

3 Senate Bill No. 399  
4 As Amended

5 SENATE BILL NO. 399 - By: MONSON of the Senate and MORGAN (Fred) of  
6 the House.

7 [ schools - budget and operations - performance reviews -  
8 effective date ]

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

10 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-118.1, as  
11 amended by Section 1, Chapter 446, O.S.L. 2002 (70 O.S. Supp. 2004,  
12 Section 3-118.1), is amended to read as follows:

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

17 1. Administrative service costs which are above the expenditure  
18 limits established for school districts in Section 18-124 of this  
19 title or have total expenditures in excess of the district's adopted  
20 budget;

21 2. At least one school identified for school improvement as  
22 determined by the State Board of Education pursuant to the  
23 requirements of the No Child Left Behind Act of 2001, P.L. No. 107-  
24 110;

1        3. Had a request for a performance review submitted by the  
2 Governor ~~or~~ the State Superintendent of Public Instruction; or

3        4. Submitted a request for a performance review subsequent to a  
4 majority vote of the district's board of education.

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

17        ~~B. The board of education of any school district in the state~~  
18 ~~may, by majority vote, request the Office of Accountability to~~  
19 ~~conduct a performance review of that school district.~~

20        C. 1. If a performance review is conducted as authorized  
21 pursuant to paragraphs 1 through 3 of subsection A of this section,  
22 the entire cost of the review shall be borne by the Office of  
23 Accountability.

1        2. If a school district requests a performance review, as  
2 authorized pursuant to paragraph 4 of subsection A of this section,  
3 twenty-five percent (25%) of the entire cost of the review shall be  
4 borne by the school district and seventy-five percent (75%) of the  
5 cost of the review shall be borne by the Office of Accountability.

6        3. Districts shall be selected for review by the Education  
7 Oversight Board contingent upon the availability of funding.

8        ~~E.~~ D. The Office of Accountability shall engage in follow-up,  
9 outreach and technical assistance to help school districts and  
10 others understand, interpret, and apply the recommendations and best  
11 practices resulting from performance reviews conducted pursuant to  
12 this section.

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

16        ~~D.~~ F. If a school district experiences a cost savings that is  
17 directly attributable to implementation of performance review  
18 recommendations, the cost savings shall be expended by the school  
19 district for classroom expenses. Classroom expenses shall include  
20 but are not limited to teacher salaries and purchasing textbooks,  
21 teaching material, technology and other classroom equipment.  
22 Classroom expenditures shall not include administrative services as

1 defined in Section 18-124 of this title or for equipment or  
2 materials for administrative staff.

3 SECTION 2. This act shall become effective November 1, 2005.

4 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-23-05 - DO  
5 PASS, As Amended and Coauthored.