

By: Morgan (Fred)

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2001, Section 3-118.1, as amended by Section 1, Chapter 446, O.S.L. 2002 (70 O.S. Supp. 2003, Section 3-118.1), which relates to budget and operations performance reviews; authorizing the Office of Accountability and Education Oversight Board to select school districts annually for review; allowing certain governmental officials to request a performance review of a school district; providing for the cost of such requested review; updating language relating to use of legislative appropriations; directing the Office of Accountability to engage in certain outreach and technical assistance; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-118.1, as amended by Section 1, Chapter 446, O.S.L. 2002 (70 O.S. Supp. 2003, Section 3-118.1), is amended to read as follows:

Section 3-118.1 A. The Office of Accountability is hereby authorized to conduct a performance review program to determine the effectiveness and efficiency of the budget and operations of school districts that have administrative:

1. Administrative service costs which are above the expenditure limits established for school districts in Section 18-124 of this title; and

2. Been selected by the Office of Accountability and approved by the Education Oversight Board for review.

B. The Governor, Superintendent of Public Instruction or any member of the Legislature, upon written approval of the Speaker of the House of Representatives or the President Pro Tempore of the Senate as applicable, may request a performance review of a school district by the Office of Accountability. If so requested, the entire cost of the review shall be borne by the Office of Accountability and shall be contingent upon the availability of funding.

C. Funds appropriated by the Legislature to the ~~State Board of Education~~ State Regents for Higher Education for the Office of Accountability ~~for fiscal year 2002 and subsequent years~~ may be expended to fulfill the provisions of this act. The Office of Accountability may contract with an outside entity or hire personnel to assist in the development and design of the program. The Office of Accountability may contract with outside entities to assist in conducting performance review programs. Such entities shall be chosen through a competitive bid process. Invitations to bid for the performance reviews shall be open to any public or private entity. Contracts for performance reviews shall not be done on a sole source basis.

~~B.~~ D. The board of education of any school district in the state may, by majority vote, request the Office of Accountability to conduct a performance review of that school district. If a school district requests a performance review, twenty-five percent (25%) of the entire cost of the review shall be borne by the school district.

~~C.~~ E. The Office of Accountability shall engage in outreach and technical assistance to help school districts and others understand, interpret, and apply the recommendations and "best practices" resulting from performance reviews conducted pursuant to the school performance review program.

F. After a performance review of a school district is completed by the Office of Accountability, the school district may implement all or part of the recommendations contained in the review.

~~D.~~ G. If a school district experiences a cost savings that is directly attributable to implementation of performance review recommendations, the cost savings shall be expended by the school district for classroom expenses. Classroom expenses shall include but are not limited to teacher salaries and purchasing textbooks, teaching material, technology and other classroom equipment. Classroom expenditures shall not include administrative services as defined in Section 18-124 of this title or for equipment or materials for administrative staff.

SECTION 2. This act shall become effective July 1, 2004.

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

49-2-8485

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