

THE HOUSE OF REPRESENTATIVES
Monday, February 16, 2009

Committee Substitute for
House Bill No. 1575

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 1575 - By: BANZ of the House.

An Act relating to schools; amending Section 1, Chapter 466, O.S.L. 2005, as last amended by Section 2, Chapter 439, O.S.L. 2008 (70 O.S. Supp. 2008, Section 3-152.1), which relates to the Academic Achievement Award program; modifying number of certain awards granted under the program; adding certain award levels; directing the State Board of Education to identify certain school sites for certain awards; modifying calculation of the awards; specifying allocation of funding for certain awards; limiting allocation of funding for certain awards based on availability; establishing API score requirements for certain awards; deleting monetary awards for certain categories; modifying amount of certain monetary award; providing monetary award amounts for certain awards; prohibiting 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:

1 SECTION 1. AMENDATORY Section 1, Chapter 466, O.S.L. 2005, as last
2 amended by Section 2, Chapter 439, O.S.L. 2008 (70 O.S. Supp. 2008, Section 3-152.1), is
3 amended to read as follows:

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

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

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

10 3. All schools that attain ~~a total~~ an average API score of one thousand five hundred
11 (1,500) for the last three reported API scores for regular education students tested; and

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

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

18 2. The Board shall determine the amount of funds available for the AAA program,
19 which shall include funds appropriated for the AAA program and may include other
20 funds identified by the Board, which may be used for this purpose. Each year, based on
21 the amount of available funding, the Board shall first provide awards to all qualified
22 employees at school sites which have qualified for awards pursuant to paragraphs 3, 4

1 and 5 of this subsection and subparagraph a of paragraph 6 of this subsection. If any
2 funds remain after making the four awards as provided for in this paragraph, the Board
3 shall provide awards to all qualified employees at as many school sites which have
4 qualified for awards pursuant to subparagraphs b and c of paragraph 6 of this subsection
5 as can be funded with the remaining funds.

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

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

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

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

- 20 a. Gold level – an average API score between one thousand four hundred
21 ninety-nine (1,499) and one thousand three hundred ninety-five
22 (1,395).

- 1 e. ~~One Thousand Dollars (\$1,000.00) for each third-place school, and~~
2 d. ~~Five Hundred Dollars (\$500.00) for each fourth-place school.~~

3 2. The amount of monetary award to be paid to each qualified employee at each
4 school identified as having an average API score of one thousand five hundred (1,500) for
5 the last three reported API scores for regular education students tested as determined
6 pursuant to paragraph 5 of subsection B of this section shall be ~~Three Thousand Dollars~~
7 ~~(\$3,000.00)~~ One Thousand Five Hundred Dollars (\$1,500.00).

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

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

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

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

21 E. For purposes of this section, “qualified employees” means all certified personnel,
22 as defined in Section 26-103 of this title, employed in the school for at least one-half (1/2)

1 of the school year from which the student test data used for the awards provided for in
2 this section was derived. For charter schools formed and operated pursuant to the
3 Oklahoma Charter School Act, qualified employees shall include all administrative and
4 instructional personnel that meet the requirements of this subsection regardless of
5 whether they are certified. Qualified employees shall not include certified personnel who
6 are employed in the school in a noncertified position. For awards granted for the 2007-
7 2008 school year and each school year thereafter, for early elementary schools which do
8 not contain a grade level that is tested under the Oklahoma School Testing Program Act
9 but use the test data from a grade level that is tested to calculate the API score for the
10 school, qualified employees shall include the certified personnel identified as the primary
11 classroom teachers for the grade level from which the student test data used to calculate
12 the API score was derived who are employed by the school district at another school site
13 for at least one-half (1/2) of the school year.

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

17 G. No qualified employee on a plan of improvement as provided for in Section 6-
18 101.24 of this title at the time the student test data used for the awards provided for in
19 this section was derived shall receive an award, unless approved by the superintendent
20 of the school district.

21 H. No school or school district shall be liable for payment of awards pursuant to
22 this section. Awards shall not be included in the calculation of the salary of the teacher

1 for purposes of meeting the district or statutory minimum salary schedule or for
2 purposes of calculating Teachers' Retirement System of Oklahoma contributions or
3 benefits.

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

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

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

13 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02-12-09
14 - DO PASS, As Amended.