

ENGROSSED

House Bill No. 1575

As Amended

ENGROSSED HOUSE BILL NO. 1575 - By: Banz, Kern and Sears of the House and Ford of the Senate.

[schools - Academic Achievement Award program - adding certain award levels - 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 last amended by 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. The top four schools that attain the highest overall student achievement ~~and the~~ as measured by the average of the last three reported Academic Performance Index (API) scores in each of the five groups based on average daily membership (ADM) as provided for in subsection D of this section;

2. The top four schools that attain the highest annual improvement in student achievement as measured by the average of the last three reported Academic Performance Index (API) scores in each

1 of five groups based on average daily membership (ADM) as provided
2 for in subsection D of this section. ~~The AAA program shall also~~
3 ~~provide monetary awards to qualified employees at all;~~

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

7 4. All schools that attain the "Gold", "Silver", or "Bronze"
8 levels as measured by an average API score as established in
9 paragraph 6 of subsection B of this section for the last three
10 reported API scores.

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

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

1 paragraph, the Board shall provide awards to all qualified employees
2 at as many school sites which have qualified for awards pursuant to
3 subparagraphs b and c of paragraph 6 of this subsection as can be
4 funded with the remaining funds.

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

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

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

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

- 1 a. Gold level - an average API score between one thousand
2 four hundred ninety-nine (1,499) and one thousand
3 three hundred ninety-five (1,395),
4 b. Silver level - an average API score between one
5 thousand three hundred ninety-four (1,394) and one
6 thousand two hundred seventy-five (1,275), and
7 c. Bronze level - an average API score between one
8 thousand two hundred seventy-four (1,274) and one
9 thousand one hundred fifty-five (1,155).

10 7. In the event of tie scores, the Board shall select the
11 school with the highest annual percentage improvement in student
12 achievement as measured by the API score as compared to the previous
13 year. If a tie still exists, the Board shall select the school with
14 the highest annual percentage improvement in reading achievement as
15 compared to the previous year as measured by the reading assessments
16 administered pursuant to Section 1210.508 of this title.

17 ~~7.~~ 8. Any school site that qualifies for more than one award as
18 provided for in paragraphs 3, 4 ~~and~~, 5 and 6 of this subsection
19 shall receive the ~~highest~~ award with the highest monetary amount the
20 school site qualifies for as calculated pursuant to subsection C of
21 this section, but in no case shall any school site receive more than
22 one award.

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

5 a. ~~Three Thousand Dollars (\$3,000.00) for each first-~~
6 ~~place school,~~

7 b. ~~Two Thousand Dollars (\$2,000.00) for each second place~~
8 ~~school,~~

9 c. ~~One Thousand Dollars (\$1,000.00) for each third place~~
10 ~~school, and~~

11 d. ~~Five Hundred Dollars (\$500.00) for each fourth place~~
12 ~~school.~~

13 2. The amount of monetary award to be paid to each qualified
14 employee at each school identified as having an average API score of
15 one thousand five hundred (1,500) for the last three reported API
16 scores for regular education students tested as determined pursuant
17 to paragraph 5 of subsection B of this section shall be ~~Three~~
18 ~~Thousand Dollars (\$3,000.00)~~ One Thousand Five Hundred Dollars
19 (\$1,500.00).

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

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

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

- 9 1. Group 1 - 0 to 135 ADM;
10 2. Group 2 - 136 to 235 ADM;
11 3. Group 3 - 236 to 345 ADM;
12 4. Group 4 - 346 to 505 ADM; and
13 5. Group 5 - 506 or more ADM.

14 E. For purposes of this section, "qualified employees" means
15 all certified personnel, as defined in Section 26-103 of this title,
16 employed in the school for at least one-half (1/2) of the school
17 year from which the student test data used for the awards provided
18 for in this section was derived. For charter schools formed and
19 operated pursuant to the Oklahoma Charter School Act, qualified
20 employees shall include all administrative and instructional
21 personnel that meet the requirements of this subsection regardless
22 of whether they are certified. Qualified employees shall not
23 include certified personnel who are employed in the school in a

1 noncertified position. For awards granted for the 2007-2008 school
2 year and each school year thereafter, for early elementary schools
3 which do not contain a grade level that is tested under the Oklahoma
4 School Testing Program Act but use the test data from a grade level
5 that is tested to calculate the API score for the school, qualified
6 employees shall include the certified personnel identified as the
7 primary classroom teachers for the grade level from which the
8 student test data used to calculate the API score was derived who
9 are employed by the school district at another school site for at
10 least one-half (1/2) of the school year.

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

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

20 H. No school or school district shall be liable for payment of
21 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 ~~H.~~ I. The State Board of Education shall promulgate rules
4 necessary for the implementation of this section. The Board shall
5 annually announce and recognize the school sites that have qualified
6 for an award under the Academic Award Program and shall post a list
7 of the school sites on the Internet website for the State Department
8 of Education.

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

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

14 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-1-09 - DO
15 PASS, As Amended.