

An Act

ENROLLED HOUSE
BILL NO. 1992

By: Jones, Dank, Hilliard,
Sherrer, Wesselhoft,
Winchester, Peterson (Ron),
Coody and Tibbs of the
House

and

Williamson, Corn, Brogdon
and Branam of the Senate

An Act relating to schools; directing the State Board of Education to develop an Academic Achievement Award program; stating criteria for awards to qualified employees; directing the State Board of Education to provide monetary awards to qualified employees by certain date; directing the Board to determine amount of funds available for monetary awards; providing for determination of highest achieving school sites; providing for resolution of tie scores; providing calculation of award amount for each qualified employee; establishing groups based on average daily membership; defining qualified employees; limiting school district liability for payment of awards; excluding awards from calculation of salary and retirement benefits; directing the Board to promulgate rules; repealing 70 O.S. 2001, Section 3-152, as amended by Section 20, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2004, Section 3-152), which relates to the Academic Performance Award Program; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3-152.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

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 schools that attain the highest overall student achievement and 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 C of this section.

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

employees at school sites designated as recipients of the Academic Achievement Award as calculated pursuant to this section.

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

3. a. The Board shall determine the school site in each of the groups as designated in subsection C of this section that has achieved the highest overall student achievement as measured by the API as calculated pursuant to Section 3-150 of Title 70 of the Oklahoma Statutes.
- b. The Board shall determine the school site in each of the groups as designated in subsection C of this section that has achieved the highest annual percentage improvement in student achievement as measured by the API score as compared to the previous year.
- c. In the event of tie scores, the Board shall select the school with the highest annual percentage improvement in student achievement as measured by the API score as compared to the previous year. If a tie still exists, the Board shall select the school with the highest annual percentage improvement in reading achievement as measured by the reading assessments administered pursuant to Section 1210.508 of Title 70 of the Oklahoma Statutes.

4. The amount of funds available shall be divided by the total number of qualified employees at each of the schools identified as award recipients to determine the amount of the monetary award to be paid to each qualified employee.

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

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

D. For purposes of this section, "qualified employees" means all certified personnel employed for at least one-half (1/2) of the school year from which the student test data was derived and at least one-half (1/2) of the school year during which the awards provided for in this section will be paid.

E. No school or school district shall be liable for payment of awards pursuant to this section. Awards shall not be included in the calculation of a teacher's salary for purposes of meeting the district or statutory minimum salary schedule or for purposes of

calculating Oklahoma Teachers' Retirement System contributions or benefits.

F. The State Board of Education shall promulgate rules necessary for the implementation of this section.

SECTION 2. REPEALER 70 O.S. 2001, Section 3-152, as amended by Section 20, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2004, Section 3-152), is hereby repealed.

SECTION 3. This act shall become effective July 1, 2005.

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

Passed the House of Representatives the 25th day of May, 2005.

Mark F. Pitt

Presiding Officer of the House of Representatives

Passed the Senate the 26th day of May, 2005.

Mr. Rahn

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Governor this 27
day of May, 2005,
at 11:00, o'clock A M.

By: Blair Laddin

Approved by the Governor of the State of Oklahoma the 9 day of
June 2005, at 11:08, o'clock A M.

Boyd Avery

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Secretary of State this 9th
day of June, 2005,
at 11:24, o'clock A M.

By: M. Susan Lowery