

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 2302

6 By: Banz

7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; amending Section 1,
9 Chapter 466, O.S.L. 2005, as last amended by Section
10 2, Chapter 439, O.S.L. 2008 (70 O.S. Supp. 2009,
11 Section 3-152.1), which relates to the Academic
12 Achievement Award program; modifying number of
13 certain awards granted under the program; adding
14 certain award levels; changing date for distributing
15 monetary award; directing the State Board of
16 Education to identify certain school sites for
17 certain awards; modifying calculation of the awards;
18 specifying allocation of funding for awards based on
19 availability of funds; establishing API score
20 requirements for certain awards; deleting monetary
21 awards for certain categories; modifying amount of
22 certain monetary award; providing monetary award
23 amounts for certain awards; modifying certain
24 definitions; limiting award to certain qualified
employees; requiring the State Board to make certain
announcement and post list of award winners on
certain Internet website; providing an effective
date; and declaring an emergency.

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

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

2005, as last amended by Section 2, Chapter 439, O.S.L. 2008 (70

O.S. Supp. 2009, Section 3-152.1), is amended to read as follows:

1 Section 3-152.1 A. The State Board of Education shall develop
2 an Academic Achievement Award (AAA) program. The AAA program shall
3 provide monetary awards to qualified employees at ~~the~~:

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

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

16 3. All school sites that attain a ~~total~~ an average API score of
17 one thousand five hundred (1,500) for the last three reported API
18 scores for regular education students tested; and

19 4. All school sites that attain the "Gold", "Silver", or
20 "Bronze" levels as measured by an average API score as established
21 in paragraph 6 of subsection B of this section for the last three
22 reported API scores.

23 B. 1. No later than ~~January~~ March 31 of each year, the State
24 Board of Education shall provide a monetary award to all qualified

1 employees at school sites designated as recipients of the Academic
2 Achievement Award as calculated pursuant to this section.

3 2. The Board shall determine the amount of funds available for
4 the AAA program, which shall include funds appropriated for the AAA
5 program and may include other funds identified by the Board, which
6 may be used for this purpose. Each year, based on the amount of
7 available funding, the Board shall provide awards to all qualified
8 employees at school sites which have qualified for awards in each
9 category in the following order, with awards being made for each
10 subsequent category to as many school sites which have qualified for
11 awards as can be funded with the remaining funds:

- 12 a. paragraph 3 of this subsection,
- 13 b. paragraph 4 of this subsection,
- 14 c. paragraph 5 of this subsection,
- 15 d. subparagraph a of paragraph 6 of this subsection,
- 16 e. subparagraph b of paragraph 6 of this subsection, and
- 17 f. subparagraph c of paragraph 6 of this subsection.

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

23 4. The Board shall determine the top ~~four~~ school ~~sites~~ site in
24 each of the groups as designated in subsection D of this section

1 that have achieved the highest annual average percentage improvement
2 in student achievement as measured by the average of the last three
3 reported API ~~score~~ scores as compared to the previous three-year
4 average of reported API scores.

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

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

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

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

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

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

1 reading achievement as compared to the previous year as measured by
2 the reading assessments administered pursuant to Section 1210.508 of
3 this title.

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

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

- 14 a. ~~Three Thousand Dollars (\$3,000.00) for each first~~
15 ~~place school,~~
- 16 b. ~~Two Thousand Dollars (\$2,000.00) for each second place~~
17 ~~school,~~
- 18 c. ~~One Thousand Dollars (\$1,000.00) for each third place~~
19 ~~school, and~~
- 20 d. ~~Five Hundred Dollars (\$500.00) for each fourth place~~
21 ~~school.~~

22 2. The amount of monetary award to be paid to each qualified
23 employee at each school site identified as having an average API
24 score of one thousand five hundred (1,500) for the last three

1 reported API scores for regular education students tested as
2 determined pursuant to paragraph 5 of subsection B of this section
3 shall be ~~Three Thousand Dollars (\$3,000.00)~~ Two Thousand Dollars
4 (\$2,000.00).

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

9 a. One Thousand Dollars (\$1,000.00) for each Gold level
10 school,

11 b. Five Hundred Dollars (\$500.00) for each Silver level
12 school, and

13 c. Two Hundred Fifty Dollars (\$250.00) for each Bronze
14 level school.

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

- 17 1. Group 1 - 0 to 135 ADM;
- 18 2. Group 2 - 136 to 235 ADM;
- 19 3. Group 3 - 236 to 345 ADM;
- 20 4. Group 4 - 346 to 505 ADM; and
- 21 5. Group 5 - 506 or more ADM.

22 E. For purposes of this section, "qualified employees" means
23 all certified personnel, ~~as defined in Section 26-103 of this title,~~
24 employed in the to serve as a teacher, principal, supervisor,

1 administrator, counselor, librarian, or certified or registered
2 nurse at a school site which has been identified as a recipient of
3 an Academic Achievement Award for at least ~~one-half (1/2)~~ eighty-
4 five (85) days or equivalent hours of the school year from which the
5 student test data used for the awards provided for in this section
6 was derived which is the last school year used to calculate the
7 three-year average API score which is used to determine eligibility
8 for an award. For charter schools formed and operated pursuant to
9 the Oklahoma Charter School Act, qualified employees shall include
10 all administrative and instructional personnel that meet the
11 requirements of this subsection regardless of whether they are
12 certified. Qualified employees shall not include certified
13 personnel who are employed ~~in~~ at the school site in a noncertified
14 position and the superintendent of the school district. ~~For awards~~
15 ~~granted for the 2007-2008 school year and each school year~~
16 ~~thereafter, for early elementary schools which do not contain a~~
17 ~~grade level that is tested under the Oklahoma School Testing Program~~
18 ~~Act but use the test data from a grade level that is tested to~~
19 ~~calculate the API score for the school, qualified. Qualified~~
20 ~~employees shall include the certified personnel identified as the~~
21 ~~primary classroom teachers for the grade level from which the~~
22 ~~student test data used to calculate the API score was derived who~~
23 ~~are employed by the school district at another school site for at~~
24 ~~least one-half (1/2) of the school year employed at an elementary~~

1 school site for at least eighty-five (85) days or equivalent hours
2 of the school year if students who are enrolled at the elementary
3 site were enrolled in an early elementary school site which contains
4 only prekindergarten, kindergarten, first- or second-grade levels
5 that qualifies for an award. Qualified employees shall include the
6 certified personnel employed at an early elementary school site
7 which contains only prekindergarten, kindergarten, first- or second-
8 grade levels for at least eighty-five (85) days or equivalent hours
9 of the school year if students who were enrolled at the early
10 elementary site are now enrolled at an elementary school site that
11 qualifies for an award.

12 F. Qualified employees who are ~~employed at~~ assigned to more
13 than one school site which is identified as an award recipient shall
14 qualify for only one award, which shall be the highest award the
15 employee qualifies for. For qualified employees who are employed as
16 less than a one full-time-equivalent employee (FTE) by a school
17 district and are assigned to a school site identified as an award
18 recipient or who are employed as one FTE by a school district but
19 are assigned as less than one FTE at a school site identified as an
20 award recipient, the amount of the monetary award paid to the
21 qualified employee shall be prorated based on the prior year final
22 certified personnel FTE reported on the certified personnel report
23 for the school site for the qualified employee.

24

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

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

13 SECTION 2. This act shall become effective July 1, 2010.

14 SECTION 3. 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.

18
19 52-2-9963 CJB 02/19/10
20
21
22
23
24