

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1626

By: Pugh

AS INTRODUCED

An Act relating to teacher certification; amending 70 O.S. 2021, Section 6-190, which relates to contracting with certified teachers; allowing each school district board of education to approve and submit to the State Department of Education a framework for issuance of certain teaching certificates; removing language establishing qualifications for certain certificates; providing for contents of framework; providing for evaluation and review of frameworks; allowing teachers with certain certificates to be exempt from certain evaluation; allowing school districts to recommend teachers for certain certificates during certain time periods; allowing certain teachers to receive additional training opportunities; updating references; providing terms of contract for teachers with certain certificate; modifying terms of contracts for teachers with certain certificates; providing for funding of administration; creating the Teacher Empowerment Revolving Fund; specifying sources of fund; providing for expenditures; providing purpose of fund; updating statutory language; providing for codification; providing an effective date; and declaring an emergency.

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

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

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

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

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

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

14 3. Has met all other requirements as may be established by the
15 Board;

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

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

20 6. Beginning November 1, 2001, has on file with the Board a
21 current Oklahoma criminal history record from the Oklahoma State
22 Bureau of Investigation as well as a national criminal history
23 record check as defined in Section 150.9 of Title 74 of the Oklahoma
24 Statutes. Upon receipt of the Oklahoma criminal history record, the

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

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

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

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

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

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

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

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 has successfully completed a competency exam used in a majority
7 of the other states. The certificate to teach shall only be for
8 those subject areas and grade levels that correspond with a
9 certification area used in ~~Oklahoma~~ this state.

10 2. 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 I. ~~The Board shall issue a~~ Each school district board of
21 education may adopt and submit to the State Department of Education
22 for approval a framework providing qualifications for the issuance
23 of advanced, lead, and master teaching certificate certificates to
24 any person who upon application:

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 ~~teachers employed by the school district.~~

1 1. The framework established pursuant to this subsection shall
2 provide for identification of high quality teachers employed by the
3 school district including at a minimum:

4 a. a teacher observation component which may be the same
5 as that used by the district for its written policy of
6 evaluation and corresponding professional development
7 adopted pursuant to Section 6-101.10 of this title.

8 Districts may adopt an alternative observation rubric
9 if the State Department of Education verifies it shows
10 evidence of validity and reliability, and

11 b. a student performance component that includes student
12 growth measures. The student performance component
13 may include summative or formative pre- and post-
14 tests, value-added measures, student learning
15 objectives, and student portfolios.

16 2. The framework established pursuant to this subsection may
17 include additional factors including but not limited to student
18 surveys, teacher leadership responsibilities, teacher mentorship
19 responsibilities, family surveys, demonstration of district core
20 values, teacher peer surveys, and contributions to the broader
21 school community.

22 J. The State Department of Education shall evaluate frameworks
23 submitted by school districts pursuant to subsection I of this
24 section to determine whether they show evidence of validity and

1 reliability. After initial approval, the Department shall review
2 and validate frameworks biannually.

3 K. Teachers with advanced, lead, or master teaching
4 certificates employed by a school district that has adopted an
5 alternative observation rubric approved by the State Department of
6 Education pursuant to subparagraph a of paragraph 1 of subsection I
7 of this section may be exempt from the written policy of evaluation
8 and corresponding professional development adopted by the school
9 district board of education pursuant to Section 6-101.10 of this
10 title.

11 L. A school district that receives approval for its framework
12 adopted pursuant to subsection I of this section may recommend
13 teachers to the State Board of Education for advanced, lead, or
14 master teaching certificates prior to the beginning of the school
15 year and prior to the beginning of the second semester.

16 M. Teachers with advanced, lead, or master teaching
17 certificates may be placed into professional development cohorts and
18 provided additional training opportunities from the State Department
19 of Education.

20 ~~K.~~ N. The State Board of Education shall adopt rules to
21 implement a renewal schedule and associated fees for advanced, lead,
22 and master teaching certificates. The rules shall allow a teacher
23 that no longer meets the requirements of ~~a~~ an advanced, lead, or
24

1 master teaching certificate to make application for the standard
2 teaching certificate.

3 ~~L.~~ O. The terms of the contracts issued to those holding
4 advanced, lead, and master teaching certificates shall include the
5 following:

6 1. Advanced: an additional five (5) days to be used to
7 strengthen instructional leadership. A person with an advanced
8 teaching certificate shall receive an annual salary supplement of at
9 least Three Thousand Dollars (\$3,000.00) or the district's daily
10 rate of pay, whichever is higher, in addition to the salary for
11 which the teacher qualifies pursuant to Section 18-114.14 of this
12 title. The salary supplement amount shall be matched by an equal
13 amount from the Teacher Empowerment Revolving Fund created pursuant
14 to Section 2 of this act. A person with an advanced teaching
15 certificate who is employed by a school district with an average
16 daily attendance of less than one thousand students or a school
17 district that receives funds pursuant to Title I, Part A of the
18 Elementary and Secondary Education Act of 1965 (ESEA) as
19 reauthorized by P.L. No. 114-95, also known as the Every Student
20 Succeeds Act (ESSA), shall receive an additional salary supplement
21 of One Thousand Five Hundred Dollars (\$1,500.00);

22 2. 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)~~ Five Thousand Dollars (\$5,000.00) or the
2 district's daily rate of pay, whichever is higher, in addition to
3 the salary for which the teacher qualifies pursuant to Section 18-
4 114.14 of this title. The salary supplement amount shall be matched
5 by an equal amount from the Teacher Empowerment Revolving Fund
6 created pursuant to Section 2 of this act. A person with a lead
7 teaching certificate who is employed by a school district with an
8 average daily attendance of less than one thousand students or a
9 school district that receives funds pursuant to Title I, Part A of
10 the Elementary and Secondary Education Act of 1965 (ESEA) as
11 reauthorized by P.L. No. 114-95, also known as the Every Student
12 Succeeds Act (ESSA), shall receive an additional salary supplement
13 of Two Thousand Five Hundred Dollars (\$2,500.00); and

14 ~~2.~~ 3. Master: an additional fifteen (15) days to be used to
15 strengthen leadership. A person with a master teaching certificate
16 shall receive an annual salary supplement of at least ~~Five Thousand~~
17 ~~Dollars (\$5,000.00)~~ Ten Thousand Dollars (\$10,000.00) or the
18 district's daily rate of pay, whichever is higher, in addition to
19 the salary for which the teacher qualifies pursuant to Section 18-
20 114.14 of this title. The salary supplement amount shall be matched
21 by an equal amount from the Teacher Empowerment Revolving Fund
22 created pursuant to Section 2 of this act. A person with a master
23 teaching certificate who is employed by a school district with an
24 average daily attendance of less than one thousand students or a

1 school district that receives funds pursuant to Title I, Part A of
2 the Elementary and Secondary Education Act of 1965 (ESEA) as
3 reauthorized by P.L. No. 114-95, also known as the Every Student
4 Succeeds Act (ESSA), shall receive an additional salary supplement
5 of Five Thousand Dollars (\$5,000.00).

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

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

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

23 ~~N. P.~~ Beginning in the ~~2021-2022~~ 2022-2023 school year, the
24 Department shall make the teaching certificates provided for in this

1 section available for any person who has received a recommendation
2 from their ~~local~~ employing school district board of education and
3 who meets the eligibility criteria established in the school
4 district's framework adopted pursuant to subsection I of this
5 section.

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

11 ~~P. The Department shall seek funding necessary for the~~
12 ~~administration of this section. If funding~~ Q. Funding ~~for the~~
13 ~~administration of the~~ advanced, lead, and master ~~teaching~~
14 ~~certificates listed in subsections I and J~~ including salary
15 supplements required by subsection O of this section shall be
16 provided on a first come, first served basis subject to availability
17 of funding. If funding for the administration of the advanced,
18 lead, and master teaching certificates ~~is not available, the~~
19 ~~Department shall not be required to fulfill the requirements listed~~
20 ~~in subsections L, M, N and O~~ and P ~~of this section.~~

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

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6-190.2 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

4 There is hereby created in the State Treasury a revolving fund
5 for the State Department of Education to be designated the "Teacher
6 Empowerment Revolving Fund". The fund shall be a continuing fund,
7 not subject to fiscal year limitations, and shall consist of all
8 monies received by the State Department of Education from
9 appropriations from the General Revenue Fund and the Oklahoma
10 Education Lottery Trust Fund. All monies accruing to the credit of
11 the fund are hereby appropriated and may be budgeted and expended by
12 the State Department of Education for the purpose of providing
13 matching salary supplement funds pursuant to the provisions of
14 subsection O of Section 6-190 of Title 70 of the Oklahoma Statutes.
15 Expenditures from the fund shall be made upon warrants issued by the
16 State Treasurer against claims filed as prescribed by law with the
17 Director of the Office of Management and Enterprise Services for
18 approval and payment.

19 SECTION 3. This act shall become effective July 1, 2022.

20 SECTION 4. It being immediately necessary for the preservation
21 of the public peace, health or safety, an emergency is hereby
22 declared to exist, by reason whereof this act shall take effect and
23 be in full force from and after its passage and approval.

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