

1 STATE OF OKLAHOMA

2 1st Session of the 52nd Legislature (2009)

3 SENATE BILL 473

By: Ford

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,
8 Section 3-118.1, as last amended by Section 14,
9 Chapter 432, O.S.L. 2005 (70 O.S. Supp. 2008, Section
10 3-118.1), which relates to school performance
11 reviews; providing additional criteria under which a
12 review may be conducted; providing for cost of review
13 to be paid by Office of Accountability; updating
14 internal reference; providing an effective date; and
15 declaring an emergency.

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

17 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-118.1, as
18 last amended by Section 14, Chapter 432, O.S.L. 2005 (70 O.S. Supp.
19 2008, Section 3-118.1), is amended to read as follows:

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

24 1. Administrative service costs which are above the expenditure
limits established for school districts in Section 18-124 of this

1 title or have total expenditures in excess of the district's adopted
2 budget;

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

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

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

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

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

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

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

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

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

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

21 F. If a school district experiences a cost savings that is
22 directly attributable to implementation of performance review
23 recommendations, the cost savings shall be expended by the school
24 district for classroom expenses. Classroom expenses shall include

1 but are not limited to teacher salaries and purchasing textbooks,
2 teaching material, technology and other classroom equipment.
3 Classroom expenditures shall not include administrative services as
4 defined in Section 18-124 of this title or for equipment or
5 materials for administrative staff.

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

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

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