

ENROLLED SENATE
BILL NO. 268

By: Ford of the Senate

and

Sears and Hickman of the
House

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

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

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

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

1. Reopening the school as a public charter school;
2. Replacing all or most of the school staff assigned to the school, which may include the principal, who are relevant to the failure to make adequate yearly progress and by transferring the replaced staff to another school or by dismissing or not reemploying

the replaced staff in accordance with the provisions of the Teacher Due Process Act of 1990;

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

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

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

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

Passed the Senate the 6th day of May, 2009.

Presiding Officer of the Senate

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

Presiding Officer of the House
of Representatives