

# Hall of the House of Representatives

86th General Assembly - Regular Session, 2007

## Amendment Form

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### Subtitle of House Bill No. 2614

"AN ACT TO BE KNOWN AS THE REWARDING EXCELLENCE IN ACHIEVEMENT  
PROGRAM ACT OF 2007."

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### Amendment No. 2 to House Bill No. 2614.

Amend House Bill No. 2614 as originally introduced:

Delete everything after the enacting clause and substitute the following:

"SECTION 1. Arkansas Code Title 6, Chapter 15 is amended to add an additional subchapter to read as follows:

Subchapter 26 -- The Rewarding Excellence in Achievement Program

6-15-2601. Title.

This act shall be known and may be cited as the "Rewarding Excellence in Achievement Program Act of 2007".

6-15-2602. Legislative intent.

It is the intent of the General Assembly to provide a pilot program affording public school districts and public charter schools the opportunity to develop teacher compensation plans tailored to the public school district's or public charter school's needs to accomplish the following:

- (1) Provide incentives that will encourage teachers to improve their knowledge and instructional skills in order to improve student learning;
- (2) Recruit and retain highly qualified teachers;
- (3) Encourage highly qualified teachers to undertake challenging assignments;
- (4) Support teachers' roles in improving students' educational achievements; and
- (5) Inform policymakers regarding the potential of a restructured teacher professional pay system to improve student achievement across the state.

6-15-2603. Definitions.

(1)(A) "Knowledge and skill base portion of compensation" means that portion of a teacher's compensation under a Rewarding Excellence in Achievement plan that considers, but is not limited to, input factors such as years of experience and degree levels, as set forth in a Rewarding Excellence in Achievement plan.



(B) This portion shall represent forty percent to sixty percent (40%-60%) of the teacher's total compensation;

(2) "Local board" means a board of directors exercising the control and management of a public school district;

(3)(A) "Performance portion of compensation" means that portion of a teacher's compensation under a Rewarding Excellence in Achievement plan that considers, without limitation, output factors such as teacher evaluations and student performance in the teacher's class or in the teacher's school, as set forth in a Rewarding Excellence in Achievement plan.

(B) This portion shall represent forty percent to sixty percent (40%-60%) of the teacher total compensation; and

(4) "Rewarding Excellence in Achievement plan" means an alternative plan for teacher compensation developed by a public school, public school district, or public charter school and selected by the State Board of Education to participate in the Rewarding Excellence in Achievement Program pursuant to this subchapter.

#### 6-15-2604. Rules.

The State Board of Education is authorized and directed to establish rules for the Rewarding Excellence in Achievement Program consistent with this subchapter.

#### 6-15-2605. Application forms and procedures for the Rewarding Excellence in Achievement Program.

(a)(1)(A) A public school district or public charter school desiring to participate in the Rewarding Excellence in Achievement Program shall submit an application to the State Board of Education.

(B) A public school district may apply on behalf of a single school within the public school district that desires to participate in alternative pay.

(2)(A) The public school district or public charter school shall be selected through a competitive process.

(B) In selecting participants, the Department of Education shall consider qualified applicants from various locations and of various sizes and demographics.

(3) The State Board of Education may approve up to twelve (12) applications.

(b) The State Board of Education shall adopt:

(1) An application form, a schedule, and a procedure that must be used to apply for the Rewarding Excellence in Achievement Program; and

(2) Criteria to use in selecting public school districts and public charter schools to participate in the Rewarding Excellence in Achievement Program.

(c) The application form must provide space for including all information required under this subchapter to be contained in a Rewarding Excellence in Achievement plan.

(d) The application procedure shall provide for a phase-in process, beginning with a planning phase for a twelve-month minimum period, to allow applicants access to resources that would allow sufficient research of best practices and garner community and staff support in submitting a Rewarding Excellence in Achievement plan.

(e)(1) In order to participate in the Rewarding Excellence in

Achievement Program, a public school district or public charter school must have an approved comprehensive school improvement plan, as defined in § 6-15-419(9).

(2) Prior to full implementation of a Rewarding Excellence in Achievement plan, the comprehensive school improvement plan of the public school, public school district, or public charter school shall include:

(A) Assessment and evaluation tools to measure student performance and progress based on an achievement gains model;

(B) Performance goals and benchmarks for improvement;

(C) Measures of student attendance and completion rates;

(D) A rigorous professional development system consistent with the comprehensive school improvement plan defined in § 6-15-419(9) and student academic improvement plans as defined in § 6-15-419(2);

(E) Measures of student, family, and community involvement and satisfaction;

(F) A data reporting system about students and their academic progress that provides parents and the public with understandable information;

(G) A teacher induction and mentoring program for probationary teachers that provides continuous learning and sustained teacher support; and

(H) Substantial participation by teachers in developing the Rewarding Excellence in Achievement plan.

(f)(1) As part of the application process, participant schools shall conduct a vote of the teachers, with the threshold for acceptance being seventy percent (70%) or another percent established by a majority vote of the teachers and approved by the local board.

(2)(A)(i) A teacher in the participating school or school district may elect not to participate in the Rewarding Excellence in Achievement plan.

(ii) If fifty-one percent (51%) or more of a participant school's teachers elect not to participate, the Rewarding Excellence in Achievement plan shall not be implemented.

(g)(1) All recipients of funds provided by the Rewarding Excellence in Achievement Program shall cooperate and share all school demographic and student achievement data with any state-sponsored evaluation of this program.

(2)(A)(i) A public school district or public charter school applicant shall form a committee to consist of public school administrators and teachers, the majority of whom shall be public school teachers.

(ii) The classroom teacher members of the committee shall be elected by a majority of the classroom teachers voting by secret ballot.

(iii) The election shall be solely and exclusively conducted by the classroom teachers, including the distribution of ballots to all classroom teachers.

(B) The committee shall be responsible for:

(i) Creating the school's Rewarding Excellence in Achievement plan; and

(ii)(a) Evaluating the school's Rewarding Excellence in Achievement plan.

(b) The committee shall report to its local board on the evaluation of the school's Rewarding Excellence in Achievement

plan.

6-15-2606. Contents of Rewarding Excellence in Achievement plans.

(a) A Rewarding Excellence in Achievement plan approved for participation in the Rewarding Excellence in Achievement Program shall:

(1) Describe how teachers can achieve career advancement and additional compensation;

(2) Describe how the public school district or public charter school will provide teachers with career advancement options that allow teachers to retain primary roles in student instruction and facilitates site-focused professional development that helps other teachers improve their skills;

(3) Describe how the public school district or public charter school will prevent any teacher's compensation paid before implementing the pay system from being reduced as a result of initial implementation of the Rewarding Excellence in Achievement plan;

(4) Describe how the forty percent to sixty percent (40%-60%) performance portion of compensation will be determined;

(5) Describe how the forty percent to sixty percent (40%-60%) knowledge and skill base portion of compensation will be determined;

(6) Describe how the plan will reform the "steps and lanes" salary schedule;

(7) Describe how the public school district or public charter school will encourage a collaborative relationship among teachers; and

(8) Describe how, after full plan implementation, the alternative compensation system will be:

(A) Sustained; or

(B) Phased out if the Rewarding Excellence in Achievement plan evaluation reveals that the plan does not work for the school.

(b) Rewarding Excellence in Achievement plans approved for participation in the Rewarding Excellence in Achievement Program may include provisions regarding the compensation for administrators and other staff members.

(c) Compensation increases for the performance portion of compensation, forty percent to sixty percent (40%-60%) of the teacher's total compensation, under the Rewarding Excellence in Achievement plan shall include:

(1)(A) Achievement gains of students in each teacher's class on student scores under the statewide assessment program described in § 6-15-433.

(B) Locally selected and Department of Education-approved standardized assessment outcomes for students in each teacher's class may also be included;

(2) Achievement gains of students on a school-wide basis under the statewide assessment program described in § 6-15-433. Locally selected and Department of Education-approved standardized assessment outcomes may also be included; and

(3) The remaining percentage of the performance portion of compensation of the teacher's total compensation shall be based on an objective teacher evaluation program that includes:

(A) An individual objective teacher evaluation conducted by the school principal that is aligned with the comprehensive school

improvement plan and professional development plan described in § 6-15-2607; and

(B) Peer objective evaluations using multiple criteria conducted by locally selected and periodically trained evaluators that understand teaching and learning and that include provisions for integrated ongoing site-based professional development activities to improve instructional skills and learning that are aligned with student needs under § 6-15-2009.

6-15-2607. Staff development.

(a) Staff development activities for a public school district or public charter school participating in the Rewarding Excellence in Achievement Program shall:

(1) Focus on the school classroom and research-based strategies that improve student learning;

(2) Provide opportunities for teachers to practice and improve their instructional skills over time;

(3) Provide opportunities for teachers to use student data as part of their daily work to increase student achievement;

(4) Enhance teacher content knowledge and instructional skills;

(5) Align with state academic standards;

(6) Provide opportunities to build professional relationships, foster collaboration among principals and staff who provide instruction, and provide opportunities for teacher-to-teacher mentoring; and

(7) Align with the Rewarding Excellence in Achievement plan of the public school district or public charter school.

(b) Staff development activities for school districts and public charter schools participating in the Rewarding Excellence in Achievement Program may include:

(1) Curriculum development and curriculum training programs; and

(2) Activities that provide teachers and other staff members training to enhance teacher and team and school performance.

(c) The public school district or public charter school may implement other staff development activities associated with professional teacher compensation models.

6-15-2608. Evaluation of participants.

(a) The Department of Education shall commission an annual evaluation of the Rewarding Excellence in Achievement plan of each public school district and public charter school participating in the Rewarding Excellence in Achievement Program.

(b) An annual evaluation shall include, without limitation, consideration of:

(1) Student scores under the statewide assessment program described in § 6-15-433;

(2) Student attendance;

(3) Student grades;

(4) Incidents involving student discipline;

(5) Socioeconomic data on students' families;

(6) Parental satisfaction with the schools;

(7) Student satisfaction with the schools; and

(8) Correlations between student assessment gains and teacher

degree levels, years of experience, staff development, and a school's status for having a qualified teacher in every public school classroom under § 6-15-1004.

6-15-2609. Reporting and continued funding.

(a)(1) In addition to the program evaluation required by § 6-15-2608, each participating school district or public charter school shall report on the implementation and effectiveness of its Rewarding Excellence in Achievement plan and make recommendations by August 15 each year to its local board.

(2) The local board shall transmit a copy of the report with a summary of the findings and recommendations of the public school district or public charter school to the Commissioner of Education.

(b)(1) If the commissioner determines that a public school district or public charter school that receives funding under the Rewarding Excellence in Achievement Program is not complying with the requirements of the program, the commissioner shall withhold further funding from that participant.

(2) Such withheld funds may be reallocated to other existing or new participants.

(3) Before making the determination to withhold funds, the commissioner shall notify the participant of any deficiencies and provide the participant an opportunity to comply with the requirements of the Rewarding Excellence in Achievement Program.

(c) At the end of the Rewarding Excellence in Achievement plan period, the commissioner shall present evaluation findings and recommendations to the State Board of Education, the House Education Committee, and the Senate Education Committee.

6-15-2610. Construction with other state law.

To the extent that the provisions of this subchapter or the terms of an approved Rewarding Excellence in Achievement plan directly conflict with any provision of § 6-17-201 et seq., the Teacher Fair Dismissal Act of 1983, § 6-17-1501 et seq., or the provisions of any other state law relating to the compensation of public school teachers, the provisions of this subchapter and the approved Rewarding Excellence in Achievement plan shall control."

The Amendment was read \_\_\_\_\_

By: Representative Kenney  
CLR/CLR - 03-19-2007 09:12  
CLR358

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Chief Clerk