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February 6, 2024

By: Pugh

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.

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.

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

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

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

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

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

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

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

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

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

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

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

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

10       D. Beginning July 1, 2004, any person applying for initial  
11 Oklahoma certification shall have on file with the Board a current  
12 Oklahoma criminal history record 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, the Board may issue  
16 a temporary certificate which shall be effective until receipt of  
17 the national fingerprint-based criminal history record. The person  
18 applying for a certificate shall be responsible for the cost of the  
19 criminal history records.

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

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

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

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

22 4. The Board shall promulgate rules establishing a process by  
23 which out-of-country certificates will be reviewed and evaluated for  
24

1 purposes of awarding a certificate to teach pursuant to this  
2 subsection.

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

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

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 from the Oklahoma State Bureau of Investigation as well  
16 as a national criminal history record check as defined in Section  
17 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the  
18 Oklahoma criminal history record check, the Board may issue a  
19 temporary certificate which shall be effective until receipt of the  
20 national fingerprint-based criminal history record check. The  
21 person applying for a certificate shall be responsible for the cost  
22 of the criminal history record checks.

23 H. 1. The Board shall issue a certificate to teach to a person  
24 who has successfully completed a competency exam used in a majority

1 of the other states. The certificate to teach shall only be for  
2 those subject areas and grade levels that correspond with a  
3 certification area used in Oklahoma.

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

14 I. 1. The Board may establish new levels of teacher  
15 certificates: advanced, lead, and master. Each level shall have a  
16 ~~minimum~~ salary increase requirement paid ~~by the school district and~~  
17 ~~matched~~ with state dollars from the lottery funds as provided in  
18 Section 713 of Title 3A of the Oklahoma Statutes. The advanced  
19 certificate shall include a ~~minimum~~ salary increase of Three  
20 Thousand Dollars (\$3,000.00), the lead certificate shall include a  
21 ~~minimum~~ salary increase of Five Thousand Dollars (\$5,000.00), and  
22 the master certificate shall include a ~~minimum~~ salary increase of  
23 Ten Thousand Dollars (\$10,000.00) ~~and maximum salary increase of~~  
24 ~~Forty Thousand Dollars (\$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 fewer 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 Oklahoma Teacher and Leader Effectiveness  
23           Evaluation System (TLE) evaluation tool or an  
24           alternate method of evaluation; provided, the method

1 is evidenced-based. Alternate methods of evaluation  
2 shall not replace the requirements of Section 6-101.16  
3 of this title.

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

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

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



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~~ provide the  
5 increased salary amounts indicated for advanced, lead, and master  
6 certificates in paragraph 1 of this subsection above the base pay,  
7 ~~up to Forty Thousand Dollars (\$40,000.00) per teacher.~~

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

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

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

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

1 the Teacher Empowerment Revolving Fund created in Section 6-190.2 of  
2 this title.

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

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

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

14 1. Advanced: an additional five (5) days to be used to  
15 strengthen instructional leadership. A person with an advanced  
16 teaching certificate shall receive an annual salary increase of ~~at~~  
17 ~~least~~ Three Thousand Dollars (\$3,000.00) or the district's daily  
18 rate of pay, whichever is higher, in addition to the salary for  
19 which the teacher qualifies pursuant to ~~Section 18-114.14~~ Section  
20 18-114.15 of this title. This increase shall be ~~matched~~ funded by  
21 state dollars from the lottery funds as provided in Section 713 of  
22 Title 3A of the Oklahoma Statutes and shall be paid as regular  
23 annual compensation directly to teachers through school districts;

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

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

22        If a person with an advanced, lead, or master teaching  
23 certificate changes school districts during the life of the  
24

1 certificate, the terms of the contracts required in this subsection  
2 shall be subject to approval by the new employing school district.

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

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

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

18 SECTION 2. AMENDATORY Section 2, Chapter 359, O.S.L.  
19 2022 (70 O.S. Supp. 2023, Section 6-190.2), is amended to read as  
20 follows:

21 Section 6-190.2. A. There is hereby created in the State  
22 Treasury a revolving fund for the State Department of Education to  
23 be designated the "Teacher Empowerment Revolving Fund". The  
24 revolving fund shall be a continuing fund, without legislative

1 appropriation, not subject to fiscal year limitations, and shall be  
2 under the control and management of the State Department of  
3 Education. Expenditures from the Teacher Empowerment Revolving Fund  
4 shall be budgeted and expended as provided for in subsection B of  
5 this section.

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

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

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

23 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
24 February 6, 2024 - DO PASS