

1 **SENATE FLOOR VERSION**

2 March 1, 2012

3 COMMITTEE SUBSTITUTE
4 FOR

5 SENATE BILL NO. 1879

By: Ford of the Senate

and

Coody of the House

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7
8 [Schools - National Board Certification Bonus
Program - effective date -

emergency]

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

13 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-204.2, is
14 amended to read as follows:

15 Section 6-204.2. A. ~~Subject to the availability of funds, the~~
16 The Oklahoma Commission for Teacher Preparation and the State Board
17 of Education are authorized to establish the Education Leadership
18 Oklahoma program.

19 B. The purposes of the Education Leadership Oklahoma program
20 are:

21 1. Provide teachers throughout the state information about
22 National Board certification and the Education Leadership Oklahoma
23 program ~~scholarships and services;~~
24

1 2. Provide technical assistance and National Board certified
2 mentors to all teachers seeking National Board certification upon
3 request;

4 ~~3. Provide scholarships, pursuant to the Education Leadership
5 Oklahoma Act and Oklahoma Commission for Teacher Preparation rules,
6 for teachers seeking National Board certification;~~

7 4. Provide a bonus to teachers who achieve National Board
8 certification pursuant to the Education Leadership Oklahoma Act ~~and,~~
9 State Board of Education rules, and in accordance with subsection M
10 of this section;

11 ~~5.~~ 4. Reward teachers who achieve National Board certification
12 ~~without the financial support of the Education Leadership Oklahoma
13 program by awarding them the application fee and the amount of the a
14 scholarship given to Education Leadership Oklahoma participants
15 pursuant to this section and commission rules as provided in
16 subsection D of this section; and~~

17 ~~6.~~ 5. Provide recognition to National Board certified teachers.

18 C. Except as otherwise provided for in subsection ~~P~~ M of this
19 section, to fulfill the objectives of the Education Leadership
20 Oklahoma Act, the Oklahoma Commission for Teacher Preparation shall:

21 1. Inform teachers of the Education Leadership Oklahoma program
22 and ~~the scholarships and~~ services it provides to teachers seeking
23 National Board certification, emphasizing recruiting efforts toward
24 teachers at high-poverty schools, and low-achieving schools ~~and in~~

1 ~~counties with the lowest percentage of teachers who have achieved~~
2 ~~National Board certification;~~

3 ~~2. Collect and review applications to the scholarship program~~
4 ~~from interested teachers;~~

5 ~~3. Establish an applicant review committee for the purpose of~~
6 ~~identifying scholarship recipients pursuant to the Education~~
7 ~~Leadership Oklahoma Act for the Education Leadership Oklahoma~~
8 ~~program; and~~

9 ~~4. 2. Ensure that all scholarship recipients, alternates, and~~
10 ~~teachers seeking National Board certification independently receive~~
11 ~~adequate information regarding the level of commitment required to~~
12 ~~acquire National Board certification.~~

13 ~~D. The applicant review committee shall:~~

14 ~~1. Consist of:~~

15 ~~a. five classroom teachers appointed by the State Board~~
16 ~~of Education, at least one of whom shall be a National~~
17 ~~Board certified teacher, if available,~~

18 ~~b. five classroom teachers appointed by the Oklahoma~~
19 ~~Commission for Teacher Preparation, at least one of~~
20 ~~whom shall be a National Board certified teacher, if~~
21 ~~available,~~

22 ~~c. three classroom teachers appointed by the Oklahoma~~
23 ~~State Regents for Higher Education, at least one of~~

24

1 whom shall be a National Board certified teacher, if
2 available, and

3 d. ~~a chair to be designated by the Executive Director of~~
4 ~~the Oklahoma Commission for Teacher Preparation from~~
5 ~~among the appointed members; and~~

6 2. ~~Except as otherwise provided for in subsection P of this~~
7 ~~section, select up to four hundred teachers each year, of whom a~~
8 ~~minimum of twenty-five percent (25%) teach at schools on the school~~
9 ~~improvement list as determined by the State Board of Education~~
10 ~~pursuant to the No Child Left Behind Act or schools with more than~~
11 ~~fifty percent (50%) of students who qualify for the free and reduced~~
12 ~~price lunch program, and the appropriate number of alternates, who:~~

13 a. ~~have demonstrated a commitment to excellence in~~
14 ~~teaching,~~

15 b. ~~meet all eligibility requirements for potential~~
16 ~~certification as established by the National Board for~~
17 ~~Professional Teaching Standards,~~

18 c. ~~are employed in an Oklahoma public school, and~~

19 d. ~~meet other requirements of the Commission.~~

20 E. ~~Subject to the availability of funds appropriated by the~~
21 ~~Legislature for the purposes of this subsection and except Except as~~
22 ~~otherwise provided for in subsection P M of this section, the~~
23 ~~Commission shall pay for the application processing charge and~~
24 ~~assessment fee for National Board certification ~~shall be paid for~~~~

1 ~~scholarship recipients by the Commission, and scholarship recipients~~
2 ~~shall be provided~~ not to exceed Two Thousand Seven Hundred Fifty
3 Dollars (\$2,750.00) and a scholarship in the amount of Five Hundred
4 Dollars (\$500.00) to cover other expenses associated with obtaining
5 National Board certification to all teachers who obtain National
6 Board certification.

7 ~~F. It is the intent of the Legislature that the Oklahoma~~
8 ~~Commission for Teacher Preparation contract with Southeastern~~
9 ~~Oklahoma State University to establish Education Leadership Oklahoma~~
10 ~~program training in higher education teacher preparation programs in~~
11 ~~the state to assist teachers in meeting the requirements to obtain~~
12 ~~National Board certification~~

13 E. The Commission shall promulgate rules for up-front payment
14 of the application processing charge and assessment fee and
15 scholarship, for applicants selected pursuant to Commission rules,
16 not to exceed one hundred (100) applicants per fiscal year. If an
17 applicant who receives the up-front payment does not complete
18 National Board certification within three (3) years, then the
19 applicant shall repay the Commission the amount provided by the
20 Commission pursuant to this subsection. All applicants who do not
21 receive an up-front payment and successfully complete National Board
22 certification shall be reimbursed by the Commission for the
23 application processing charge and assessment fee, not to exceed Two
24 Thousand Seven Hundred Fifty Dollars (\$2,750.00).

1 ~~G.~~ F. Except as otherwise provided for in subsection ~~P~~ M of
2 this section, all teachers seeking National Board certification
3 shall be eligible to participate in Education Leadership Oklahoma
4 program training to assist them in meeting the requirements of the
5 National Board certification process, free of charge.

6 ~~H.~~ G. The Oklahoma Commission for Teacher Preparation shall
7 promulgate rules for the ~~selection of scholarship recipients, the~~
8 ~~selection and utilization of alternates, the payment and~~
9 reimbursement of application fees, and the issuance of scholarships.

10 ~~I.~~ H. Subject to district board of education policy or
11 collective bargaining agreement, additional professional leave days
12 may be granted to teachers seeking National Board certification for
13 National Board certification portfolio development. During the two
14 (2) days of the additional professional days granted to teachers for
15 National Board certification portfolio development, a substitute
16 teacher shall be provided by the school district at no cost to the
17 teacher.

18 ~~J.~~ I. Except as otherwise provided for in subsection ~~P~~ M of
19 this section, the State Board of Education shall provide all
20 teachers who attain National Board certification a bonus in the
21 amount of Five Thousand Dollars (\$5,000.00) annually no later than
22 January 31. Teachers shall be eligible to receive an annual bonus
23 for as long as they maintain the duration of their current National
24 Board certification, not to exceed ten (10) annual payments and so

1 long as they are teaching in the classroom full-time in an Oklahoma
2 public school. No school or school district shall be liable for
3 payment of bonuses pursuant to this section.

4 ~~K.~~ J. The bonus shall not be included in the calculation of the
5 teacher's salary for purposes of meeting the district or statutory
6 minimum salary schedule or for purposes of compensating Oklahoma
7 Teachers' Retirement System contributions or benefits.

8 ~~L.~~ K. The State Board of Education shall promulgate rules for
9 the provision of the bonus pursuant to this section to include, but
10 not be limited to, a process by which a National Board certified
11 teacher will verify that:

- 12 1. The National Board certification has not lapsed; ~~and~~
- 13 2. The teacher is still a full-time teacher; and
- 14 3. The teacher has not exceeded the limit of ten (10) annual
15 payments.

16 ~~M.~~ L. It is the intent of the Legislature that the Oklahoma
17 State Regents for Higher Education incorporate the National Board
18 certification portfolio development into all programs in education
19 leading to a master's level degree.

20 ~~N. Upon implementation of this subsection as provided for in~~
21 ~~subsection O of this section, the State Board of Education shall~~
22 ~~provide all teachers who attain National Board certification a bonus~~
23 ~~in the amount of Seven Thousand Dollars (\$7,000.00) annually no~~
24 ~~later than January 31 for as long as they maintain their National~~

1 ~~Board certification and are full-time teachers in an Oklahoma public~~
2 ~~school. No school or school district shall be liable for payment of~~
3 ~~bonuses pursuant to this section. Upon implementation, the bonus~~
4 ~~provided for in this subsection shall replace the bonus provided for~~
5 ~~in subsection J of this section.~~

6 ~~O. Implementation of subsection N of this section shall be~~
7 ~~contingent upon the appropriation by the Legislature of state funds~~
8 ~~for the specific purpose of implementing subsection N of this~~
9 ~~section. Nothing in this section shall prevent the State Board of~~
10 ~~Education or a school district board of education from utilizing~~
11 ~~private, local, or federal funds to implement subsection N of this~~
12 ~~section.~~

13 ~~P. M.~~ 1. Except as otherwise provided, the Oklahoma Commission
14 for Teacher Preparation shall not accept any applications for the
15 Education Leadership Oklahoma program, award scholarships pursuant
16 to the Education Leadership Oklahoma Act or pay the National Board
17 certification application processing charge and assessment fee for
18 scholarship recipients after June 30, 2010, through June 30, 2012.
19 The Commission may pay any scholarship amounts or pay the National
20 Board certification application fees incurred after June 30, 2010,
21 for any teacher selected for the Education Leadership Oklahoma
22 program before June 30, 2010.

23 2. Except as otherwise provided, the State Board of Education
24 shall not provide a bonus in the amount of Five Thousand Dollars

1 (\$5,000.00) as authorized in subsection ~~¶~~ I of this section
2 beginning June 30, 2010, ~~through June 30, 2012,~~ to any teacher who
3 attains National Board certification after June 30, 2010, ~~through~~
4 ~~June 30, 2012.~~ The Board shall provide a bonus to any teacher who
5 attains National Board certification after June 30, 2010, if the
6 teacher was selected for the Education Leadership Oklahoma program
7 before June 30, 2010, or the teacher has submitted an application
8 for National Board certification to the National Board for
9 Professional Teaching Standards before June 30, 2010.

10 3. Except as otherwise provided, if a teacher who qualifies for
11 a bonus pursuant to this section is not provided an annual bonus by
12 the State Board of Education, the teacher shall receive an annual
13 bonus payment after the teacher's current National Board
14 certification is expired, for a total of ten (10) annual payments.

15 N. For the fiscal year ending June 30, 2013 and each fiscal
16 year thereafter, the Legislature shall appropriate Fifteen Million
17 Dollars (\$15,000,000.00) to be deposited into the Oklahoma Teacher
18 Performance Pay Revolving Fund for the purpose of funding National
19 Board certification bonuses and establishing a performance pay
20 system. All funds remaining in the Oklahoma Teacher Performance Pay
21 Revolving Fund at the end of the fiscal year, after all bonuses are
22 paid, shall be used by the State Department of Education to
23 implement a performance pay system in accordance with the teacher
24

1 and leader effectiveness evaluation system provided in Section 6-
2 101.16 of this title.

3 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-206, is
4 amended to read as follows:

5 Section 6-206. A. ~~Subject to the availability of funds, the~~
6 The State Board of Education shall provide an annual salary bonus in
7 the amount of Five Thousand Dollars (\$5,000.00) no later than
8 January 31 of each year to the following employees of public school
9 districts:

10 1. Any school psychologist who has been designated as a
11 Nationally Certified School Psychologist by the National School
12 Psychology Certification Board; and

13 2. Any speech-language pathologist or audiologist who holds a
14 Certificate of Clinical Competence awarded by the American Speech-
15 Language Hearing Association.

16 B. The State Board of Education shall adopt rules for the
17 provision of the bonus pursuant to this section to include, but not
18 be limited to, a process by which a nationally certified school
19 psychologist, speech-language pathologist and audiologist may verify
20 that:

21 1. The individual is still employed by a school district;

22 2. The certification required in subsection A of this section
23 has been attained and has not lapsed; ~~and~~

24 3. The individual is licensed to practice in this state; and

1 4. The individual has not exceeded the limit of ten (10) annual
2 payments as provided in subsection E of this section.

3 C. An individual who qualifies for the bonus pursuant to this
4 section and who is employed by a school district on less than a
5 full-time basis, shall receive a pro-rated bonus based on the
6 proportionate equivalency to full-time employment.

7 D. No school or school district shall be liable for payment of
8 bonuses pursuant to this section. The bonus shall not be included
9 in the calculation of salary for purposes of meeting the district or
10 statutory minimum salary schedule or for purposes of calculating
11 Teachers' Retirement System of Oklahoma contributions or benefits.

12 ~~E. The amount of the salary bonus pursuant to subsection A of~~
13 ~~this section shall be increased to Seven Thousand Dollars~~
14 ~~(\$7,000.00) upon implementation of subsection N of Section 6-204.2~~
15 ~~of this title~~ State Board of Education shall only provide a bonus to
16 school employees who satisfy the requirements of subsection A of
17 this section prior to July 1, 2012, provided that any individual who
18 qualifies for the bonus pursuant to this section shall be eligible
19 for a maximum of ten (10) annual bonus payments.

20 SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-204.4, is
21 amended to read as follows:

22 Section 6-204.4. There is hereby created in the State Treasury
23 a revolving fund for the State Board of Education to be designated
24 the ~~"Oklahoma National Board Certification Revolving Fund"~~ "Oklahoma

1 Teacher Performance Pay Revolving Fund". The fund shall be a
2 continuing fund, not subject to fiscal year limitations, and shall
3 consist of all monies appropriated or transferred to the fund by the
4 Legislature. All monies accruing to the credit of the fund are
5 hereby appropriated and may be budgeted and expended by the State
6 Board of Education to provide an annual bonus for those teachers
7 possessing National Board certification. Any monies remaining in
8 the fund at the end of the fiscal year, after all annual bonuses are
9 paid, shall be eligible to be expended by the State Board of
10 Education through a performance pay system based upon the Oklahoma
11 Teacher and Leader Effectiveness Evaluation System. Expenditures
12 from the fund shall be made upon warrants issued by the State
13 Treasurer against claims filed as prescribed by law with the
14 Director of State Finance for approval and payment. The State Board
15 of Education shall transfer all funds deposited into the Oklahoma
16 National Board Certification Revolving Fund for the fiscal year
17 ending June 30, 1998, to the Education Leadership Oklahoma Revolving
18 Fund, created in Section 6-204.3 of this title, less expenditures
19 and encumbrances as adjusted by transfer on July 1, 1998.

20 SECTION 4. This act shall become effective July 1, 2012.

21 SECTION 5. It being immediately necessary for the preservation
22 of the public peace, health and safety, an emergency is hereby
23 declared to exist, by reason whereof this act shall take effect and
24 be in full force from and after its passage and approval.

1 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 2-29-12 - DO
2 PASS, As Amended and Coauthored.

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