

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 1256

By: Pugh of the Senate

and

Baker of the House

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10 An Act relating to teachers; amending 70 O.S. 2021,
11 Section 6-190, as amended by Section 3, Chapter 359,
12 O.S.L. 2022 (70 O.S. Supp. 2023, Section 6-190),
13 which relates to teacher certification; removing
14 requirement for certain matching funds for certain
15 teacher certificates; modifying salary increase
16 amounts to be provided; removing maximum salary
17 amount for certain certificate; exempting certain
18 provisions from collective bargaining; updating
19 statutory references; amending Section 2, Chapter
20 359, O.S.L. 2022 (70 O.S. Supp. 2023, Section 6-
21 190.2), which relates to the Teacher Empowerment
22 Revolving Fund; updating statutory reference;
23 modifying allocation of funding; removing purpose of
24 fund to serve as certain match; 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, 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:

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.

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. 1. The Board may establish new levels of teacher
21 certificates: advanced, lead, and master. Each level shall have a
22 ~~minimum~~ salary increase requirement paid ~~by the school district and~~
23 ~~matched~~ with state dollars from the lottery funds as provided in
24 Section 713 of Title 3A of the Oklahoma Statutes. The advanced

1 certificate shall include a ~~minimum~~ salary increase of Three
2 Thousand Dollars (\$3,000.00), the lead certificate shall include a
3 ~~minimum~~ salary increase of Five Thousand Dollars (\$5,000.00), and
4 the master certificate shall include a ~~minimum~~ salary increase of
5 Ten Thousand Dollars (\$10,000.00) ~~and maximum salary increase of~~
6 ~~Forty Thousand Dollars (\$40,000.00).~~

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

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

19 3. School districts may identify and designate the highest
20 quality teachers for advanced, lead, and master certificates.
21 Participating districts shall submit designation plans to the State
22 Department of Education for evaluation and approval. Districts
23 shall have local control and flexibility in determining how to
24 evaluate teachers and assign designations, but, at a minimum, the

1 designation system shall include a teacher observation, out-of-
2 classroom time, and a student performance component.

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

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

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

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

9 4. If a school district chooses to participate in this program,
10 the state shall ~~match the amount the district pays~~ provide the
11 increased salary amounts indicated for advanced, lead, and master
12 certificates in paragraph 1 of this subsection above the 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.
24

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 from
8 the Teacher Empowerment Revolving Fund created in Section 6-190.2 of
9 this title.

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

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

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

21 1. Advanced: an additional five (5) days to be used to
22 strengthen instructional leadership. A person with an advanced
23 teaching certificate shall receive an annual salary increase of ~~at~~
24 ~~least~~ Three Thousand Dollars (\$3,000.00) or the district's daily

1 rate of pay, whichever is higher, in addition to the salary for
2 which the teacher qualifies pursuant to ~~Section 18-114.14~~ Section
3 18-114.15 of this title. This increase shall be ~~matched~~ funded by
4 state dollars from the lottery funds as provided in Section 713 of
5 Title 3A of the Oklahoma Statutes and shall be paid as regular
6 annual compensation directly to teachers through school districts;

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

17 3. Master: an additional fifteen (15) days to be used to
18 strengthen leadership. A person with a master teaching certificate
19 shall receive an annual salary increase of ~~at least~~ Ten Thousand
20 Dollars (\$10,000.00) or the district's daily rate of pay, whichever
21 is higher, in addition to the salary for which the teacher qualifies
22 pursuant to ~~Section 18-114.14~~ Section 18-114.15 of this title. This
23 increase, ~~up to Forty Thousand Dollars (\$40,000.00),~~ shall be
24 ~~matched~~ funded by state dollars from the lottery funds as provided

1 in Section 713 of Title 3A of the Oklahoma Statutes and shall be
2 paid as regular annual compensation directly to teachers through
3 school districts.

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

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

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

21 N. The State Board of Education shall promulgate rules to
22 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.~~

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

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

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7 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated
8 04/11/2024 - DO PASS.
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