

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 COMMITTEE SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 3390

6 By: Cargill

7 COMMITTEE SUBSTITUTE

8 (Schools - Higher Outcomes and Performance in
9 Education (HOPE) Rewards Act of 2008 - codification
10 - effective date -
11 emergency)

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

16 SECTION 1. NEW LAW A new section of law to be codified
17 in the Oklahoma Statutes as Section 6-301 of Title 70, unless there
18 is created a duplication in numbering, reads as follows:

19 This act shall be known and may be cited as the "Higher Outcomes
20 and Performance in Education (HOPE) Rewards Act of 2008".

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 6-302 of Title 70, unless there
23 is created a duplication in numbering, reads as follows:

24 A. The State Board of Education shall:

1 1. Establish a grant award as part of the Higher Outcomes and
2 Performance in Education (HOPE) Rewards Program under which an
3 eligible school district or an individual school site may receive a
4 grant in the manner provided for in the Higher Outcomes and
5 Performance in Education (HOPE) Rewards Act of 2008; and

6 2. Adopt program guidelines for school districts or school
7 sites to follow in developing an outcomes and performance
8 improvement plan as provided for in Section 3 of this act.

9 B. For purposes of the HOPE Rewards Act, a charter school
10 established pursuant to the Oklahoma Charter Schools Act shall be
11 considered a school site and shall be eligible to receive a grant
12 and participation in the program.

13 SECTION 3. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 6-303 of Title 70, unless there
15 is created a duplication in numbering, reads as follows:

16 A. To be eligible to receive an outcomes and performance
17 improvement grant, the school district or school site shall develop
18 an outcomes and performance improvement plan. The plan shall
19 include measures for improving school district, school site,
20 teacher, and individual student performance.

21 B. The outcomes and performance improvement plan shall be
22 approved by the school district board of education and have the
23 following components:

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- 1 1. A student assessment system using nationally recognized
2 assessments and evaluation tools to measure student performance and
3 progress;
- 4 2. Performance goals and benchmarks for improvement;
- 5 3. Measures of student attendance and completion rates;
- 6 4. A rigorous professional development system that is aligned
7 with educational improvement and student needs, is designed to
8 achieve teaching quality improvement, is consistent with clearly
9 defined research-based standards, and may be led during the school
10 day by trained teacher leaders;
- 11 5. A data system which can track students and their academic
12 progress;
- 13 6. A teacher leadership and collaboration system with various
14 career paths which includes a mentoring program for resident
15 teachers that provides continuous learning and sustained teacher
16 support and a master teacher program that allows teachers to assume
17 leadership roles;
- 18 7. An objective evaluation system that includes individual
19 teacher evaluations aligned with the educational improvement goals
20 and professional development goals and objective team evaluations
21 using multiple criteria conducted by locally selected and
22 periodically trained evaluation teams that understand teaching and
23 learning;

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1 8. A teacher performance pay system as prescribed in Section 4
2 of this act; and

3 9. A review and evaluation tool to measure progress and success
4 of the plan.

5 C. A school district or school site outcomes and performance
6 improvement plan shall be submitted to the State Board of Education
7 together with evidence:

8 1. Of significant classroom teacher involvement in the
9 development of the plan as demonstrated through meeting attendance
10 records, minutes of meetings, or other appropriate means;

11 2. Of classroom teacher support of the plan;

12 3. That the plan has been made available for public review and
13 comment; and

14 4. That the plan has been presented to the public at a
15 regularly scheduled meeting of the board of education.

16 D. The State Board of Education shall contract for technical
17 assistance in the process of reviewing and approving outcomes and
18 performance improvement plans submitted pursuant to this section.
19 The entity contracting with the Board to provide technical
20 assistance shall be a statewide, nonprofit organization located in
21 the state that was formed through a partnership between business and
22 education interests and which has a goal of improving the quality of
23 public education in the state. The entity contracting to provide
24 technical assistance shall review and evaluate each outcomes and

1 performance improvement plan submitted to the Board to determine if
2 the plan meets the program guidelines adopted by the Board pursuant
3 to Section 1 of this act and the requirements of the Higher Outcomes
4 and Performance in Education (HOPE) Rewards Act of 2008. The
5 contracting entity shall report the evaluation results of each plan
6 to the Board. The Board shall approve a plan only if it has been
7 evaluated and determined by the contracting entity to meet the
8 program guidelines and the requirements of the HOPE Act.

9 SECTION 4. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 6-304 of Title 70, unless there
11 is created a duplication in numbering, reads as follows:

12 A. To be eligible to receive an outcomes and performance
13 improvement grant, each school district or school site shall
14 include, as part of the outcomes and performance improvement plan, a
15 teacher performance pay system. The teacher performance pay system
16 shall include a description of how:

17 1. Teachers can achieve career advancement and additional
18 compensation;

19 2. Teachers will be provided with career advancement options
20 that allow teachers to retain primary roles in student instruction;
21 and

22 3. Compensation will be tied to each element of the teacher
23 performance pay system listed in subsection B of this section.

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1 B. Additional teacher compensation under a teacher performance
2 pay system shall be based on each of the following elements:

3 1. Class-level, site-level, and for school districts, school-
4 district-wide student achievement gains using nationally recognized
5 standardized assessment outcomes, attendance goals, and completion
6 gains;

7 2. Objective teacher evaluations using both individual teacher
8 evaluations aligned with educational improvement goals and team
9 evaluations using multiple criteria conducted by trained evaluation
10 teams;

11 3. Participation in the ongoing rigorous professional
12 development system activities; and

13 4. Participation in the teacher leadership and collaboration
14 system career path roles.

15 C. Each teacher performance pay plan shall establish the amount
16 or percentage of available compensation that is tied to each
17 element. A majority of the total additional compensation available
18 to teachers under a teacher performance pay plan shall be based on
19 student achievement gains as described in paragraph 1 of subsection
20 B of this section.

21 SECTION 5. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 6-305 of Title 70, unless there
23 is created a duplication in numbering, reads as follows:

1 A. For the 2008-2009 school year, and for each year thereafter,
2 the State Board of Education shall award up to twenty-five grants to
3 school districts or school sites that have submitted an outcomes and
4 performance improvement plan and have received approval of the plan.
5 Each approved school district or school site shall be entitled to a
6 grant award which shall be used to implement the plan.

7 B. A school district or school site shall use not less than
8 seventy-five percent (75%) of a grant award received under this
9 section to provide teacher performance payments to classroom
10 teachers employed by the school. To the extent practicable, the
11 minimum performance payment made to classroom teachers shall be an
12 amount of not less than One Thousand Dollars (\$1,000.00).

13 C. A school district or school site shall use not more than
14 twenty-five percent (25%) of a grant award received under this
15 section to provide for:

16 1. Performance payments to school employees other than
17 classroom teachers, including but not limited to principals,
18 assistant principals, counselors, speech therapists, instructional
19 coaches, teacher aides, nurses, librarians, members of the custodial
20 staff, or other campus employees who have contributed to improved
21 student achievement;

22 2. Funding for ongoing professional development activities;
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1 3. An activity that creates or furthers the goals of the
2 outcomes and performance improvement plan and is designed to improve
3 student achievement; and

4 4. A comprehensive annual evaluation of the outcomes and
5 performance improvement plan implemented by the school district or
6 school site.

7 SECTION 6. NEW LAW A new section of law to be codified
8 in the Oklahoma Statutes as Section 6-306 of Title 70, unless there
9 is created a duplication in numbering, reads as follows:

10 A. The State Board of Education shall conduct, or contract with
11 another entity to conduct, a comprehensive evaluation of the Higher
12 Outcomes and Performance in Education (HOPE) Rewards Program
13 established pursuant to the Higher Outcomes and Performance in
14 Education (HOPE) Rewards Act of 2008. The evaluation shall include:

15 1. A descriptive analysis of the design and implementation of
16 the outcomes and performance improvement plans of participating
17 school districts or school sites;

18 2. Detailed information regarding the distribution of
19 performance payments to classroom teachers under a teacher
20 performance pay plan system, including the measurements used by the
21 school districts in determining the amounts of payments;

22 3. A comprehensive, quantitative analysis of the impact of the
23 HOPE Rewards Program on participating school districts or school
24 sites, including the impact on key objectives of the programs,

1 specifically student achievement gains, student attendance, student
2 completion rates, teacher retention, and teacher satisfaction; and

3 4. A summary of the approaches used by participating school
4 districts or school sites in distributing grant funds that are not
5 specifically designated as payments to teachers and an assessment of
6 whether those funds are used effectively by the participating
7 schools.

8 B. Not later than December 1, 2010, the Board shall prepare a
9 preliminary report describing the interim results of the evaluation
10 conducted in accordance with this section. Not later than December
11 1, 2012, and each year thereafter, the Board shall prepare and
12 deliver to each member of the Legislature a completed report
13 describing the results of the evaluation.

14 SECTION 7. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 6-307 of Title 70, unless there
16 is created a duplication in numbering, reads as follows:

17 The State Board of Education shall adopt rules necessary to
18 implement the Higher Outcomes and Performance in Education (HOPE)
19 Rewards Act of 2008.

20 SECTION 8. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 6-308 of Title 70, unless there
22 is created a duplication in numbering, reads as follows:

23 There is hereby created in the State Treasury a revolving fund
24 for the State Board of Education to be designated the "Higher

1 Outcomes and Performance in Education (HOPE) Rewards Revolving
2 Fund". The fund shall be a continuing fund, not subject to fiscal
3 year limitations, and shall consist of all monies received by the
4 State Board of Education from monies appropriated by the Legislature
5 for the Higher Outcomes and Performance in Education (HOPE) Rewards
6 Program. All monies accruing to the credit of the fund are hereby
7 appropriated and may be budgeted and expended by the State Board of
8 Education for the purpose of implementing the Higher Outcomes and
9 Performance in Education (HOPE) Rewards Program. Expenditures from
10 the fund shall be made upon warrants issued by the State Treasurer
11 against claims filed as prescribed by law with the Director of State
12 Finance for approval and payment.

13 SECTION 9. This act shall become effective July 1, 2008.

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

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