

**FLOOR AMENDMENT**  
HOUSE OF REPRESENTATIVES  
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB4387 \_\_\_\_\_  
Of the printed Bill  
Page \_\_\_\_\_ Section \_\_\_\_\_ Lines \_\_\_\_\_  
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by  
inserting in lieu thereof the following language:

**AMEND TITLE TO CONFORM TO AMENDMENTS**

Adopted: \_\_\_\_\_

Amendment submitted by: Kyle Hilbert

\_\_\_\_\_

\_\_\_\_\_  
Reading Clerk

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

FLOOR SUBSTITUTE

FOR

HOUSE BILL NO. 4387

By: Hilbert and Baker of the  
House

and

Pugh of the Senate

FLOOR SUBSTITUTE

An Act relating to teacher certification; amending 70 O.S. 2021, Section 6-190, which relates to criteria for issuing teaching certificates; providing for issuance of advanced teaching certificates; modifying procedures for issuing lead and master teaching certificates; establishing minimum salary increase for certificates; prescribing additional award for certain teachers; authorizing school district to identify and designate teachers for specialized certificates; requiring submission of plans to State Department of Education for evaluation and approval; providing minimum requirements for district designation system; authorizing use of additional factors; requiring state funding match; permitting districts to not participate in certain program; prescribing frequency and timing of designation; providing for professional development cohorts and additional training; mandating certain review of each district's system; requiring annual report of program; prescribing and modifying contract terms for advanced, lead, and master teachers; providing for funding through the Teacher Empowerment Revolving Fund; updating statutory citations; providing an effective date; declaring an emergency; and providing for conditional effect.

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

2 SECTION 1. AMENDATORY 70 O.S. 2021, Section 6-190, is  
3 amended to read as follows:

4 Section 6-190. A. The board of education of each school  
5 district shall employ and contract in writing, as required in  
6 Section 6-101 of this title, only with persons certified to teach by  
7 the State Board of Education in accordance with the Oklahoma Teacher  
8 Preparation Act, except as otherwise provided for by Section 6-101  
9 of this title and by other law.

10 B. The Board shall issue a certificate to teach to any person  
11 who:

12 1. Has successfully completed the teacher education program  
13 required by the Commission for Educational Quality and  
14 Accountability;

15 2. Has graduated from an accredited institution of higher  
16 education that has approval or accreditation for teacher education;

17 3. Has met all other requirements as may be established by the  
18 Board;

19 4. Has made the necessary application and paid the competency  
20 examination fee in an amount and as prescribed by the Commission;

21 5. Has successfully completed the competency examination  
22 required in Section 6-187 of this title; and

23 6. Beginning November 1, 2001, has on file with the Board a  
24 current Oklahoma criminal history record from the Oklahoma State

1 Bureau of Investigation as well as a national criminal history  
2 record check as defined in Section 150.9 of Title 74 of the Oklahoma  
3 Statutes. Upon receipt of the Oklahoma criminal history record, the  
4 Board may issue a temporary certificate which shall be effective  
5 until receipt of the national fingerprint-based criminal history  
6 record. The person applying for a certificate shall be responsible  
7 for the cost of the criminal history records.

8 C. The Board shall issue a certificate to teach to any person  
9 who:

10 1. Holds an out-of-state certificate and meets the requirements  
11 set forth in subsection G of this section;

12 2. Holds certification from the National Board for Professional  
13 Teaching Standards;

14 3. Holds an out-of-country certificate and meets the  
15 requirements set forth in subsection F of this section; or

16 4. Has successfully completed a competency examination used in  
17 the majority of other states or comparable customized exam and meets  
18 the requirements set forth in subsection H of this section.

19 D. Beginning July 1, 2004, any person applying for initial  
20 Oklahoma certification shall have on file with the Board a current  
21 Oklahoma criminal history record from the Oklahoma State Bureau of  
22 Investigation as well as a national criminal history record check as  
23 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon  
24 receipt of the Oklahoma criminal history record, the Board may issue

1 a temporary certificate which shall be effective until receipt of  
2 the national fingerprint-based criminal history record. The person  
3 applying for a certificate shall be responsible for the cost of the  
4 criminal history records.

5 E. Any person holding a valid certificate, issued prior to  
6 January 1, 1997, shall be a certified teacher for purposes of the  
7 Oklahoma Teacher Preparation Act, subject to any professional  
8 development requirements prescribed by the Oklahoma Teacher  
9 Preparation Act or by the State Board of Education.

10 F. 1. The Board shall issue a certificate to teach to a person  
11 who holds a valid out-of-country certificate and meets any  
12 requirements established by the Board. The certificate to teach  
13 shall only be for those subject areas and grade levels most closely  
14 aligned to the subject areas and grade levels recognized on the out-  
15 of-country certificate.

16 2. A person who meets the requirements of paragraph 1 of this  
17 subsection shall not be required to take any competency examinations  
18 in those subject areas and grade levels most closely aligned to the  
19 subject areas and grade levels recognized on the out-of-country  
20 certificate.

21 3. A person who meets the requirements of paragraph 1 of this  
22 subsection shall have on file with the Board a current Oklahoma  
23 criminal history record check from the Oklahoma State Bureau of  
24 Investigation as well as a national criminal history record check as

1 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon  
2 receipt of the Oklahoma criminal history record check, the Board may  
3 issue a temporary certificate which shall be effective until receipt  
4 of the national fingerprint-based criminal history record check.  
5 The person applying for a certificate shall be responsible for the  
6 cost of the criminal history record checks.

7 4. The Board shall promulgate rules establishing a process by  
8 which out-of-country certificates will be reviewed and evaluated for  
9 purposes of awarding a certificate to teach pursuant to this  
10 subsection.

11 G. 1. The Board shall issue a certificate to teach to a person  
12 who holds a valid out-of-state certificate. The certificate to  
13 teach shall only be for those subject areas and grade levels most  
14 closely aligned to the subject areas and grade levels recognized on  
15 the out-of-state certificate.

16 2. A person who meets the requirements of paragraph 1 of this  
17 subsection shall not be required to take any competency examinations  
18 in those subject areas and grade levels most closely aligned to the  
19 subject areas and grade levels recognized on the out-of-state  
20 certificate.

21 3. A person who meets the requirements of this subsection shall  
22 have on file with the Board a current Oklahoma criminal history  
23 record check from the Oklahoma State Bureau of Investigation as well  
24 as a national criminal history record check as defined in Section

1 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the  
2 Oklahoma criminal history record check, the Board may issue a  
3 temporary certificate which shall be effective until receipt of the  
4 national fingerprint-based criminal history record check. The  
5 person applying for a certificate shall be responsible for the cost  
6 of the criminal history record checks.

7 H. 1. The Board shall issue a certificate to teach to a person  
8 who has successfully completed a competency exam used in a majority  
9 of the other states. The certificate to teach shall only be for  
10 those subject areas and grade levels that correspond with a  
11 certification area used in Oklahoma.

12 2. A person who meets the requirements of paragraph 1 of this  
13 subsection shall have on file with the Board a current Oklahoma  
14 criminal history record check from the Oklahoma State Bureau of  
15 Investigation as well as a national criminal history record check as  
16 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon  
17 receipt of the Oklahoma criminal history record check, the Board may  
18 issue a temporary certificate which shall be effective until receipt  
19 of the national fingerprint-based criminal history record check.  
20 The person applying for a certificate shall be responsible for the  
21 cost of the criminal history record checks.

22 I. 1. The Board ~~shall issue a lead teaching certificate to any~~  
23 ~~person who upon application:~~  
24

- ~~1. Has successfully completed the requirements of this subsection;~~
- ~~2. Has a minimum of five (5) years of experience as a teacher;~~
- ~~3. Participates in a meaningful individualized program of professional development, as provided for in Section 6-101.10 of this title;~~
- ~~4. Has earned a "highly effective" or "superior" rating pursuant to Section 6-101.16 of this title; and~~
- ~~5. May have a teaching load of not more than seventy-five percent (75%) student instruction to allow the teacher to mentor other teachers.~~

~~J. 1. The Board shall issue a master teaching certificate to any person who upon application:~~

- ~~a. has successfully completed the requirements of this subsection;~~
- ~~b. has a minimum of seven (7) years of experience as a teacher, and~~
- ~~c. (1) has earned a "superior" rating pursuant to Section 6-101.16 of this title, or~~  
~~(2) has earned a "highly effective" rating pursuant to Section 6-101.16 of this title and holds or has held a National Board certification from the National Board for Professional Teaching Standards.~~



1       ~~2. Teachers with a master teaching certificate may assume~~  
2 ~~leadership roles that include but are not limited to:~~

- 3           ~~a. the planning and delivery of professional development~~  
4           ~~activities designed to improve instructional~~  
5           ~~strategies,~~  
6           ~~b. the facilitation of an instructional leadership team~~  
7           ~~within the building or school district in which the~~  
8           ~~lead teacher is assigned, and~~  
9           ~~c. the mentoring of other teachers and participation in~~  
10          ~~evaluations of other teachers.~~

11       ~~3. Teachers with a master teaching certificate may have a~~  
12 ~~teaching load of not more than fifty percent (50%) student~~  
13 ~~instruction to allow the lead teacher to spend time on:~~

- 14           ~~a. co-teaching,~~  
15           ~~b. co-planning,~~  
16           ~~c. peer reviews, and~~  
17           ~~d. other duties mutually agreed upon by the~~  
18           ~~superintendent and the master teacher, and may be used~~  
19           ~~to satisfy the qualitative evaluation component for~~  
20           ~~teachers as required by Section 6-101.16 of this title~~  
21           ~~by performing the duties set forth in this paragraph~~

22 may establish new levels of teacher certificates: advanced, lead,  
23 and master. Each level shall have a minimum salary increase  
24 requirement paid by the school district and matched with state

1 dollars from the lottery funds as provided in Section 713 of Title  
2 3A of the Oklahoma Statutes. The advanced certificate shall include  
3 a minimum salary increase of Three Thousand Dollars (\$3,000.00), the  
4 lead certificate shall include a minimum salary increase of Five  
5 Thousand Dollars (\$5,000.00), and the master certificate shall  
6 include a minimum salary increase of Ten Thousand Dollars  
7 (\$10,000.00) and maximum salary increase of Forty Thousand Dollars  
8 (\$40,000.00).

9 2. A teacher who works in a school with an enrollment of forty  
10 percent (40%) or more of students who are economically disadvantaged  
11 as defined in Section 18-109.5 of this title or a school district  
12 with an enrollment of less than one thousand students shall be paid  
13 a one-time award in addition to the salary increases provided in  
14 paragraph 1 of this subsection:

- 15 a. One Thousand Five Hundred Dollars (\$1,500.00) for an  
16 advanced certificate,
- 17 b. Two Thousand Five Hundred Dollars (\$2,500.00) for a  
18 lead certificate, and
- 19 c. Five Thousand Dollars (\$5,000.00) for a master  
20 certificate.

21 3. School districts may identify and designate the highest  
22 quality teachers for advanced, lead, and master certificates.  
23 Participating districts shall submit designation plans to the State  
24 Department of Education for evaluation and approval. Districts

1 shall have local control and flexibility in determining how to  
2 evaluate teachers and assign designations, but, at a minimum, the  
3 designation system shall include a teacher observation, out of  
4 classroom time, and a student performance component.

5 a. Teacher observation shall be based on the district's  
6 selected Teacher and Leader Effectiveness (TLE)  
7 evaluation tool, or an alternate method of evaluation;  
8 provided, the method is evidenced-based. Alternate  
9 methods of evaluation shall not replace the  
10 requirements of Section 6-101.16 of this title.

11 b. Each school district that elects to participate in  
12 assigning advanced, lead, and master teacher  
13 certificates shall include an out-of-classroom  
14 component for its assigned teachers to allow for  
15 professional growth opportunities while staying in the  
16 classroom. How out-of-classroom time is allotted and  
17 managed shall be determined by the school district and  
18 submitted as part of its designation plan to the State  
19 Department of Education for review and approval.

20 c. Student performance measures may be determined by the  
21 district and may include, but shall not be limited to,  
22 pre- and post-tests, summative or formative, and  
23 portfolios. The school district application shall  
24

1 show evidence of validity and reliability of the  
2 measures.

3 Districts may use additional factors in determining which  
4 teachers are eligible to receive a designation, such as student  
5 surveys, teacher leadership responsibilities, teacher mentorship  
6 responsibilities, family surveys, demonstration of district core  
7 values, teacher peer surveys, and contributions to the broader  
8 school community. No more than ten percent (10%) of each school  
9 district's teachers may be designated as an advanced, lead or master  
10 teacher in any given school year.

11 4. If a school district chooses to participate in this program,  
12 the state shall match the amount the district pays above base pay,  
13 up to Forty Thousand Dollars (\$40,000.00) per teacher.

14 5. School districts that designate teachers for advanced, lead,  
15 and master certificates do not have to participate in annual TLE  
16 evaluations for the designated teachers.

17 6. School districts may designate teachers for advanced, lead,  
18 or master certificates two times per year, once prior to the  
19 beginning of the school year, and once prior to the beginning of the  
20 second semester. Teachers statewide who receive these designations  
21 shall be placed in professional development cohorts and provided  
22 additional training opportunities from the State Department of  
23 Education.

1        7. After initial approval by the State Department of Education,  
2 the Department shall review and validate each participating school  
3 district's teacher evaluation system biennially.

4        8. The State Department of Education shall annually report the  
5 school districts participating in the program, the number of  
6 advanced, lead, and master certificates awarded, and the total  
7 amount in state match funding that was distributed to teachers.

8        ~~K.~~ J. The State Board of Education shall adopt rules to  
9 implement a renewal schedule and associated fees for advanced, lead,  
10 and master teaching certificates. The rules shall allow a teacher  
11 that no longer meets the requirements of ~~a~~ an advanced, lead, or  
12 master teaching certificate to make application for the standard  
13 teaching certificate.

14        ~~L.~~ K. The terms of the contracts issued to those holding  
15 advanced, lead, and master teaching certificates shall include the  
16 following:

17        1. Advanced: an additional five (5) days to be used to  
18 strengthen instructional leadership. A person with an advanced  
19 teaching certificate shall receive an annual salary increase of at  
20 least Three Thousand Dollars (\$3,000.00) or the district's daily  
21 rate of pay, whichever is higher, in addition to the salary for  
22 which the teacher qualifies pursuant to Section 18-114.14 of this  
23 title. This increase shall be matched by state dollars from the  
24 lottery funds as provided in Section 713 of Title 3A of the Oklahoma

1 Statutes, and shall be paid as regular annual compensation directly  
2 to teachers through school districts;

3     2. Lead: an additional ten (10) days to be used to strengthen  
4 instructional leadership. A person with a lead teaching certificate  
5 shall receive an annual salary ~~supplement~~ increase of at least ~~Three~~  
6 ~~Thousand Dollars (\$3,000.00)~~ Five Thousand Dollars (\$5,000.00) or  
7 the district's daily rate of pay, whichever is higher, in addition  
8 to the salary for which the teacher qualifies pursuant to Section  
9 18-114.14 of this title. This increase shall be matched by state  
10 dollars from the lottery funds as provided in Section 713 of Title  
11 3A of the Oklahoma Statutes, and shall be paid as regular annual  
12 compensation directly to teachers through school districts; and

13     ~~2.~~ 3. Master: an additional fifteen (15) days to be used to  
14 strengthen leadership. A person with a master teaching certificate  
15 shall receive an annual salary ~~supplement~~ increase of at least ~~Five~~  
16 ~~Thousand Dollars (\$5,000.00)~~ Ten Thousand Dollars (\$10,000.00) or  
17 the district's daily rate of pay, whichever is higher, in addition  
18 to the salary for which the teacher qualifies pursuant to Section  
19 18-114.14 of this title. This increase, up to Forty Thousand  
20 Dollars (\$40,000.00), shall be matched by state dollars from the  
21 lottery funds as provided in Section 713 of Title 3A of the Oklahoma  
22 Statutes, and shall be paid as regular annual compensation directly  
23 to teachers through school districts.

1 If a person with a an advanced, lead, or master teaching  
2 certificate changes school districts during the life of the  
3 certificate, the terms of the contracts required in this subsection  
4 shall be subject to approval by the new employing school district.

5 ~~M. 1. Any person who is eligible for a lead or master teaching~~  
6 ~~certificate described in this section shall make application for the~~  
7 ~~following school year with the State Board of Education. The~~  
8 ~~application shall include a recommendation from the local board of~~  
9 ~~education and determination that the applicant has met the statutory~~  
10 ~~criteria. In reviewing an application, the local school board of~~  
11 ~~education and the superintendent shall consider the ability of the~~  
12 ~~school district to fulfill the additional requirements described in~~  
13 ~~subsections I and J of this section before making a recommendation~~  
14 ~~to the State Board of Education.~~

15 ~~2. The State Department of Education shall develop an~~  
16 ~~application to implement the provisions of this subsection and make~~  
17 ~~it available to school districts.~~

18 ~~N. L.~~ Beginning in the ~~2021-2022~~ 2022-2023 school year, the  
19 Department shall make the teaching certificates provided for in this  
20 section available for any person who has received a recommendation  
21 from ~~their local board of education~~ his or her school district and  
22 who meets the eligibility criteria as outlined in each school  
23 district's teacher evaluation system provided for in subsection I of  
24 this section.

1       ~~O. For the 2019-2020 and 2020-2021 school years, the Department~~  
2 ~~shall identify school districts to implement the teaching~~  
3 ~~certificates provided for in this section on a pilot program basis~~  
4 ~~with the assistance of public-private partnerships, funding from~~  
5 ~~philanthropic organizations or federal grants.~~

6       ~~P. The Department shall seek funding~~ M. The funding necessary  
7 for the administration of this section shall be provided from the  
8 Teacher Empowerment Revolving Fund created in Section 2 of House  
9 Bill No. 4388 of the 2nd Session of the 58th Oklahoma Legislature.

10 If funding for the administration of the teaching certificates  
11 listed in ~~subsections~~ subsection I and J is not available, the  
12 Department shall not be required to fulfill the requirements listed  
13 in subsections I, K, and L, ~~M, N and O~~ of this section.

14       ~~Q. N.~~ N. The State Board of Education shall promulgate rules to  
15 implement the provisions of this act.

16       SECTION 2. This act shall become effective July 1, 2022.

17       SECTION 3. It being immediately necessary for the preservation  
18 of the public peace, health or safety, an emergency is hereby  
19 declared to exist, by reason whereof this act shall take effect and  
20 be in full force from and after its passage and approval.



1       SECTION 4. The provisions of this act shall be contingent upon  
2 the enactment of the provisions of House Bill No. 4388 of the 2nd  
3 Session of the 58th Oklahoma Legislature and shall not become  
4 operative as law otherwise.

5

6       58-2-11088       EK       03/17/22

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24