

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 SENATE BILL 333

By: Sparks

4  
5 AS INTRODUCED

6 An Act relating to school improvement; creating the  
7 Terri Paden Equitable Recognition Act; providing  
8 short title; amending Section 1, Chapter 466, O.S.L.  
9 2005, as last amended by Section 1, Chapter 439,  
10 O.S.L. 2010 (70 O.S. Supp. 2010, Section 3-152.1),  
11 which relates to the Academic Achievement Award  
12 program; modifying qualified employees; providing for  
13 noncodification; providing an effective date; and  
14 declaring an emergency.

15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. NEW LAW A new section of law not to be  
17 codified in the Oklahoma Statutes reads as follows:

18 This act shall be known as and may be cited the "Terri Paden  
19 Equitable Recognition Act".

20 SECTION 2. AMENDATORY Section 1, Chapter 466, O.S.L.  
21 2005, as last amended by Section 1, Chapter 439, O.S.L. 2010 (70  
22 O.S. Supp. 2010, Section 3-152.1), is amended to read as follows:

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

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

6 2. The top school site that attains the highest annual  
7 improvement in student achievement as measured by the average of the  
8 last three reported Academic Performance Index (API) scores in each  
9 of five groups based on average daily membership (ADM) as provided  
10 for in subsection D of this section;

11 3. All school sites that attain an average API score of one  
12 thousand five hundred (1,500) for the last three reported API scores  
13 for regular education students tested; and

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

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

22 2. The Board shall determine the amount of funds available for  
23 the AAA program, which shall include funds appropriated for the AAA  
24 program and may include other funds identified by the Board, which

1 may be used for this purpose. Each year, based on the amount of  
2 available funding, the Board shall provide awards to all qualified  
3 employees at school sites which have qualified for awards in each  
4 category in the following order, with awards being made for each  
5 subsequent category to as many school sites which have qualified for  
6 awards as can be funded with the remaining funds:

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

13 3. The Board shall determine the top school site in each of the  
14 groups as designated in subsection D of this section that have  
15 achieved the highest overall student achievement as measured by the  
16 average of the last three reported API scores as calculated pursuant  
17 to Section 3-150 of this title.

18 4. The Board shall determine the top school site in each of the  
19 groups as designated in subsection D of this section that have  
20 achieved the highest annual average percentage improvement in  
21 student achievement as measured by the average of the last three  
22 reported API scores as compared to the previous three-year average  
23 of reported API scores.

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

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

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

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

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

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

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

7       C. 1. The amount of monetary award to be paid to each  
8 qualified employee at each school site identified as an award  
9 recipient as determined pursuant to paragraphs 3 and 4 of subsection  
10 B of this section shall be Two Thousand Dollars (\$2,000.00).

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

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

- 21           a. One Thousand Dollars (\$1,000.00) for each Gold level  
22                school,
- 23           b. Five Hundred Dollars (\$500.00) for each Silver level  
24                school, and

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

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

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

10 E. For purposes of this section, "qualified employees" means  
11 all certified personnel employed to serve as a teacher, principal,  
12 supervisor, administrator, counselor, librarian, or certified or  
13 registered nurse at a school site which has been identified as a  
14 recipient of an Academic Achievement Award for at least eighty-five  
15 (85) days or equivalent hours of the school year which is the last  
16 school year used to calculate the three-year average API score which  
17 is used to determine eligibility for an award. Certified employees  
18 employed for at least one-half (1/2) but less than a full school day  
19 for the entire school year shall be qualified employees for purposes  
20 of this subsection. Qualified employees who are employed on a full-  
21 time basis for at least one-half (1/2) but less than the entire  
22 school year or who are employed for at least one-half (1/2) but less  
23 than a full school day for the entire school year shall be eligible  
24 for monetary awards on a pro rata basis. For charter schools formed

1 and operated pursuant to the Oklahoma Charter School Act, qualified  
2 employees shall include all administrative and instructional  
3 personnel that meet the requirements of this subsection regardless  
4 of whether they are certified. Qualified employees shall not  
5 include certified personnel who are employed at the school site in a  
6 noncertified position and the superintendent of the school district.  
7 Qualified employees shall include the certified personnel employed  
8 at an elementary school site for at least eighty-five (85) days or  
9 equivalent hours of the school year if students who are enrolled at  
10 the elementary site were enrolled in an early elementary school site  
11 which contains only prekindergarten, kindergarten, first- or second-  
12 grade levels that qualifies for an award. Qualified employees shall  
13 include the certified personnel employed at an early elementary  
14 school site which contains only prekindergarten, kindergarten,  
15 first- or second-grade levels for at least eighty-five (85) days or  
16 equivalent hours of the school year if students who were enrolled at  
17 the early elementary site are now enrolled at an elementary school  
18 site that qualifies for an award.

19 F. Qualified employees who are assigned to more than one school  
20 site which is identified as an award recipient shall qualify for  
21 only one award, which shall be the highest award the employee  
22 qualifies for. For qualified employees who are employed as less  
23 than a one full-time-equivalent employee (FTE) by a school district  
24 and are assigned to a school site identified as an award recipient

1 or who are employed as one FTE by a school district but are assigned  
2 as less than one FTE at a school site identified as an award  
3 recipient, the amount of the monetary award paid to the qualified  
4 employee shall be prorated based on the prior year final certified  
5 personnel FTE reported on the certified personnel report for the  
6 school site for the qualified employee.

7 G. No school site or school district shall be liable for  
8 payment of awards pursuant to this section. Awards shall not be  
9 included in the calculation of the salary of the teacher for  
10 purposes of meeting the district or statutory minimum salary  
11 schedule or for purposes of calculating Teachers' Retirement System  
12 of Oklahoma contributions or benefits.

13 H. The State Board of Education shall promulgate rules  
14 necessary for the implementation of this section. The Board shall  
15 annually announce and recognize the school sites that have qualified  
16 for an award under the Academic Achievement Award program and shall  
17 post a list of the school sites on the Internet website for the  
18 State Department of Education.

19 SECTION 3. This act shall become effective July 1, 2011.

20 SECTION 4. It being immediately necessary for the preservation  
21 of the public peace, health and safety, an emergency is hereby  
22 declared to exist, by reason whereof this act shall take effect and  
23 be in full force from and after its passage and approval.

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