

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1256

By: Pugh

AS INTRODUCED

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.

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.

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

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

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

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

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

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

22 E. Any person holding a valid certificate, issued prior to
23 January 1, 1997, shall be a certified teacher for purposes of the
24 Oklahoma Teacher Preparation Act, subject to any professional

1 development requirements prescribed by the Oklahoma Teacher
2 Preparation Act or by the State Board of Education.

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

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

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

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

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

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 in those subject areas and grade levels most closely aligned to the
13 subject areas and grade levels recognized on the out-of-state
14 certificate.

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

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

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

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

1 Ten Thousand Dollars (\$10,000.00) ~~and maximum salary increase of~~
2 ~~Forty Thousand Dollars (\$40,000.00).~~

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

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

15 3. School districts may identify and designate the highest
16 quality teachers for advanced, lead, and master certificates.
17 Participating districts shall submit designation plans to the State
18 Department of Education for evaluation and approval. Districts
19 shall have local control and flexibility in determining how to
20 evaluate teachers and assign designations, but, at a minimum, the
21 designation system shall include a teacher observation, out-of-
22 classroom time, and a student performance component.

- 23 a. Teacher observation shall be based on the district's
24 selected Oklahoma Teacher and Leader Effectiveness

1 Evaluation System (TLE) evaluation tool or an
2 alternate method of evaluation; provided, the method
3 is evidenced-based. Alternate methods of evaluation
4 shall not replace the requirements of Section 6-101.16
5 of this title.

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

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

21 Districts may use additional factors in determining which
22 teachers are eligible to receive a designation, such as student
23 surveys, teacher leadership responsibilities, teacher mentorship
24 responsibilities, family surveys, demonstration of district core

1 values, teacher peer surveys, and contributions to the broader
2 school community. No more than ten percent (10%) of each school
3 district's teachers may be designated as an advanced, lead, or
4 master teacher in any given school year.

5 4. If a school district chooses to participate in this program,
6 the state shall ~~match the amount the district pays~~ provide the
7 increased salary amounts indicated for advanced, lead, and master
8 certificates in paragraph 1 of this subsection above the base pay,
9 ~~up to Forty Thousand Dollars (\$40,000.00) per teacher.~~

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

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

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

23 8. The State Department of Education shall annually report the
24 school districts participating in the program, the number of

1 advanced, lead, and master certificates awarded, and the total
2 amount in state ~~match~~ funding that was distributed to teachers from
3 the Teacher Empowerment Revolving Fund created in Section 6-190.2 of
4 this title.

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

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

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

16 1. Advanced: an additional five (5) days to be used to
17 strengthen instructional leadership. A person with an advanced
18 teaching certificate shall receive an annual salary increase of ~~at~~
19 ~~least~~ Three Thousand Dollars (\$3,000.00) or the district's daily
20 rate of pay, whichever is higher, in addition to the salary for
21 which the teacher qualifies pursuant to ~~Section 18-114.14~~ Section
22 18-114.15 of this title. This increase shall be ~~matched~~ funded by
23 state dollars from the lottery funds as provided in Section 713 of
24

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

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

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

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

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

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

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

20 SECTION 2. AMENDATORY Section 2, Chapter 359, O.S.L.
21 2022 (70 O.S. Supp. 2023, Section 6-190.2), is amended to read as
22 follows:

23 Section 6-190.2. A. There is hereby created in the State
24 Treasury a revolving fund for the State Department of Education to

1 be designated the "Teacher Empowerment Revolving Fund". The
2 revolving fund shall be a continuing fund, without legislative
3 appropriation, not subject to fiscal year limitations, and shall be
4 under the control and management of the State Department of
5 Education. Expenditures from the Teacher Empowerment Revolving Fund
6 shall be budgeted and expended as provided for in subsection B of
7 this section.

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

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

21 SECTION 4. It being immediately necessary for the preservation
22 of the public peace, health, or safety, an emergency is hereby
23
24

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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