

1 **SENATE FLOOR VERSION**

2 April 12, 2022

3 **AS AMENDED**

4 ENGROSSED HOUSE  
5 BILL NO. 4387

6 By: Hilbert, Baker, and  
7 Phillips of the House

8 and

9 Pugh of the Senate

10 [ teacher certification - providing issuance of  
11 advanced teaching certificates - modifying procedures  
12 for issuing lead and master teaching certificates -  
13 effective date -

14 emergency - conditional effect ]

15 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

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

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

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

1 1. Has successfully completed the teacher education program  
2 required by the Commission for Educational Quality and  
3 Accountability;

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

6 3. Has met all other requirements as may be established by the  
7 Board;

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

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

12 6. Beginning November 1, 2001, has on file with the Board a  
13 current Oklahoma criminal history record from the Oklahoma State  
14 Bureau of Investigation as well as a national criminal history  
15 record check as defined in Section 150.9 of Title 74 of the Oklahoma  
16 Statutes. Upon receipt of the Oklahoma criminal history record, the  
17 Board may issue a temporary certificate which shall be effective  
18 until receipt of the national fingerprint-based criminal history  
19 record. The person applying for a certificate shall be responsible  
20 for the cost of the criminal history records.

21 C. The Board shall issue a certificate to teach to any person  
22 who:

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

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

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

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

8           D. Beginning July 1, 2004, any person applying for initial  
9 Oklahoma certification shall have on file with the Board a current  
10 Oklahoma criminal history record from the Oklahoma State Bureau of  
11 Investigation as well as a national criminal history record check as  
12 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon  
13 receipt of the Oklahoma criminal history record, the Board may issue  
14 a temporary certificate which shall be effective until receipt of  
15 the national fingerprint-based criminal history record. The person  
16 applying for a certificate shall be responsible for the cost of the  
17 criminal history records.

18           E. Any person holding a valid certificate, issued prior to  
19 January 1, 1997, shall be a certified teacher for purposes of the  
20 Oklahoma Teacher Preparation Act, subject to any professional  
21 development requirements prescribed by the Oklahoma Teacher  
22 Preparation Act or by the State Board of Education.

23           F. 1. The Board shall issue a certificate to teach to a person  
24 who holds a valid out-of-country certificate and meets any

1 requirements established by the Board. The certificate to teach  
2 shall only be for those subject areas and grade levels most closely  
3 aligned to the subject areas and grade levels recognized on the out-  
4 of-country certificate.

5 2. A person who meets the requirements of paragraph 1 of this  
6 subsection shall not be required to take any competency examinations  
7 in those subject areas and grade levels most closely aligned to the  
8 subject areas and grade levels recognized on the out-of-country  
9 certificate.

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

20 4. The Board shall promulgate rules establishing a process by  
21 which out-of-country certificates will be reviewed and evaluated for  
22 purposes of awarding a certificate to teach pursuant to this  
23 subsection.

24

1 G. 1. The Board shall issue a certificate to teach to a person  
2 who holds a valid out-of-state certificate. The certificate to  
3 teach shall only be for those subject areas and grade levels most  
4 closely aligned to the subject areas and grade levels recognized on  
5 the out-of-state certificate.

6 2. A person who meets the requirements of paragraph 1 of this  
7 subsection shall not be required to take any competency examinations  
8 in those subject areas and grade levels most closely aligned to the  
9 subject areas and grade levels recognized on the out-of-state  
10 certificate.

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

21 H. 1. The Board shall issue a certificate to teach to a person  
22 who has successfully completed a competency exam used in a majority  
23 of the other states. The certificate to teach shall only be for  
24

1 those subject areas and grade levels that correspond with a  
2 certification area used in Oklahoma.

3 2. A person who meets the requirements of paragraph 1 of this  
4 subsection shall have on file with the Board a current Oklahoma  
5 criminal history record check from the Oklahoma State Bureau of  
6 Investigation as well as a national criminal history record check as  
7 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon  
8 receipt of the Oklahoma criminal history record check, the Board may  
9 issue a temporary certificate which shall be effective until receipt  
10 of the national fingerprint-based criminal history record check.  
11 The person applying for a certificate shall be responsible for the  
12 cost of the criminal history record checks.

13 I. 1. ~~The Board shall issue a lead teaching certificate to any~~  
14 ~~person who upon application:~~

15 ~~1. Has successfully completed the requirements of this~~  
16 ~~subsection;~~

17 ~~2. Has a minimum of five (5) years of experience as a teacher;~~

18 ~~3. Participates in a meaningful individualized program of~~  
19 ~~professional development, as provided for in Section 6-101.10 of~~  
20 ~~this title;~~

21 ~~4. Has earned a "highly effective" or "superior" rating~~  
22 ~~pursuant to Section 6-101.16 of this title; and~~

23

24

1       ~~5. May have a teaching load of not more than seventy five~~  
2 ~~percent (75%) student instruction to allow the teacher to mentor~~  
3 ~~other teachers.~~

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

6           ~~a. has successfully completed the requirements of this~~  
7           ~~subsection,~~

8           ~~b. has a minimum of seven (7) years of experience as a~~  
9           ~~teacher, and~~

10          ~~c. (1) has earned a "superior" rating pursuant to~~  
11           ~~Section 6-101.16 of this title, or~~

12          ~~(2) has earned a "highly effective" rating pursuant~~  
13          ~~to Section 6-101.16 of this title and holds or~~  
14          ~~has held a National Board certification from the~~  
15          ~~National Board for Professional Teaching~~

16          ~~Standards.~~

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

19           ~~a. the planning and delivery of professional development~~  
20           ~~activities designed to improve instructional~~  
21           ~~strategies,~~

22           ~~b. the facilitation of an instructional leadership team~~  
23           ~~within the building or school district in which the~~  
24           ~~lead teacher is assigned, and~~

1 e. ~~the mentoring of other teachers and participation in~~  
2 ~~evaluations of other teachers.~~

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

6 a. ~~co-teaching,~~

7 b. ~~co-planning,~~

8 c. ~~peer reviews, and~~

9 d. ~~other duties mutually agreed upon by the~~

10 ~~superintendent and the master teacher, and may be used~~  
11 ~~to satisfy the qualitative evaluation component for~~  
12 ~~teachers as required by Section 6-101.16 of this title~~  
13 ~~by performing the duties set forth in this paragraph~~

14 may establish new levels of teacher certificates: advanced, lead,  
15 and master. Each level shall have a minimum salary increase  
16 requirement paid by the school district and matched with state  
17 dollars from the lottery funds as provided in Section 713 of Title  
18 3A of the Oklahoma Statutes. The advanced certificate shall include  
19 a minimum salary increase of Three Thousand Dollars (\$3,000.00), the  
20 lead certificate shall include a minimum salary increase of Five  
21 Thousand Dollars (\$5,000.00), and the master certificate shall  
22 include a minimum salary increase of Ten Thousand Dollars  
23 (\$10,000.00) and maximum salary increase of Forty Thousand Dollars  
24 (\$40,000.00).

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

7            a. One Thousand Five Hundred Dollars (\$1,500.00) for an  
8            advanced certificate,

9            b. Two Thousand Five Hundred Dollars (\$2,500.00) for a  
10           lead certificate, and

11           c. Five Thousand Dollars (\$5,000.00) for a master  
12           certificate.

13        3. School districts may identify and designate the highest  
14 quality teachers for advanced, lead, and master certificates.  
15 Participating districts shall submit designation plans to the State  
16 Department of Education for evaluation and approval. Districts  
17 shall have local control and flexibility in determining how to  
18 evaluate teachers and assign designations, but, at a minimum, the  
19 designation system shall include a teacher observation, out-of-  
20 classroom time, and a student performance component.

21           a. Teacher observation shall be based on the district's  
22           selected Teacher and Leader Effectiveness (TLE)  
23           evaluation tool, or an alternate method of evaluation;  
24           provided, the method is evidenced based. Alternate

1 methods of evaluation shall not replace the  
2 requirements of Section 6-101.16 of this title.

3 b. Each school district that elects to participate in  
4 assigning advanced, lead, and master teacher  
5 certificates shall include an out-of-classroom  
6 component for its assigned teachers to allow for  
7 professional growth opportunities while staying in the  
8 classroom. How out-of-classroom time is allotted and  
9 managed shall be determined by the school district and  
10 submitted as part of its designation plan to the State  
11 Department of Education for review and approval.

12 c. Student performance measures may be determined by the  
13 district and may include, but shall not be limited to,  
14 pre- and post-tests, summative or formative, and  
15 portfolios. The school district application shall  
16 show evidence of validity and reliability of the  
17 measures.

18 Districts may use additional factors in determining which  
19 teachers are eligible to receive a designation, such as student  
20 surveys, teacher leadership responsibilities, teacher mentorship  
21 responsibilities, family surveys, demonstration of district core  
22 values, teacher peer surveys, and contributions to the broader  
23 school community. No more than ten percent (10%) of each school  
24

1 district's teachers may be designated as an advanced, lead, or  
2 master teacher in any given school year.

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

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

9 6. School districts may designate teachers for advanced, lead,  
10 or master certificates two times per year, once prior to the  
11 beginning of the school year, and once prior to the beginning of the  
12 second semester. Teachers statewide who receive these designations  
13 shall be placed in professional development cohorts and provided  
14 additional training opportunities from the State Department of  
15 Education.

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

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

23 ~~K.~~ J. The State Board of Education shall adopt rules to  
24 implement a renewal schedule and associated fees for advanced, lead,

1 and master teaching certificates. The rules shall allow a teacher  
2 that no longer meets the requirements of ~~a~~ an advanced, lead, or  
3 master teaching certificate to make application for the standard  
4 teaching certificate.

5 ~~H.~~ K. The terms of the contracts issued to those holding  
6 advanced, lead, and master teaching certificates shall include the  
7 following:

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

18 2. Lead: an additional ten (10) days to be used to strengthen  
19 instructional leadership. A person with a lead teaching certificate  
20 shall receive an annual salary ~~supplement~~ increase of at least ~~Three~~  
21 ~~Thousand Dollars (\$3,000.00)~~ Five Thousand Dollars (\$5,000.00) or  
22 the district's daily rate of pay, whichever is higher, in addition  
23 to the salary for which the teacher qualifies pursuant to Section  
24 18-114.14 of this title. This increase shall be matched by state

1 dollars from the lottery funds as provided in Section 713 of Title  
2 3A of the Oklahoma Statutes, and shall be paid as regular annual  
3 compensation directly to teachers through school districts; and

4 ~~2.~~ 3. Master: an additional fifteen (15) days to be used to  
5 strengthen leadership. A person with a master teaching certificate  
6 shall receive an annual salary ~~supplement~~ increase of at least ~~Five~~  
7 ~~Thousand Dollars (\$5,000.00)~~ Ten Thousand Dollars (\$10,000.00) or  
8 the district's daily rate of pay, whichever is higher, in addition  
9 to the salary for which the teacher qualifies pursuant to Section  
10 18-114.14 of this title. This increase, up to Forty Thousand  
11 Dollars (\$40,000.00), shall be matched by state dollars from the  
12 lottery funds as provided in Section 713 of Title 3A of the Oklahoma  
13 Statutes, and shall be paid as regular annual compensation directly  
14 to teachers through school districts.

15 If a person with a ~~a~~ an advanced, lead, or master teaching  
16 certificate changes school districts during the life of the  
17 certificate, the terms of the contracts required in this subsection  
18 shall be subject to approval by the new employing school district.

19 ~~M. 1. Any person who is eligible for a lead or master teaching~~  
20 ~~certificate described in this section shall make application for the~~  
21 ~~following school year with the State Board of Education. The~~  
22 ~~application shall include a recommendation from the local board of~~  
23 ~~education and determination that the applicant has met the statutory~~  
24 ~~criteria. In reviewing an application, the local school board of~~

1 ~~education and the superintendent shall consider the ability of the~~  
2 ~~school district to fulfill the additional requirements described in~~  
3 ~~subsections I and J of this section before making a recommendation~~  
4 ~~to the State Board of Education.~~

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

8 ~~N. L.~~ Beginning in the ~~2021-2022~~ 2022-2023 school year, the  
9 Department shall make the teaching certificates provided for in this  
10 section available for any person who has received a recommendation  
11 ~~from their local board of education~~ his or her school district and  
12 who meets the eligibility criteria as outlined in each school  
13 district's teacher evaluation system provided for in subsection I of  
14 this section.

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

20 ~~P. The Department shall seek funding~~ M. The funding necessary  
21 for the administration of this section shall be provided from the  
22 Teacher Empowerment Revolving Fund created in Section 2 of House  
23 Bill No. 4388 of the 2nd Session of the 58th Oklahoma Legislature.  
24 If funding for the administration of the teaching certificates

1 listed in ~~subsections~~ subsection I and ~~J~~ is not available, the  
2 Department shall not be required to fulfill the requirements listed  
3 in subsections I, K, and L, ~~M, N and O~~ of this section.

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

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

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

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

15 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
16 April 12, 2022 - DO PASS AS AMENDED  
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