

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 2302

By: Banz

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5
6 AS INTRODUCED

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

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

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

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

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

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

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 in each
19 of the groups as designated in subsection D of this section that
20 have achieved the highest overall student achievement as measured by
21 the average of the last three reported API scores as calculated
22 pursuant to Section 3-150 of this title.

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

1 have achieved the highest annual average percentage improvement in
2 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 with the highest annual percentage improvement in student
22 achievement as measured by the API score as compared to the previous
23 year. If a tie still exists, the Board shall select the school with
24 the highest annual percentage improvement in reading achievement as

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

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

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

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

21 2. The amount of monetary award to be paid to each qualified
22 employee at each school identified as having an average API score of
23 one thousand five hundred (1,500) for the last three reported API
24 scores for regular education students tested as determined pursuant

1 to paragraph 5 of subsection B of this section shall be ~~Three~~
2 ~~Thousand Dollars (\$3,000.00)~~ Two Thousand Dollars (\$2,000.00).

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

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

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

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

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

15 1. Group 1 - 0 to 135 ADM;

16 2. Group 2 - 136 to 235 ADM;

17 3. Group 3 - 236 to 345 ADM;

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

19 5. Group 5 - 506 or more ADM.

20 E. For purposes of this section, "qualified employees" means
21 all certified personnel, as defined in Section 26-103 of this title,
22 employed ~~in the~~ at a school site which has been identified as a
23 recipient of an Academic Achievement Award for at least ~~one-half~~
24 (1/2) eighty-five (85) days or equivalent hours of the school year

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

1 employed by the school district at an early elementary school site
2 which contains only prekindergarten, kindergarten, first or second
3 grade levels for at least eighty-five (85) days or equivalent hours
4 of the school year and who are identified as the prekindergarten,
5 kindergarten, first or second grade primary classroom teacher for
6 the students whose test data was used to calculate the API score.

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

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

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

7 ~~H.~~ I. 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.

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19 52-2-8546 KB 12/16/09
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