

SB 473

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THE STATE SENATE  
Monday, February 9, 2009

Senate Bill No. 473  
As Amended

SENATE BILL NO. 473 - By: Ford of the Senate and Banz of the House.

[ schools - school performance reviews - effective date -  
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~~

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

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

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

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

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

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

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

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

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

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

23 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 2-2-09 - DO PASS,  
6 As Amended and Coauthored.