

THE HOUSE OF REPRESENTATIVES  
Monday, April 13, 2009

Committee Substitute for  
ENGROSSED  
Senate Bill No. 268

COMMITTEE SUBSTITUTE FOR ENGROSSED SENATE BILL NO. 268 - By: FORD of the Senate and SEARS 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 withhold certain funds from districts for failure to comply; providing for codification; and declaring an emergency.

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

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

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

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

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

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

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

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

13           B. For any school that fails to comply with the provisions of subsection A of this  
14 section by the end of the school year following its identification for school improvement  
15 for four (4) consecutive years, the State Board of Education shall assume control of the  
16 management and operations of the school and withhold from the district all funds that  
17 otherwise would have been allocated to the district based on the average daily  
18 membership at the school site.

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

1 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 04-09-09  
2 - DO PASS, As Amended.