

1 STATE OF OKLAHOMA

2 2nd Session of the 58th Legislature (2022)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 4387

By: Hilbert

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6  
7 COMMITTEE SUBSTITUTE

8 An Act relating to teacher certification; amending 70  
9 O.S. 2021, Section 6-190, which relates to criteria  
10 for issuing teaching certificates; providing for  
11 issuance of advanced teaching certificates; modifying  
12 procedures for issuing lead and master teaching  
13 certificates; establishing minimum salary increase  
14 for certificates; authorizing minimum time out of  
15 classroom; prescribing additional award for certain  
16 teachers; directing school district to identify and  
17 designate teachers for specialized certificates;  
18 requiring submission of plans to State Department of  
19 Education for evaluation and approval; providing  
20 minimum requirements for district designation system;  
21 authorizing use of additional factors; requiring  
22 state funding match; permitting districts to not  
23 participate in certain program; prescribing frequency  
24 and timing of designation; providing for professional  
development cohorts and additional training;  
mandating certain review of each district's system;  
requiring annual report of program; prescribing and  
modifying contract terms for advanced, lead, and  
master teachers; providing for funding through  
certain lottery monies; stating funding is on a  
first-come, first-served basis; clarifying certain  
funding is a state match for local funds; updating  
statutory citations; providing an effective date;  
declaring an emergency; and providing for conditional  
effect.

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

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

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

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

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

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

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

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

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

22 6. Beginning November 1, 2001, has on file with the Board a  
23 current Oklahoma criminal history record from the Oklahoma State  
24 Bureau of Investigation as well as a national criminal history

1 record check as defined in Section 150.9 of Title 74 of the Oklahoma  
2 Statutes. Upon receipt of the Oklahoma criminal history record, the  
3 Board may issue a temporary certificate which shall be effective  
4 until receipt of the national fingerprint-based criminal history  
5 record. The person applying for a certificate shall be responsible  
6 for the cost of the criminal history records.

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

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

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

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

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

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

1 the national fingerprint-based criminal history record. The person  
2 applying for a certificate shall be responsible for the cost of the  
3 criminal history records.

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

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

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

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

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

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

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

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

20 3. A person who meets the requirements of this subsection shall  
21 have on file with the Board a current Oklahoma criminal history  
22 record check from the Oklahoma State Bureau of Investigation as well  
23 as a national criminal history record check as defined in Section  
24 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the

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

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

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

21 I. 1. The Board ~~shall issue a lead teaching certificate to any~~  
22 ~~person who upon application:~~

23 ~~1. Has successfully completed the requirements of this~~  
24 ~~subsection;~~

1       ~~2. Has a minimum of five (5) years of experience as a teacher;~~

2       ~~3. Participates in a meaningful individualized program of~~  
3 ~~professional development, as provided for in Section 6-101.10 of~~  
4 ~~this title;~~

5       ~~4. Has earned a "highly effective" or "superior" rating~~  
6 ~~pursuant to Section 6-101.16 of this title; and~~

7       ~~5. May have a teaching load of not more than seventy-five~~  
8 ~~percent (75%) student instruction to allow the teacher to mentor~~  
9 ~~other teachers.~~

10       ~~J. 1. The Board shall issue a master teaching certificate to~~  
11 ~~any person who upon application:~~

12           ~~a. has successfully completed the requirements of this~~  
13           ~~subsection,~~

14           ~~b. has a minimum of seven (7) years of experience as a~~  
15           ~~teacher, and~~

16           ~~c. (1) has earned a "superior" rating pursuant to~~  
17           ~~Section 6-101.16 of this title, or~~

18           ~~(2) has earned a "highly effective" rating pursuant~~  
19           ~~to Section 6-101.16 of this title and holds or~~  
20           ~~has held a National Board certification from the~~  
21           ~~National Board for Professional Teaching~~  
22           ~~Standards.~~

23       ~~2. Teachers with a master teaching certificate may assume~~  
24 ~~leadership roles that include but are not limited to:~~

- a. ~~the planning and delivery of professional development activities designed to improve instructional strategies,~~
- b. ~~the facilitation of an instructional leadership team within the building or school district in which the lead teacher is assigned, and~~
- c. ~~the mentoring of other teachers and participation in evaluations of other teachers.~~

~~3. Teachers with a master teaching certificate may have a teaching load of not more than fifty percent (50%) student instruction to allow the lead teacher to spend time on:~~

- a. ~~co-teaching,~~
- b. ~~co-planning,~~
- c. ~~peer reviews, and~~
- d. ~~other duties mutually agreed upon by the superintendent and the master teacher, and may be used to satisfy the qualitative evaluation component for teachers as required by Section 6-101.16 of this title by performing the duties set forth in this paragraph~~

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



1 a minimum salary increase of Three Thousand Dollars (\$3,000.00) and  
2 may include out of classroom at least ten percent (10%) of the time,  
3 the lead certificate shall include a minimum salary increase of Five  
4 Thousand Dollars (\$5,000.00) and may include out of classroom at  
5 least twenty-five percent (25%) of the time, and the master  
6 certificate shall include a minimum salary increase of Ten Thousand  
7 Dollars (\$10,000.00) and maximum salary increase of Forty Thousand  
8 Dollars (\$40,000.00) and may include out of classroom at least fifty  
9 percent (50%) of the time.

10 2. A teacher who works in a school designated to receive Title  
11 I federal funds or a school district with an enrollment of less than  
12 one thousand students shall be paid an award in addition to the  
13 salary increases provided in paragraph 1 of this subsection:

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

20 3. School districts shall identify and designate the highest  
21 quality teachers for advanced, lead, and master certificates. The  
22 district shall submit its designation plans to the State Department  
23 of Education for evaluation and approval. Districts shall have  
24 local control and flexibility in determining how to evaluate

1 teachers and assign designations, but, at a minimum, the designation  
2 system shall include both a teacher observation and a student  
3 performance component.

4 a. Teacher observation shall be based on the State  
5 Department of Education's Teacher and Leader  
6 Effectiveness (TLE) and Professional Learning Focus,  
7 or a third-party rubric, such as the Tulsa Model,  
8 Marzano, or nationally recognized teacher evaluation  
9 systems such as the Framework for Teaching (FFT) from  
10 Danielson, National Institute for Excellence in  
11 Teaching TAP, or others. A school district may create  
12 its own teacher evaluation rubric if it can show  
13 evidence of validity and reliability as approved by  
14 the Department.

15 b. Student performance measures may be determined by the  
16 district and may include pre- and post-tests,  
17 summative or formative, value-added measures, student  
18 learning objectives (SLOs), and portfolios. The  
19 school district application shall show evidence of  
20 validity and reliability of the 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.

3 4. If a school district chooses to participate in this program,  
4 the state shall match the amount the district pays above base pay,  
5 up to Forty Thousand Dollars (\$40,000.00) per teacher.

6 5. School districts that create their own teacher evaluation  
7 rubric may choose not to participate in state TLE for teachers  
8 identified for advanced, lead, and master certificate designations.

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

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

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

23 ~~K.~~ J. The State Board of Education shall adopt rules to  
24 implement a renewal schedule and associated fees for advanced, lead,

1 and master teaching certificates. The rules shall allow a teacher  
2 that no longer meets the requirements of ~~a~~ an advanced, lead, or  
3 master teaching certificate to make application for the standard  
4 teaching certificate.

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

8 1. Advanced: an additional five (5) days to be used to  
9 strengthen instructional leadership. A person with an advanced  
10 teaching certificate shall receive an annual salary supplement of at  
11 least Three Thousand Dollars (\$3,000.00) or the district's daily  
12 rate of pay, whichever is higher, in addition to the salary for  
13 which the teacher qualifies pursuant to Section 18-114.14 of this  
14 title. This supplement shall be matched by state dollars from the  
15 lottery funds as provided in Section 713 of Title 3A of the Oklahoma  
16 Statutes;

17 2. Lead: an additional ten (10) days to be used to strengthen  
18 instructional leadership. A person with a lead teaching certificate  
19 shall receive an annual salary supplement of at least ~~Three Thousand~~  
20 ~~Dollars (\$3,000.00) Five Thousand Dollars (\$5,000.00) or the~~  
21 district's daily rate of pay, whichever is higher, in addition to  
22 the salary for which the teacher qualifies pursuant to Section 18-  
23 114.14 of this title. This supplement shall be matched by state  
24

1 dollars from the lottery funds as provided in Section 713 of Title  
2 3A of the Oklahoma Statutes; and

3 ~~2.~~ 3. Master: an additional fifteen (15) days to be used to  
4 strengthen leadership. A person with a master teaching certificate  
5 shall receive an annual salary supplement of at least ~~Five Thousand~~  
6 ~~Dollars (\$5,000.00)~~ Ten Thousand Dollars (\$10,000.00) or the  
7 district's daily rate of pay, whichever is higher, in addition to  
8 the salary for which the teacher qualifies pursuant to Section 18-  
9 114.14 of this title. This supplement, up to Forty Thousand Dollars  
10 (\$40,000.00), shall be matched by state dollars from the lottery  
11 funds as provided in Section 713 of Title 3A of the Oklahoma  
12 Statutes.

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

17 ~~M. 1. Any person who is eligible for a lead or master teaching~~  
18 ~~certificate described in this section shall make application for the~~  
19 ~~following school year with the State Board of Education. The~~  
20 ~~application shall include a recommendation from the local board of~~  
21 ~~education and determination that the applicant has met the statutory~~  
22 ~~criteria. In reviewing an application, the local school board of~~  
23 ~~education and the superintendent shall consider the ability of the~~  
24 ~~school district to fulfill the additional requirements described in~~

1 ~~subsections I and J of this section before making a recommendation~~  
2 ~~to the State Board of Education.~~

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

6 ~~N. L.~~ Beginning in the ~~2021-2022~~ 2022-2023 school year, the  
7 Department shall make the teaching certificates provided for in this  
8 section available for any person who has received a recommendation  
9 from ~~their local board of education~~ his or her school district and  
10 who meets the eligibility criteria as outlined in each school  
11 district's teacher evaluation system provided for in subsection I of  
12 this section.

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

18 ~~P. The Department shall seek funding~~ M. The funding necessary  
19 for the administration of this section shall be provided from the  
20 Oklahoma Education Lottery Trust Fund on a cash basis after funding  
21 and requirements are met in accordance with Section 713 of Title 3A  
22 of the Oklahoma Statutes. Funding shall go toward advanced, lead,  
23 and master certificate holders on a first-come, first-served basis  
24 until the cash is exhausted for the school year. Funds from the

1 Oklahoma Education Lottery Trust Fund shall serve as a state match  
2 to local dollars each school district contributes to their advanced,  
3 lead, and master teachers as provided in Section 713 of Title 3A of  
4 the Oklahoma Statutes. If funding for the administration of the  
5 teaching certificates listed in ~~subsections~~ subsection I and J is  
6 not available, the Department shall not be required to fulfill the  
7 requirements listed in subsections K and L, ~~M, N and O~~ of this  
8 section.

9 ~~O. N.~~ N. The State Board of Education shall promulgate rules to  
10 implement the provisions of this act.

11 SECTION 2. This act shall become effective July 1, 2022.

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

16 SECTION 4. The provisions of this act shall be contingent upon  
17 the enactment of the provisions of House Bill No. 4388 of the 2nd  
18 Session of the 58th Oklahoma Legislature and shall not become  
19 operative as law otherwise.

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