

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 268 By: Ford of the Senate
3 and
4 Sears of the House
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7 An Act relating to schools; requiring certain
8 district boards of education to implement certain
9 alternative governance arrangements in accordance
10 with federal law; directing State Board of Education
11 to take certain actions and withhold certain funds
12 from districts for failure to comply; providing for
13 codification; providing an effective date; and
14 declaring an emergency.

15 AUTHOR: Add the following House Coauthor: Hickman
16 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
17 entire bill and insert

18 "An Act relating to schools; requiring certain
19 district boards of education to implement certain
20 alternative governance arrangements in accordance
21 with federal law; directing State Board of Education
22 to take certain actions and retain certain funds
23 from districts for failure to comply; providing for
24 codification.

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

1 SECTION 1. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 1210.544 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 A. Notwithstanding any other provision of state law, for
5 schools that are identified for school improvement by the State
6 Board of Education for four (4) consecutive years, the district
7 board of education shall implement one of the following alternative
8 governance arrangements for the school in accordance with
9 subparagraph (B) of subsection (b) (8) of Section 1116 of Public Law
10 No. 107-110:

11 1. Reopening the school as a public charter school;

12 2. Replacing all or most of the school staff assigned to the
13 school, which may include the principal, who are relevant to the
14 failure to make adequate yearly progress and by transferring the
15 replaced staff to another school or by dismissing or not reemploying
16 the replaced staff in accordance with the provisions of the Teacher
17 Due Process Act of 1990;

18 3. Entering into a contract with an entity, such as a private
19 management company, with a demonstrated record of effectiveness, to
20 operate the public school;

21 4. Turning the operation of the school over to the State Board
22 of Education; or

23 5. Any other major restructuring of the governance arrangement
24 of the school that makes fundamental reforms, such as significant

1 changes in the staffing and governance of the school, to improve
2 student academic achievement in the school and that has substantial
3 promise of enabling the school to make adequate yearly progress. If
4 the chosen governance arrangement does not produce adequate yearly
5 progress within two (2) years from the date of implementation of the
6 restructured governance arrangement, the State Board of Education
7 shall assume control of the school as provided for in subsection B
8 of this section.

9 B. For any school that fails to comply with the provisions of
10 subsection A of this section by the end of the school year following
11 its identification for school improvement for four (4) consecutive
12 years, the State Board of Education shall assume control of the
13 management and operations of the school, including control of the
14 staff assigned to the school. The Board shall retain all funds that
15 otherwise would have been allocated to the school district based on
16 the average daily membership of the school which shall be used to
17 operate the school.”

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1 Passed the House of Representatives the 16th day of April, 2009.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2009.

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9 Presiding Officer of the Senate
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