

ENROLLED SENATE
BILL NO. 473

By: Ford of the Senate

and

Banz of the House

An Act relating to schools; amending 70 O.S. 2001, Section 3-118.1, as last amended by Section 14, Chapter 432, O.S.L. 2005 (70 O.S. Supp. 2008, Section 3-118.1), which relates to school performance reviews; providing additional criteria under which a review may be conducted; updating internal reference; 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 last amended by Section 14, Chapter 432, O.S.L. 2005 (70 O.S. Supp. 2008, 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:

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

2. A district Academic Performance Index (API) score, calculated pursuant to Section 3-150 of this title, that is below the state average API;

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

4. A district student eligibility rate for free or reduced-price meals under the National School Lunch Act that is above the state average; or

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

B. Funds appropriated by the Legislature to the State Regents for Higher Education for the Office of Accountability may be expended to fulfill the provisions of this section. 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.

C. 1. If a performance review is conducted as authorized pursuant to paragraphs 1 through ~~3~~ 4 of subsection A of this section, the entire cost of the review shall be borne by the Office of Accountability.

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

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

D. The Office of Accountability shall engage in follow-up, 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 this section.

E. 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.

F. 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, 2009.

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.

Passed the Senate the 4th day of May, 2009.

Presiding Officer of the Senate

Passed the House of Representatives the 1st day of April, 2009.

Presiding Officer of the House
of Representatives