

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 COMMITTEE SUBSTITUTE

4 FOR ENGROSSED

5 SENATE BILL NO. 268

By: Ford of the Senate

and

Sears of the House

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9 COMMITTEE SUBSTITUTE

10 An Act relating to schools; requiring certain
11 district boards of education to implement certain
12 alternative governance arrangements in accordance
13 with federal law; directing State Board of Education
14 to take certain actions and withhold certain funds
15 from districts for failure to comply; providing for
16 codification; and declaring an emergency.

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

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

21 A. Notwithstanding any other provision of state law, for
22 schools that are identified for school improvement by the State
23 Board of Education for four (4) consecutive years, the district
24 board of education shall implement one of the following alternative
governance arrangements for the school in accordance with

1 subparagraph (B) of subsection (b) (8) of section 1116 of Public Law
2 No. 107-110:

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

4 2. Replacing all or most of the school staff, which may include
5 the principal, who are relevant to the failure to make adequate
6 yearly progress;

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

10 4. Turning the operation of the school over to the State Board
11 of Education; or

12 5. Any other major restructuring of the school's governance
13 arrangement that makes fundamental reforms, such as significant
14 changes in the school's staffing and governance, to improve student
15 academic achievement in the school and that has substantial promise
16 of enabling the school to make adequate yearly progress. If the
17 chosen governance arrangement does not produce adequate yearly
18 progress within two (2) years from the effective date of this act,
19 the State Board of Education shall assume control of the school as
20 provided for in subsection B of this section.

21 B. For any school that fails to comply with the provisions of
22 subsection A of this section by the end of the school year following
23 its identification for school improvement for four (4) consecutive
24 years, the State Board of Education shall assume control of the

1 management and operations of the school and withhold from the
2 district all funds that otherwise would have been allocated to the
3 district based on the average daily membership at the school site.

4 SECTION 2. It being immediately necessary for the preservation
5 of the public peace, health and safety, an emergency is hereby
6 declared to exist, by reason whereof this act shall take effect and
7 be in full force from and after its passage and approval.

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