HB585

139066-1

By Representatives Chesteen, Lee, Baker, Drake, Patterson, Beech, Collins, Nordgren, Shiver and Jackson

RFD: Ways and Means Education

First Read: 20-MAR-12
SYNOPSIS: Under existing law, the state does not have a performance incentive program for public K-12 schools.

This bill would establish the Legislative School Performance Recognition Program.

A BILL TO BE ENTITLED AN ACT

Relating to public K-12 education; to create the Legislative School Performance Recognition Program.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. (a) The Legislature finds that there is a need for a program to reward public K-12 schools in Alabama that demonstrate high achievement.

(b) The Legislature further finds that performance-based incentives and increased autonomy are commonplace in the private sector and should be infused into the public sector as a reward for productivity.
Section 2. (a) The Legislative School Performance Recognition Program is created within the State Department of Education to reward public schools that either:

(1) Demonstrate high performance by being ranked in the top 25 percent of public schools, as ranked in the school grading system.

(2) Demonstrate exemplary progress by improving the overall annual ranking of the school by at least one letter grade, as ranked in the school grading system.

(b) All public schools that are ranked in the school grading system are eligible to participate in the program.

(c) The State Superintendent of Education shall prescribe guidelines for how the program shall be administered and implemented by not later than December 31, 2013, but the program may not be implemented by the State Superintendent of Education or the State Department of Education until both of the following have occurred:

(1) Rules governing how the program is to be administered and implemented have been promulgated by the State Department of Education pursuant to the Alabama Administrative Procedure Act.

(2) The school grading system is in its second academic year of implementation.

(d) In developing the program, the State Superintendent of Education shall seek input from parents, teachers, school administrators, existing State Department of Education advisory groups or task forces, and other education
stakeholders on how the program may properly reflect not only
the overall academic proficiency of each public school but
also the academic improvements made by each public school.

    (e) Selected schools shall receive financial awards
depending on the availability of funds appropriated by the
Legislature to the program. The State Superintendent of
Education shall distribute funds to eligible schools on a
competitive basis based on the criteria set forth in this
section as well as in the rules governing how the program is
to be administered and implemented. When funds are awarded,
the State Superintendent of Education may award no more than
20 percent of the total appropriation to those schools
eligible for an award pursuant to subdivision (1) of
subsection (a). Any remaining amounts shall be awarded to
those schools eligible for an award pursuant to subdivision
(2) of subsection (a). No school may be eligible for an award
pursuant to both subdivision (1) and subdivision (2) of
subsection (a) at the same time.

    (f) Subject to the rules governing how the program
is to be administered and implemented, a school eligible for
an award pursuant to subdivision (1) or subdivision (2) of
subsection (a) shall be exempt from any statute or regulation
related to the prescribed use of funds at the school level, or
any categorical spending requirements imposed through the
appropriation of funds from the state, except those
requirements associated with the receipt of federal funds. A
school eligible for an award pursuant to subdivision (1) or
subdivision (2) of subsection (a) shall be eligible for the
textility provided by this subsection regardless of whether
the school receives a financial award as contemplated by
subsection (e).

(g) A list of schools eligible for an award pursuant
to subdivision (1) or subdivision (2) of subsection (a) shall
be annually posted by the State Superintendant of Education on
the website of the department.

(h) As used in this section, the phrase school
grading system shall mean the school grading system developed
by the State Superintendent of Education pursuant to House
Bill ___ of the 2012 Regular Session.

Section 3. This act shall become effective
immediately upon its passage and approval by the Governor, or
its otherwise becoming law.