

An Act

ENROLLED SENATE
BILL NO. 1256

By: Pugh of the Senate

and

Baker of the House

An Act relating to teachers; amending 70 O.S. 2021, Section 6-190, as amended by Section 3, Chapter 359, O.S.L. 2022 (70 O.S. Supp. 2023, Section 6-190), which relates to teacher certification; removing requirement for certain matching funds for certain teacher certificates; modifying salary increase amounts to be provided; removing maximum salary amount for certain certificate; exempting certain provisions from collective bargaining; updating statutory references; amending Section 2, Chapter 359, O.S.L. 2022 (70 O.S. Supp. 2023, Section 6-190.2), which relates to the Teacher Empowerment Revolving Fund; updating statutory reference; modifying allocation of funding; removing purpose of fund to serve as certain match; providing an effective date; and declaring an emergency.

SUBJECT: Teachers

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 6-190, as amended by Section 3, Chapter 359, O.S.L. 2022 (70 O.S. Supp. 2023, 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 Section 6-101 of this title, only with persons certified to teach by the State Board of Education in accordance with the Oklahoma Teacher

Preparation Act, except as otherwise provided for by Section 6-101 of this title and by other law.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

3. A person who meets the requirements of paragraph 1 of this subsection shall have on file with the Board a current Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon

receipt of the Oklahoma criminal history record check, the Board may issue a temporary certificate which shall be effective until receipt of the national fingerprint-based criminal history record check. The person applying for a certificate shall be responsible for the cost of the criminal history record checks.

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

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

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

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

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

2. A person who meets the requirements of paragraph 1 of this subsection shall have on file with the Board a current Oklahoma

criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the Oklahoma criminal history record check, the Board may issue a temporary certificate which shall be effective until receipt of the national fingerprint-based criminal history record check. The person applying for a certificate shall be responsible for the cost of the criminal history record checks.

I. 1. The Board may establish new levels of teacher certificates: advanced, lead, and master. Each level shall have a ~~minimum~~ salary increase requirement paid ~~by the school district and matched~~ with state dollars from the lottery funds as provided in Section 713 of Title 3A of the Oklahoma Statutes. The advanced certificate shall include a ~~minimum~~ salary increase of Three Thousand Dollars (\$3,000.00), the lead certificate shall include a ~~minimum~~ salary increase of Five Thousand Dollars (\$5,000.00), and the master certificate shall include a ~~minimum~~ salary increase of Ten Thousand Dollars (\$10,000.00) ~~and maximum salary increase of Forty Thousand Dollars (\$40,000.00).~~

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

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

3. School districts may identify and designate the highest quality teachers for advanced, lead, and master certificates. Participating districts shall submit designation plans to the State Department of Education for evaluation and approval. Districts shall have local control and flexibility in determining how to

evaluate teachers and assign designations, but, at a minimum, the designation system shall include a teacher observation, out-of-classroom time, and a student performance component.

- a. Teacher observation shall be based on the district's selected Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) evaluation tool or an alternate method of evaluation; provided, the method is evidenced-based. Alternate methods of evaluation shall not replace the requirements of Section 6-101.16 of this title.
- b. Each school district that elects to participate in assigning advanced, lead, and master teacher certificates shall include an out-of-classroom component for its assigned teachers to allow for professional growth opportunities while staying in the classroom. How out-of-classroom time is allotted and managed shall be determined by the school district and submitted as part of its designation plan to the State Department of Education for review and approval.
- c. Student performance measures may be determined by the district and may include, but shall not be limited to, pre- and post-tests, summative or formative, and portfolios. The school district application shall show evidence of validity and reliability of the measures.

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

4. If a school district chooses to participate in this program, the state shall ~~match the amount the district pays~~ provide the increased salary amounts indicated for advanced, lead, and master

certificates in paragraph 1 of this subsection above the base pay,
~~up to Forty Thousand Dollars (\$40,000.00) per teacher.~~

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

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

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

8. The State Department of Education shall annually report the school districts participating in the program, the number of advanced, lead, and master certificates awarded, and the total amount in state ~~match~~ funding that was distributed to teachers from the Teacher Empowerment Revolving Fund created in Section 6-190.2 of this title.

9. The selection criteria; designation of advanced, lead, or master teachers; and any associated salary increases shall not be subject to collective bargaining.

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

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

1. Advanced: an additional five (5) days to be used to strengthen instructional leadership. A person with an advanced

teaching certificate shall receive an annual salary increase of ~~at least~~ Three Thousand Dollars (\$3,000.00) or the district's daily rate of pay, whichever is higher, in addition to the salary for which the teacher qualifies pursuant to ~~Section 18-114.14~~ Section 18-114.15 of this title. This increase shall be ~~matched~~ funded by state dollars from the lottery funds as provided in Section 713 of Title 3A of the Oklahoma Statutes and shall be paid as regular annual compensation directly to teachers through school districts;

2. Lead: an additional ten (10) days to be used to strengthen instructional leadership. A person with a lead teaching certificate shall receive an annual salary increase of ~~at least~~ Five Thousand Dollars (\$5,000.00) or the district's daily rate of pay, whichever is higher, in addition to the salary for which the teacher qualifies pursuant to ~~Section 18-114.14~~ Section 18-114.15 of this title. This increase shall be ~~matched~~ funded by state dollars from the lottery funds as provided in Section 713 of Title 3A of the Oklahoma Statutes and shall be paid as regular annual compensation directly to teachers through school districts; and

3. Master: an additional fifteen (15) days to be used to strengthen leadership. A person with a master teaching certificate shall receive an annual salary increase of ~~at least~~ Ten Thousand Dollars (\$10,000.00) or the district's daily rate of pay, whichever is higher, in addition to the salary for which the teacher qualifies pursuant to ~~Section 18-114.14~~ Section 18-114.15 of this title. This increase, ~~up to Forty Thousand Dollars (\$40,000.00),~~ shall be ~~matched~~ funded by state dollars from the lottery funds as provided in Section 713 of Title 3A of the Oklahoma Statutes and shall be paid as regular annual compensation directly to teachers through school districts.

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

L. Beginning in the 2022-2023 school year, the Department shall make the teaching certificates provided for in this section available for any person who has received a recommendation from his or her school district and who meets the eligibility criteria as

outlined in each school district's teacher evaluation system provided for in subsection I of this section.

M. The funding necessary for the administration of this section shall be provided from the Teacher Empowerment Revolving Fund created in ~~Section 2~~ Section 6-190.2 of this ~~act~~ title. If funding for the administration of the teaching certificates listed in subsection I is not available, the Department shall not be required to fulfill the requirements listed in subsections I, K, and L of this section.

N. The State Board of Education shall promulgate rules to implement the provisions of Section 6-180 et seq. of this title.

SECTION 2. AMENDATORY Section 2, Chapter 359, O.S.L. 2022 (70 O.S. Supp. 2023, Section 6-190.2), is amended to read as follows:

Section 6-190.2. A. There is hereby created in the State Treasury a revolving fund for the State Department of Education to be designated the "Teacher Empowerment Revolving Fund". The revolving fund shall be a continuing fund, without legislative appropriation, not subject to fiscal year limitations, and shall be under the control and management of the State Department of Education. Expenditures from the Teacher Empowerment Revolving Fund shall be budgeted and expended as provided for in subsection B of this section.

B. The State Department of Education shall utilize the funds for the program outlined in Section 6-190 of ~~Title 70 of the Oklahoma Statutes~~ this title. Funding shall ~~go toward advanced, lead, and master certificate holders~~ be allocated to school districts to provide the increased salary amounts indicated for advanced, lead, and master certificates as provided for in subsection I of Section 6-190 of this title on a first-come, first-served basis until the cash is exhausted for the school year. ~~Funds from the Teacher Empowerment Revolving Fund shall serve as a state match to local dollars each school district contributes to its advanced, lead, and master teachers as provided in Section 713 of Title 3A of the Oklahoma Statutes.~~

SECTION 3. This act shall become effective July 1, 2024.

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

Passed the Senate the 7th day of March, 2024.

Presiding Officer of the Senate

Passed the House of Representatives the 17th day of April, 2024.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____