

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 58th Legislature (2022)

4 HOUSE BILL 4107

By: Vancuren, **Hardin (David),**
Walke, Luttrell,
Rosecrants, Fugate, Boles
and **Roberts (Dustin)** of the
House

7 and

8 **Rogers** of the Senate

9
10
11 AS INTRODUCED

12 An Act relating to teachers; amending 70 O.S. 2021,
13 Section 6-190, which relates to teacher
14 certification; directing State Board of Education to
15 issue teaching certificate for teacher certified by a
16 federally recognized tribal nation; limiting teaching
17 certificate to use in certain schools; exempting
18 teacher from additional competency examinations;
19 requiring certain criminal history record checks;
20 providing for issuance of temporary certificate;
21 specifying applicant will pay for criminal history
22 record checks; and providing an effective date.

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

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

Section 6-190. A. The board of education of each school
district shall employ and contract in writing, as required in

1 Section 6-101 of this title, only with persons certified to teach by
2 the State Board of Education in accordance with the Oklahoma Teacher
3 Preparation Act, except as otherwise provided for by Section 6-101
4 of this title and by other law.

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

7 1. Has successfully completed the teacher education program
8 required by the Commission for Educational Quality and
9 Accountability;

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

12 3. Has met all other requirements as may be established by the
13 Board;

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

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

18 6. Beginning November 1, 2001, has on file with the Board a
19 current Oklahoma criminal history record from the Oklahoma State
20 Bureau of Investigation as well as a national criminal history
21 record check as defined in Section 150.9 of Title 74 of the Oklahoma
22 Statutes. Upon receipt of the Oklahoma criminal history record, the
23 Board may issue a temporary certificate which shall be effective
24 until receipt of the national fingerprint-based criminal history

1 record. The person applying for a certificate shall be responsible
2 for the cost of the criminal history records.

3 C. The Board shall issue a certificate to teach to any person
4 who:

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

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

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

11 4. Holds a certificate from a federally recognized tribal
12 nation and meets the requirements set forth in subsection H of this
13 section; or

14 5. Has successfully completed a competency examination used in
15 the majority of other states or comparable customized exam and meets
16 the requirements set forth in subsection ~~H~~ I of this section.

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

1 applying for a certificate shall be responsible for the cost of the
2 criminal history records.

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

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

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

19 3. A person who meets the requirements of paragraph 1 of this
20 subsection shall have on file with the Board a current Oklahoma
21 criminal history record check 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 check, the Board may

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

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

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

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

19 3. A person who meets the requirements of this subsection shall
20 have on file with the Board a current Oklahoma criminal history
21 record check from the Oklahoma State Bureau of Investigation as well
22 as a national criminal history record check as defined in Section
23 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the
24 Oklahoma criminal history record check, the Board may issue a

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

5 H. 1. The Board shall issue a certificate to teach to a person
6 who holds a certificate from a federally recognized tribal nation.
7 The certificate to teach shall only be for a school that is operated
8 by the certificate-granting tribal nation within its reservation or
9 treaty area boundaries.

10 2. A person who meets the requirements of paragraph 1 of this
11 subsection shall not be required to take any competency examinations
12 other than those required by the certificate-granting tribal nation.

13 3. A person who meets the requirements of this subsection shall
14 have on file with the Board a current Oklahoma 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
17 check, the Board may issue a temporary certificate which shall be
18 effective until receipt of the national fingerprint-based criminal
19 history record check. The person applying for a certificate shall
20 be responsible for the cost of the criminal history record checks.

21 I. 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
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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.~~ J. 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
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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.~~ K. 1. The Board shall issue a master teaching certificate
5 to 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 c. 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 ~~K.~~ L. The State Board of Education shall adopt rules to
15 implement a renewal schedule and associated fees for lead and master
16 teaching certificates. The rules shall allow a teacher that no
17 longer meets the requirements of a lead or master teaching
18 certificate to make application for the standard teaching
19 certificate.

20 ~~H.~~ M. The terms of the contracts issued to those holding lead
21 and master teaching certificates shall include the following:

22 1. Lead: an additional ten (10) days to be used to strengthen
23 instructional leadership. A person with a lead teaching certificate
24 shall receive an annual salary supplement of at least Three Thousand

1 Dollars (\$3,000.00) or the district's daily rate of pay, whichever
2 is higher, in addition to the salary for which the teacher qualifies
3 pursuant to Section 18-114.14 of this title; and

4 2. 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 of at least Five Thousand
7 Dollars (\$5,000.00) or the district's daily rate of pay, whichever
8 is higher, in addition to the salary for which the teacher qualifies
9 pursuant to Section 18-114.14 of this title.

10 If a person with a lead or master teaching certificate changes
11 school districts during the life of the certificate, the terms of
12 the contracts required in this subsection shall be subject to
13 approval by the new employing school district.

14 ~~M.~~ N. 1. Any person who is eligible for a lead or master
15 teaching certificate described in this section shall make
16 application for the following school year with the State Board of
17 Education. The application shall include a recommendation from the
18 local board of education and determination that the applicant has
19 met the statutory criteria. In reviewing an application, the local
20 school board of education and the superintendent shall consider the
21 ability of the school district to fulfill the additional
22 requirements described in subsections ~~I and~~ J and K of this section
23 before making a recommendation to the State Board of Education.

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1 2. The State Department of Education shall develop an
2 application to implement the provisions of this subsection and make
3 it available to school districts.

4 ~~N.~~ O. Beginning in the 2021-2022 school year, the Department
5 shall make the teaching certificates provided for in this section
6 available for any person who has received a recommendation from
7 their local board of education and who meets the eligibility
8 criteria.

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

14 ~~P.~~ Q. The Department shall seek funding necessary for the
15 administration of this section. If funding for the administration
16 of the teaching certificates listed in subsections ~~I and J~~ J and K is
17 not available, the Department shall not be required to fulfill the
18 requirements listed in subsections ~~L, M, N and~~ O, and P of this
19 section.

20 ~~Q.~~ R. The State Board of Education shall promulgate rules to
21 implement the provisions of this act.

22 SECTION 2. This act shall become effective November 1, 2022.

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24 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 03/01/2022
- DO PASS, As Coauthored.