

ENGROSSED

House Bill No. 2302

As Amended

ENGROSSED HOUSE BILL NO. 2302 - By: Banz, Denney, McAffrey and Tibbs  
of the House and Ford of the Senate.

[ schools - Academic Achievement Award program - modifying  
number of awards - adding award levels - modifying  
definitions - 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. 2009, 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~~ school site that ~~attain~~ attains 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~~ school site that ~~attain~~ attains the  
highest annual improvement in student achievement as measured by the

1 average of the last three reported Academic Performance Index (API)  
2 scores in each of five groups based on average daily membership  
3 (ADM) as provided for in subsection D of this section. ~~The AAA~~  
4 ~~program shall also provide monetary awards to qualified employees at~~  
5 ~~all schools;~~

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

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

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

17 2. The Board shall determine the amount of funds available for  
18 the AAA program, which shall include funds appropriated for the AAA  
19 program and may include other funds identified by the Board, which  
20 may be used for this purpose. Each year, based on the amount of  
21 available funding, the Board shall provide awards to all qualified  
22 employees at school sites which have qualified for awards in each  
23 category in the following order, with awards being made for each

1 subsequent category to as many school sites which have qualified for  
2 awards as can be funded with the remaining funds:

- 3       a. paragraph 3 of this subsection,
- 4       b. paragraph 4 of this subsection,
- 5       c. paragraph 5 of this subsection,
- 6       d. subparagraph a of paragraph 6 of this subsection,
- 7       e. subparagraph b of paragraph 6 of this subsection, and
- 8       f. subparagraph c of paragraph 6 of this subsection.

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

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

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

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

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

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

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

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

21          ~~7.~~ 8. Any school site that qualifies for more than one award as  
22 provided for in paragraphs 3, 4 ~~and~~, 5 and 6 of this subsection  
23 shall receive the ~~highest~~ award with the highest monetary amount the

1 school site qualifies for as calculated pursuant to subsection C of  
2 this section, but in no case shall any school site receive more than  
3 one award.

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

8 a. ~~Three Thousand Dollars (\$3,000.00) for each first~~  
9 ~~place school,~~

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

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

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

16 2. The amount of monetary award to be paid to each qualified  
17 employee at each school site identified as having an average API  
18 score of one thousand five hundred (1,500) for the last three  
19 reported API scores for regular education students tested as  
20 determined pursuant to paragraph 5 of subsection B of this section  
21 shall be ~~Three Thousand Dollars (\$3,000.00)~~ Two Thousand Dollars  
22 (\$2,000.00).

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

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

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

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

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

13        1. Group 1 - 0 to 135 ADM;

14        2. Group 2 - 136 to 235 ADM;

15        3. Group 3 - 236 to 345 ADM;

16        4. Group 4 - 346 to 505 ADM; and

17        5. Group 5 - 506 or more ADM.

18        E. For purposes of this section, "qualified employees" means  
19 all certified personnel, ~~as defined in Section 26-103 of this title,~~  
20 employed ~~in the~~ to serve as a teacher, principal, supervisor,  
21 administrator, counselor, librarian, or certified or registered  
22 nurse at a school site which has been identified as a recipient of  
23 an Academic Achievement Award for at least one-half (1/2) eighty-

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

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

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

22 G. No school site or school district shall be liable for  
23 payment of awards pursuant to this section. Awards shall not be

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

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

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

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

16 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 3-24-10 - DO  
17 PASS, As Amended.