

3 Senate Bill No. 268

4 SENATE BILL NO. 268 - By: Ford of the Senate and Sears of the House.

5 An Act relating to schools; requiring certain district  
6 boards of education to implement certain alternative  
7 governance arrangements in accordance with federal law;  
8 directing State Board of Education to take certain actions  
9 and withhold certain funds from districts for failure to  
10 comply; providing for codification; providing an effective  
11 date; and declaring an emergency.

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

13 SECTION 1. NEW LAW A new section of law to be codified  
14 in the Oklahoma Statutes as Section 1210.543 of Title 70, unless  
15 there is created a duplication in numbering, reads as follows:

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

- 23 1. Reopening the school as a public charter school;  
24 2. Replacing all or most of the school staff, which may include  
25 the principal, who are relevant to the failure to make adequate  
26 yearly progress;

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

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

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

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

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

1           SECTION 3. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

5 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 2-16-09 - DO  
6 PASS, As Coauthored.