

THE HOUSE OF REPRESENTATIVES  
Monday, March 30, 2009

Committee Substitute for  
ENGROSSED  
Senate Bill No. 473

COMMITTEE SUBSTITUTE FOR ENGROSSED 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:

1 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-118.1, as last amended  
2 by Section 14, Chapter 432, O.S.L. 2005 (70 O.S. Supp. 2008, Section 3-118.1), is  
3 amended to read as follows:

4 Section 3-118.1 A. The Office of Accountability is hereby authorized to conduct a  
5 performance review program to determine the effectiveness and efficiency of the budget  
6 and operations of school districts that have:

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

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

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

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

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

9           B. Funds appropriated by the Legislature to the State Regents for Higher  
10 Education for the Office of Accountability may be expended to fulfill the provisions of this  
11 section. The Office of Accountability may contract with an outside entity or hire  
12 personnel to assist in the development and design of the program. The Office of  
13 Accountability may contract with outside entities to assist in conducting performance  
14 review programs. Such entities shall be chosen through a competitive bid process.  
15 Invitations to bid for the performance reviews shall be open to any public or private  
16 entity. Contracts for performance reviews shall not be done on a sole source basis.

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

20           2. If a school district requests a performance review, as authorized pursuant to  
21 paragraph 4 5 of subsection A of this section, twenty-five percent (25%) of the entire cost

1 of the review shall be borne by the school district and seventy-five percent (75%) of the  
2 cost of the review shall be borne by the Office of Accountability.

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

5 D. The Office of Accountability shall engage in follow-up, outreach and technical  
6 assistance to help school districts and others understand, interpret, and apply the  
7 recommendations and best practices resulting from performance reviews conducted  
8 pursuant to this section.

9 E. After a performance review of a school district is completed by the Office of  
10 Accountability, the school district may implement all or part of the recommendations  
11 contained in the review.

12 F. If a school district experiences a cost savings that is directly attributable to  
13 implementation of performance review recommendations, the cost savings shall be  
14 expended by the school district for classroom expenses. Classroom expenses shall include  
15 but are not limited to teacher salaries and purchasing textbooks, teaching material,  
16 technology and other classroom equipment. Classroom expenditures shall not include  
17 administrative services as defined in Section 18-124 of this title or for equipment or  
18 materials for administrative staff.

19 SECTION 2. This act shall become effective July 1, 2009.

20 SECTION 3. It being immediately necessary for the preservation of the public  
21 peace, health and safety, an emergency is hereby declared to exist, by reason whereof  
22 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 03-26-09  
2 - DO PASS, As Amended.