

1 ENGROSSED HOUSE
2 BILL NO. 3390

By: Cargill and Jones of the
House

3 and

4 Jolley of the Senate

5
6
7 (schools - Higher Outcomes and Performance in
8 Education (HOPE) Rewards Act of 2008 - codification -
9 effective date)
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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

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

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

22 A. The State Board of Education shall:

23 1. Establish a grant award as part of the Higher Outcomes and
24 Performance in Education (HOPE) Rewards Program under which an

1 eligible school district or an individual school site may receive a
2 grant in the manner provided for in the Higher Outcomes and
3 Performance in Education (HOPE) Rewards Act of 2008; and

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

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

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

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

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

22 1. A student assessment system using nationally recognized
23 assessments and evaluation tools to measure student performance and
24 progress;

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

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

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

7 2. Of classroom teacher support of the plan;

8 3. That the plan has been made available for public review and
9 comment; and

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

12 D. The State Board of Education shall contract for technical
13 assistance in the process of reviewing and approving outcomes and
14 performance improvement plans submitted pursuant to this section.

15 The entity contracting with the Board to provide technical
16 assistance shall be a statewide, nonprofit organization located in
17 the state that was formed through a partnership between business and
18 education interests and which has a goal of improving the quality of
19 public education in the state. The entity contracting to provide
20 technical assistance shall review and evaluate each outcomes and
21 performance improvement plan submitted to the Board to determine if
22 the plan meets the program guidelines adopted by the Board pursuant
23 to Section 2 of this act and the requirements of the Higher Outcomes
24 and Performance in Education (HOPE) Rewards Act of 2008. The

1 contracting entity shall report the evaluation results of each plan
2 to the Board. The Board shall approve a plan only if it has been
3 evaluated and determined by the contracting entity to meet the
4 program guidelines and the requirements of the HOPE Act.

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

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

13 1. Teachers can achieve career advancement and additional
14 compensation;

15 2. Teachers will be provided with career advancement options
16 that allow teachers to retain primary roles in student instruction;
17 and

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

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

22 1. Class-level, site-level, and for school districts, school-
23 district-wide student achievement gains using nationally recognized
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1 standardized assessment outcomes, attendance goals, and completion
2 gains;

3 2. Objective teacher evaluations using both individual teacher
4 evaluations aligned with educational improvement goals and team
5 evaluations using multiple criteria conducted by trained evaluation
6 teams;

7 3. Participation in the ongoing rigorous professional
8 development system activities; and

9 4. Participation in the teacher leadership and collaboration
10 system career path roles.

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

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

20 A. For the 2008-2009 school year, and for each year thereafter,
21 the State Board of Education shall award up to twenty-five grants to
22 school districts or school sites that have submitted an outcomes and
23 performance improvement plan and have received approval of the plan.

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1 Each approved school district or school site shall be entitled to a
2 grant award which shall be used to implement the plan.

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

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

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

18 2. Funding for ongoing professional development activities;

19 3. An activity that creates or furthers the goals of the
20 outcomes and performance improvement plan and is designed to improve
21 student achievement; and

22 4. A comprehensive annual evaluation of the outcomes and
23 performance improvement plan implemented by the school district or
24 school site.

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

4 A. The State Board of Education shall conduct, or contract with
5 another entity to conduct, a comprehensive evaluation of the Higher
6 Outcomes and Performance in Education (HOPE) Rewards Program
7 established pursuant to the Higher Outcomes and Performance in
8 Education (HOPE) Rewards Act of 2008. The evaluation shall include:

9 1. A descriptive analysis of the design and implementation of
10 the outcomes and performance improvement plans of participating
11 school districts or school sites;

12 2. Detailed information regarding the distribution of
13 performance payments to classroom teachers under a teacher
14 performance pay plan system, including the measurements used by the
15 school districts in determining the amounts of payments;

16 3. A comprehensive, quantitative analysis of the impact of the
17 HOPE Rewards Program on participating school districts or school
18 sites, including the impact on key objectives of the programs,
19 specifically student achievement gains, student attendance, student
20 completion rates, teacher retention, and teacher satisfaction; and

21 4. A summary of the approaches used by participating school
22 districts or school sites in distributing grant funds that are not
23 specifically designated as payments to teachers and an assessment of
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1 whether those funds are used effectively by the participating
2 schools.

3 B. Not later than December 1, 2010, the Board shall prepare a
4 preliminary report describing the interim results of the evaluation
5 conducted in accordance with this section. Not later than December
6 1, 2012, and each year thereafter, the Board shall prepare and
7 deliver to each member of the Legislature a completed report
8 describing the results of the evaluation.

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

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

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

18 There is hereby created in the State Treasury a revolving fund
19 for the State Board of Education to be designated the "Higher
20 Outcomes and Performance in Education (HOPE) Rewards Revolving
21 Fund". The fund shall be a continuing fund, not subject to fiscal
22 year limitations, and shall consist of all monies received by the
23 State Board of Education from monies appropriated by the Legislature
24 for the Higher Outcomes and Performance in Education (HOPE) Rewards

