

THE HOUSE OF REPRESENTATIVES
Monday, March 3, 2008

Committee Substitute for
House Bill No. 3390

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 3390 - By: CARGILL AND JONES
of the House and JOLLEY of the Senate.

(Schools – Higher Outcomes and Performance in Education (HOPE) Rewards
Act of 2008 – codification – effective date –
emergency)

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

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

4 This act shall be known and may be cited as the “Higher Outcomes and
5 Performance in Education (HOPE) Rewards Act of 2008”.

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

9 A. The State Board of Education shall:

10 1. Establish a grant award as part of the Higher Outcomes and Performance in
11 Education (HOPE) Rewards Program under which an eligible school district or an

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

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

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

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

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

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

- 18 1. A student assessment system using nationally recognized assessments and
19 evaluation tools to measure student performance and progress;
20 2. Performance goals and benchmarks for improvement;
21 3. Measures of student attendance and completion rates;

1 4. A rigorous professional development system that is aligned with educational
2 improvement and student needs, is designed to achieve teaching quality improvement, is
3 consistent with clearly defined research-based standards, and may be led during the
4 school day by trained teacher leaders;

5 5. A data system which can track students and their academic progress;

6 6. A teacher leadership and collaboration system with various career paths which
7 includes a mentoring program for resident teachers that provides continuous learning
8 and sustained teacher support and a master teacher program that allows teachers to
9 assume leadership roles;

10 7. An objective evaluation system that includes individual teacher evaluations
11 aligned with the educational improvement goals and professional development goals and
12 objective team evaluations using multiple criteria conducted by locally selected and
13 periodically trained evaluation teams that understand teaching and learning;

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

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

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

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

21 2. Of classroom teacher support of the plan;

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

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

3 D. The State Board of Education shall contract for technical assistance in the
4 process of reviewing and approving outcomes and performance improvement plans
5 submitted pursuant to this section. The entity contracting with the Board to provide
6 technical assistance shall be a statewide, nonprofit organization located in the state that
7 was formed through a partnership between business and education interests and which
8 has a goal of improving the quality of public education in the state. The entity
9 contracting to provide technical assistance shall review and evaluate each outcomes and
10 performance improvement plan submitted to the Board to determine if the plan meets
11 the program guidelines adopted by the Board pursuant to Section 1 of this act and the
12 requirements of the Higher Outcomes and Performance in Education (HOPE) Rewards
13 Act of 2008. The contracting entity shall report the evaluation results of each plan to the
14 Board. The Board shall approve a plan only if it has been evaluated and determined by
15 the contracting entity to meet the program guidelines and the requirements of the HOPE
16 Act.

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

20 A. To be eligible to receive an outcomes and performance improvement grant, each
21 school district or school site shall include, as part of the outcomes and performance

1 improvement plan, a teacher performance pay system. The teacher performance pay
2 system shall include a description of how:

- 3 1. Teachers can achieve career advancement and additional compensation;
- 4 2. Teachers will be provided with career advancement options that allow teachers
5 to retain primary roles in student instruction; and
- 6 3. Compensation will be tied to each element of the teacher performance pay
7 system listed in subsection B of this section.

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

- 10 1. Class-level, site-level, and for school districts, school-district-wide student
11 achievement gains using nationally recognized standardized assessment outcomes,
12 attendance goals, and completion gains;
- 13 2. Objective teacher evaluations using both individual teacher evaluations aligned
14 with educational improvement goals and team evaluations using multiple criteria
15 conducted by trained evaluation teams;
- 16 3. Participation in the ongoing rigorous professional development system activities;
17 and
- 18 4. Participation in the teacher leadership and collaboration system career path
19 roles.

20 C. Each teacher performance pay plan shall establish the amount or percentage of
21 available compensation that is tied to each element. A majority of the total additional

1 compensation available to teachers under a teacher performance pay plan shall be based
2 on student achievement gains as described in paragraph 1 of subsection B of this section.

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

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

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

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

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

- 1 2. Funding for ongoing professional development activities;
- 2 3. An activity that creates or furthers the goals of the outcomes and performance
- 3 improvement plan and is designed to improve student achievement; and
- 4 4. A comprehensive annual evaluation of the outcomes and performance
- 5 improvement plan implemented by the school district or school site.

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

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

- 13 1. A descriptive analysis of the design and implementation of the outcomes and
- 14 performance improvement plans of participating school districts or school sites;
- 15 2. Detailed information regarding the distribution of performance payments to
- 16 classroom teachers under a teacher performance pay plan system, including the
- 17 measurements used by the school districts in determining the amounts of payments;
- 18 3. A comprehensive, quantitative analysis of the impact of the HOPE Rewards
- 19 Program on participating school districts or school sites, including the impact on key
- 20 objectives of the programs, specifically student achievement gains, student attendance,
- 21 student completion rates, teacher retention, and teacher satisfaction; and

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

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

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

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

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

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

1 Performance in Education (HOPE) Rewards Program. All monies accruing to the credit
2 of the fund are hereby appropriated and may be budgeted and expended by the State
3 Board of Education for the purpose of implementing the Higher Outcomes and
4 Performance in Education (HOPE) Rewards Program. Expenditures from the fund shall
5 be made upon warrants issued by the State Treasurer against claims filed as prescribed
6 by law with the Director of State Finance for approval and payment.

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

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

12 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 02-28-08 - DO
13 PASS, As Amended and Coauthored.