

SB 2055

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THE STATE SENATE  
Monday, February 22, 2010

Senate Bill No. 2055  
As Amended

SENATE BILL NO. 2055 - By: Sparks of the Senate and Martin (Scott) of the House.

[ schools - Academic Achievement Award program - modifying eligibility - 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 top four schools that attain the highest overall student achievement and the top four schools that attain the highest annual improvement in student achievement as measured by the Academic Performance Index (API) in each of five groups based on average daily membership (ADM) as provided for in subsection D of this section. The AAA program shall also provide monetary awards to qualified employees at all schools that attain a total API score of one thousand five hundred (1,500) for regular education students tested.

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

5           2. The Board shall determine the amount of funds available for  
6 the AAA program, which shall include funds appropriated for the AAA  
7 program and may include other funds identified by the Board, which  
8 may be used for this purpose.

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

13           4. The Board shall determine the top four school sites in each  
14 of the groups as designated in subsection D of this section that  
15 have achieved the highest annual percentage improvement in student  
16 achievement as measured by the API score as compared to the previous  
17 year.

18           5. The Board shall determine the school sites that have an API  
19 score of one thousand five hundred (1,500) for regular education  
20 students tested.

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

1 year. If a tie still exists, the Board shall select the school with  
2 the highest annual percentage improvement in reading achievement as  
3 measured by the reading assessments administered pursuant to Section  
4 1210.508 of this title.

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

10 C. 1. The amount of monetary award to be paid to each  
11 qualified employee at each school identified as an award recipient  
12 as determined pursuant to paragraphs 3 and 4 of subsection B of this  
13 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 identified as having an API score of one

1 thousand five hundred (1,500) for regular education students tested  
2 determined pursuant to paragraph 5 of subsection B of this section  
3 shall be Three Thousand Dollars (\$3,000.00).

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

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

11 E. For purposes of this section, "qualified employees" means  
12 all certified personnel, as defined in Section 26-103 of this title,  
13 employed in the school for at least one-half (1/2) of the school  
14 year from which the student test data used for the awards provided  
15 for in this section was derived. Certified employees employed for  
16 at least one-half (1/2) but less than a full school day for the  
17 entire school year shall be a qualified employee for purposes of  
18 this subsection. Qualified employees who are employed on a full-  
19 time basis for at least one-half (1/2) but less than the entire  
20 school year or who are employed for at least one-half (1/2) but less  
21 than a full school day for the entire school year shall be eligible  
22 for monetary awards on a pro-rata basis. For charter schools formed  
23 and operated pursuant to the Oklahoma Charter School Act, qualified

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

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

19 G. No school or school district shall be liable for payment of  
20 awards pursuant to this section. Awards shall not be included in  
21 the calculation of the salary of the teacher for purposes of meeting  
22 the district or statutory minimum salary schedule or for purposes of

1 calculating Teachers' Retirement System of Oklahoma contributions or  
2 benefits.

3 H. The State Board of Education shall promulgate rules  
4 necessary for the implementation of this section.

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

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

10 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-17-10 - DO  
11 PASS, As Amended and Coauthored.