

1 STATE OF OKLAHOMA

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

3 COMMITTEE SUBSTITUTE
4 FOR
5 HOUSE BILL NO. 1575

By: Banz

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7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending Section 1, Chapter 466, O.S.L. 2005, as
9 last amended by Section 2, Chapter 439, O.S.L. 2008 (70 O.S. Supp. 2008,
10 Section 3-152.1), which relates to the Academic Achievement Award program;
11 modifying number of certain awards granted under the program; adding certain
12 award levels; directing the State Board of Education to identify certain school
13 sites for certain awards; modifying calculation of the awards; specifying
14 allocation of funding for certain awards; limiting allocation of funding for
15 certain awards based on availability; establishing API score requirements for
16 certain awards; deleting monetary awards for certain categories; modifying
17 amount of certain monetary award; providing monetary award amounts for
18 certain awards; prohibiting award to certain qualified employees; requiring the
19 State Board to make certain announcement and post list of award winners on
20 certain Internet website; providing an effective date; and declaring an
21 emergency.

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

23 SECTION 1. AMENDATORY Section 1, Chapter 466, O.S.L. 2005, as last amended by
24 Section 2, Chapter 439, O.S.L. 2008 (70 O.S. Supp. 2008, 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;

1 1. The top ~~four~~ schools that attain the highest overall student achievement ~~and the~~ as measured
2 by the average of the last three reported Academic Performance Index (API) scores in each of the five
3 groups based on average daily membership (ADM) as provided for in subsection D of this section;

4 2. The top ~~four~~ schools that attain the highest annual improvement in student achievement as
5 measured by the average of the last three reported Academic Performance Index (API) scores in each
6 of five groups based on average daily membership (ADM) as provided for in subsection D of this
7 section. ~~The AAA program shall also provide monetary awards to qualified employees at all;~~

8 3. All schools that attain a total an average API score of one thousand five hundred (1,500) for
9 the last three reported API scores for regular education students tested; and

10 4. All school that attain the “Gold”, “Silver”, or “Bronze” levels as measured by an average API
11 score as established in paragraph 6 of subsection B of this section for the last three reported API
12 scores.

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

16 2. The Board shall determine the amount of funds available for the AAA program, which shall
17 include funds appropriated for the AAA program and may include other funds identified by the Board,
18 which may be used for this purpose. Each year, based on the amount of available funding, the Board
19 shall first provide awards to all qualified employees at school sites which have qualified for awards
20 pursuant to paragraphs 3, 4 and 5 of this subsection and subparagraph a of paragraph 6 of this
21 subsection. If any funds remain after making the four awards as provided for in this paragraph, the
22 Board shall provide awards to all qualified employees at as many school sites which have qualified for
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1 awards pursuant to subparagraphs b and c of paragraph 6 of this subsection as can be funded with the
2 remaining funds.

3 3. The Board shall determine the top ~~four~~ school sites in each of the groups as designated in
4 subsection D of this section that have achieved the highest overall student achievement as measured by
5 the average of the last three reported API scores as calculated pursuant to Section 3-150 of this title.

6 4. The Board shall determine the top ~~four~~ school sites in each of the groups as designated in
7 subsection D of this section that have achieved the highest annual average percentage improvement in
8 student achievement as measured by the average of the last three reported API score scores as
9 compared to the previous three-year average of reported API scores.

10 5. The Board shall determine the school sites that have an average API score of one thousand
11 five hundred (1,500) for the last three reported API scores for regular education students tested.

12 6. The Board shall determine the school sites that have an average API score for the last three
13 reported API scores that meet the following levels:

14 a. Gold level – an average API score between one thousand four hundred ninety-
15 nine (1,499) and one thousand three hundred ninety-five (1,395),

16 b. Silver level – an average API score between one thousand three hundred ninety-
17 four (1,394) and one thousand two hundred seventy-five (1,275), and

18 c. Bronze level – an average API score between one thousand two hundred seventy-
19 four (1,274) and one thousand one hundred fifty-five (1,155).

20 7. In the event of tie scores, the Board shall select the school with the highest annual percentage
21 improvement in student achievement as measured by the API score as compared to the previous year.

22 If a tie still exists, the Board shall select the school with the highest annual percentage improvement in
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1 reading achievement as compared to the previous year as measured by the reading assessments
2 administered pursuant to Section 1210.508 of this title.

3 ~~7.~~ 8. Any school site that qualifies for more than one award as provided for in paragraphs 3, 4
4 ~~and, 5 and 6~~ of this subsection shall receive the highest award with the highest monetary amount the
5 school site qualifies for as calculated pursuant to subsection C of this section, but in no case shall any
6 school site receive more than one award.

7 C. 1. The amount of monetary award to be paid to each qualified employee at each school
8 identified as an award recipient as determined pursuant to paragraphs 3 and 4 of subsection B of this
9 section shall be ~~as follows:~~

- 10 a. ~~Three Thousand Dollars (\$3,000.00) for each first place school,~~
- 11 b. ~~Two Thousand Dollars (\$2,000.00) for each second place school,~~
- 12 e. ~~One Thousand Dollars (\$1,000.00) for each third place school, and~~
- 13 d. ~~Five Hundred Dollars (\$500.00) for each fourth place school.~~

14 2. The amount of monetary award to be paid to each qualified employee at each school
15 identified as having an average API score of one thousand five hundred (1,500) for the last three
16 reported API scores for regular education students tested as determined pursuant to paragraph 5 of
17 subsection B of this section shall be ~~Three Thousand Dollars (\$3,000.00)~~ One Thousand Five Hundred
18 Dollars (\$1,500.00).

19 3. The amount of monetary award to be paid to each qualified employee at each school
20 identified as having attained the Gold, Silver, or Bronze levels as determined pursuant to paragraph 6
21 of subsection B of this section shall be as follows:

- 22 a. One Thousand Dollars (\$1,000.00) for each Gold level school,
 - 23 b. Five Hundred Dollars (\$500.00) for each Silver level school, and
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1 c. Two Hundred Fifty Dollars (\$250.00) for each Bronze level school.

2 D. Groups shall be designated based on average daily membership (ADM) as follows:

- 3 1. Group 1 - 0 to 135 ADM;
- 4 2. Group 2 - 136 to 235 ADM;
- 5 3. Group 3 - 236 to 345 ADM;
- 6 4. Group 4 - 346 to 505 ADM; and
- 7 5. Group 5 - 506 or more ADM.

8 E. For purposes of this section, “qualified employees” means all certified personnel, as defined
9 in Section 26-103 of this title, employed in the school for at least one-half (1/2) of the school year from
10 which the student test data used for the awards provided for in this section was derived. For charter
11 schools formed and operated pursuant to the Oklahoma Charter School Act, qualified employees shall
12 include all administrative and instructional personnel that meet the requirements of this subsection
13 regardless of whether they are certified. Qualified employees shall not include certified personnel who
14 are employed in the school in a noncertified position. For awards granted for the 2007-2008 school
15 year and each school year thereafter, for early elementary schools which do not contain a grade level
16 that is tested under the Oklahoma School Testing Program Act but use the test data from a grade level
17 that is tested to calculate the API score for the school, qualified employees shall include the certified
18 personnel identified as the primary classroom teachers for the grade level from which the student test
19 data used to calculate the API score was derived who are employed by the school district at another
20 school site for at least one-half (1/2) of the school year.

21 F. Qualified employees who are employed at more than one school site which is identified as an
22 award recipient shall qualify for only one award, which shall be the highest award the employee
23 qualifies for.

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1 G. No qualified employee on a plan of improvement as provided for in Section 6-101.24 of this
2 title at the time the student test data used for the awards provided for in this section was derived shall
3 receive an award, unless approved by the superintendent of the school district.

4 H. No school or school district shall be liable for payment of awards pursuant to this section.
5 Awards shall not be included in the calculation of the salary of the teacher for purposes of meeting the
6 district or statutory minimum salary schedule or for purposes of calculating Teachers' Retirement
7 System of Oklahoma contributions or benefits.

8 H. I. The State Board of Education shall promulgate rules necessary for the implementation of
9 this section. The Board shall annually announce and recognize the school sites that have qualified for
10 an award under the Academic Award Program and shall post a list of the school sites on the Internet
11 website for the State Department of Education.

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

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

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