

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H3/20/07

A Bill

HOUSE BILL 2614

5 By: Representative Kenney
6
7

For An Act To Be Entitled

9 AN ACT TO CREATE A PILOT PROGRAM TO RESTRUCTURE
10 THE TEACHER PROFESSIONAL PAY SYSTEM IN ARKANSAS
11 TO BE KNOWN AS THE REWARDING EXCELLENCE IN
12 ACHIEVEMENT PROGRAM (REAP); AND FOR OTHER
13 PURPOSES.
14

Subtitle

15 AN ACT TO BE KNOWN AS THE REWARDING
16 EXCELLENCE IN ACHIEVEMENT PROGRAM ACT OF
17 2007.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

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

25 *Subchapter 26 -- The Rewarding Excellence in Achievement Program*

26
27 *6-15-2601. Title.*

28 *This act shall be known and may be cited as the "Rewarding Excellence*
29 *in Achievement Program Act of 2007".*
30

31 *6-15-2602. Legislative intent.*

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

36 *(1) Provide incentives that will encourage teachers to improve*



1 their knowledge and instructional skills in order to improve student
2 learning;

3 (2) Recruit and retain highly qualified teachers;

4 (3) Encourage highly qualified teachers to undertake challenging
5 assignments;

6 (4) Support teachers' roles in improving students' educational
7 achievements; and

8 (5) Inform policymakers regarding the potential of a
9 restructured teacher professional pay system to improve student achievement
10 across the state.

11
12 6-15-2603. Definitions.

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

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

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

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

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

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

34
35 6-15-2604. Rules.

36 The State Board of Education is authorized and directed to establish

1 rules for the Rewarding Excellence in Achievement Program consistent with
2 this subchapter.

3
4 6-15-2605. Application forms and procedures for the Rewarding
5 Excellence in Achievement Program.

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

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

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

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

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

19 (b) The State Board of Education shall adopt:

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

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

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

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

33 (e)(1) In order to participate in the Rewarding Excellence in
34 Achievement Program, a public school district or public charter school must
35 have an approved comprehensive school improvement plan, as defined in § 6-15-
36 419(9).

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

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

6 (B) Performance goals and benchmarks for improvement;

7 (C) Measures of student attendance and completion rates;

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

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

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

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

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

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

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

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

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

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

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

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

7 (B) The committee shall be responsible for:

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

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

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

15
16 6-15-2606. Contents of Rewarding Excellence in Achievement plans.

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

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

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

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

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

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

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

36 (7) Describe how the public school district or public charter

1 school will encourage a collaborative relationship among teachers; and

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

4 (A) Sustained; or

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

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

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

15 (1)(A) Achievement gains of students in each teacher's class on
16 student scores under the statewide assessment program described in § 6-15-
17 433.

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

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

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

28 (A) An individual objective teacher evaluation conducted
29 by the school principal that is aligned with the comprehensive school
30 improvement plan and professional development plan described in § 6-15-2607;
31 and

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

1 6-15-2009.

2
3 6-15-2607. Staff development.

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

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

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

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

13 (4) Enhance teacher content knowledge and instructional skills;

14 (5) Align with state academic standards;

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

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

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

23 (1) Curriculum development and curriculum training programs; and

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

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

29
30 6-15-2608. Evaluation of participants.

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

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

1 (1) Student scores under the statewide assessment program
2 described in § 6-15-433;
3 (2) Student attendance;
4 (3) Student grades;
5 (4) Incidents involving student discipline;
6 (5) Socioeconomic data on students' families;
7 (6) Parental satisfaction with the schools;
8 (7) Student satisfaction with the schools; and
9 (8) Correlations between student assessment gains and teacher
10 degree levels, years of experience, staff development, and a school's status
11 for having a qualified teacher in every public school classroom under § 6-15-
12 1004.

13
14 6-15-2609. Reporting and continued funding.

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

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

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

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

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

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

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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.

/s/ Kenney