

THE STATE SENATE
Monday, April 7, 2008

ENGROSSED

House Bill No. 3118

As Amended

ENGROSSED HOUSE BILL NO. 3118 - By: Jones, Kern and Terrill of the House and Williamson of the Senate.

(schools - Academic Achievement Award (AAA) program -
effective date -
emergency)

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

SECTION 1. AMENDATORY Section 1, Chapter 466, O.S.L.

2005, as amended by Section 1, Chapter 322, O.S.L. 2007 (70 O.S. Supp. 2007, Section 3-152.1), is amended to read as follows:

Section 3-152.1 A. The State Board of Education shall develop an Academic Achievement Award (AAA) program. The AAA program shall provide monetary awards to qualified employees at the top four schools that attain the highest overall student achievement and the top four schools that attain the highest annual improvement in student achievement as measured by the Academic Performance Index (API) in each of ~~five groups~~ the subgroups of each group based on the type of school and average daily membership (ADM) as provided for in subsection ~~C~~ D of this section. The AAA program shall also provide monetary awards to qualified employees at all schools that

1 attain a total API score of one thousand five hundred (1,500) for
2 regular education students tested.

3 B. 1. No later than January 31 of each year, the State Board
4 of Education shall provide a monetary award to all qualified
5 employees at school sites designated as recipients of the Academic
6 Achievement Award as calculated pursuant to this section.

7 2. The Board shall determine the amount of funds available for
8 the AAA program, which shall include funds appropriated for the AAA
9 program and may include other funds identified by the Board, which
10 may be used for this purpose.

11 3. ~~a.~~ The Board shall determine the top four school sites in
12 each of the ~~groups~~ subgroups for each group as designated in
13 subsection ~~C~~ D of this section that have achieved the highest
14 overall student achievement as measured by the API as calculated
15 pursuant to Section 3-150 of this title.

16 ~~b.~~ 4. The Board shall determine the top four school sites in
17 each of the ~~groups~~ subgroups for each group as designated in
18 subsection ~~C~~ D of this section that have achieved the highest annual
19 percentage improvement in student achievement as measured by the API
20 score as compared to the previous year.

21 ~~e.~~ 5. The Board shall determine the school sites that have an
22 API score of one thousand five hundred (1,500) for regular education
23 students tested.

1 ~~d.~~ 6. In the event of tie scores, the Board shall select the
2 school with the highest annual percentage improvement in student
3 achievement as measured by the API score as compared to the previous
4 year. If a tie still exists, the Board shall select the school with
5 the highest annual percentage improvement in reading achievement as
6 measured by the reading assessments administered pursuant to Section
7 1210.508 of this title.

8 ~~e.~~ 7. Any school site that qualifies for more than one award as
9 provided for in ~~subparagraphs a, b and c~~ paragraphs 3, 4 and 5 of
10 this ~~paragraph~~ subsection shall receive the highest award the school
11 site qualifies for as calculated pursuant to ~~paragraph 4 of this~~
12 subsection C of this section, but in no case shall any school site
13 receive more than one award.

14 ~~4.~~~~a.~~ C. 1. The amount of monetary award to be paid to each
15 qualified employee at each school identified as an award recipient
16 as determined pursuant to ~~subparagraphs a and b of~~ paragraph 3 of
17 ~~this~~ subsection B of this section shall be as follows:

- 18 ~~(1)~~ a. Three Thousand Dollars (\$3,000.00) for each first-
19 place school,
20 ~~(2)~~ b. Two Thousand Dollars (\$2,000.00) for each second-place
21 school,
22 ~~(3)~~ c. One Thousand Dollars (\$1,000.00) for each third-place
23 school, and

- 1 a. elementary school with 0 to 135 ADM,
2 b. middle school with 0 to 135 ADM, and
3 c. high school with 0 to 135 ADM;
- 4 2. Group 2:
5 a. elementary school with 136 to 235 ADM,
6 b. middle school with 136 to 235 ADM, and
7 c. high school with 136 to 235 ADM;
- 8 3. Group 3:
9 a. elementary school with 236 to 345 ADM,
10 b. middle school with 236 to 345 ADM, and
11 c. high school with 236 to 345 ADM;
- 12 4. Group 4:
13 a. elementary school with 346 to 505 ADM,
14 b. middle school with 346 to 505 ADM, and
15 c. high school with 346 to 505 ADM; and
- 16 5. Group 5:
17 a. elementary school with 506 or more ADM,
18 b. middle school with 506 or more ADM, and
19 c. high school with 506 or more ADM.

20 ~~D.~~ E. For purposes of this section, ~~“qualified:~~

21 1. “Qualified employees” means all certified personnel employed
22 in the school for at least one-half (1/2) of the school year from
23 which the student test data used for the awards provided for in this

1 section was derived. For charter schools formed and operated
2 pursuant to the Oklahoma Charter School Act, qualified employees
3 shall include all administrative and instructional personnel that
4 meet the requirements of this subsection regardless of whether they
5 are certified. For early elementary schools which do not contain a
6 grade level that is tested under the Oklahoma School Testing Program
7 Act but uses the test data from a grade level that is tested to
8 calculate the API score for the school, qualified employees shall
9 include the certified personnel employed by the school district at
10 another school site for at least one-half (1/2) of the school year
11 for the grade level from which the student test data used to
12 calculate the API score was derived;

13 2. "Elementary school" means a school which offers grades
14 kindergarten through not higher than the eighth grade;

15 3. "Middle school" means a school which includes one or more
16 grades in the fifth- through ninth-grade sequence; and

17 4. "High school" means a school which may be a two-, three-, or
18 four-year school that includes at least two consecutive grades
19 between ninth and twelfth grade.

20 ~~E.~~ F. No school or school district shall be liable for payment
21 of awards pursuant to this section. Awards shall not be included in
22 the calculation of the salary of the teacher for purposes of meeting
23 the district or statutory minimum salary schedule or for purposes of

1 calculating Teachers' Retirement System of Oklahoma contributions or
2 benefits.

3 ~~F.~~ G. The State Board of Education shall promulgate rules
4 necessary for the implementation of this section.

5 SECTION 2. This act shall become effective July 1, 2008.

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

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-2-08 - DO
11 PASS, As Amended.