

SENATE CHAMBER
STATE OF OKLAHOMA

DISPOSITION

FLOOR AMENDMENT

No. 2

COMMITTEE AMENDMENT

(Date)

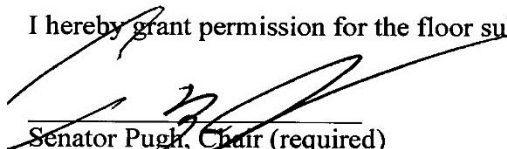
I move to amend House Bill No. 4388, by substituting the attached floor substitute (Request #3869) for the title, enacting clause and entire body of the measure.

Submitted by:



Senator Pugh

I hereby grant permission for the floor substitute to be adopted.



Senator Pugh, Chair (required)

Senator Pemberton

Senator Dahm

Senator Dossett (J.J.)


Senator Dossett (J.A.)



Senator Dugger

Senator Hicks

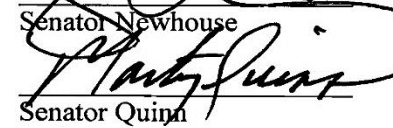
Senator Treat, President Pro Tempore



Senator Merrick

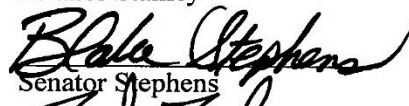


Senator Newhouse

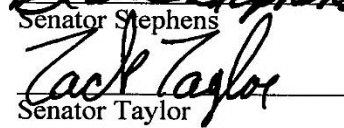


Senator Quinn

Senator Stanley



Senator Stephens

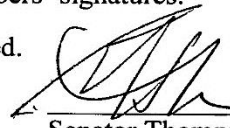


Senator Taylor

Senator McCortney, Majority Floor
Leader

Note: Education committee majority requires seven (7) members' signatures.

I hereby grant permission for the floor substitute to be adopted.



Senator Thompson
Appropriations Committee Chair

Pugh-EB-FS-HB4388
4/27/2022 12:59 PM

(Floor Amendments Only)

Date and Time Filed: 4-27-22 7:18 pm *gd*

Untimely

Amendment Cycle Extended

Secondary Amendment

1 STATE OF OKLAHOMA

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

3 FLOOR SUBSTITUTE
4 FOR ENGROSSED

5 HOUSE BILL NO. 4388

By: Hilbert and Baker of the
House

6 and

7 Pugh of the Senate

8
9 FLOOR SUBSTITUTE

10 [amusements and sports - Oklahoma Education Lottery
11 Act - Teacher Empowerment Revolving Fund - teacher
12 certification - providing for issuance of advanced,
lead, and master teaching certificates - effective
date -

emergency]

13
14
15 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

16 SECTION 1. AMENDATORY 3A O.S. 2021, Section 713, is
17 amended to read as follows:

18 Section 713. A. All gross proceeds shall be the property of
19 the Oklahoma Lottery Commission. From its gross proceeds, the
20 Commission shall pay the operating expenses of the Commission. At
21 least forty-five percent (45%) of gross proceeds shall be made
22 available as prize money. However, the provisions of this
23 subsection shall be deemed not to create any lien, entitlement,
24 cause of action, or other private right, and any rights of holders

1 of tickets or shares shall be determined by the Commission in
2 setting the terms of its lottery or lotteries.

3 B. The Oklahoma Lottery Commission shall submit a written
4 report of its findings and any recommendations regarding the impact
5 of removing the requirement that net proceeds shall equal at least
6 thirty-five percent (35%) of the gross proceeds. The report shall
7 be submitted to the Governor, the Speaker of the ~~Oklahoma~~ House of
8 Representatives and the President Pro Tempore of the ~~Oklahoma State~~
9 Senate not later than October 1, 2020, and annually thereafter.

10 C. There is hereby created in the State Treasury a fund to be
11 designated the "Oklahoma Education Lottery Trust Fund". Except as
12 otherwise provided in subsections ~~¶ H~~ and ~~¶ I~~ of this section, on or
13 before the fifteenth day of each calendar quarter, the Commission
14 shall transfer to the State Treasurer, for credit to the Oklahoma
15 Education Lottery Trust Fund, the amount of all net proceeds
16 accruing during the preceding calendar quarter. Expenditures from
17 the fund shall be made upon warrants issued by the State Treasurer
18 against claims filed as prescribed by law with the Director of the
19 Office of Management and Enterprise Services for approval and
20 payment.

21 D. Upon their deposit into the State Treasury, any monies
22 representing a deposit of net proceeds shall then become the
23 unencumbered property of this state, and neither the Commission nor
24 the board of trustees shall have the power to agree or undertake

1 otherwise. The monies shall be invested by the State Treasurer in
2 accordance with state investment practices. All earnings
3 attributable to such investments shall likewise be the unencumbered
4 property of the state and shall accrue to the credit of the fund
5 provided for in subsection C of this section.

6 ~~E. Monies in~~ 1. The first Seventy-five Million Dollars
7 (\$75,000,000.00) of monies contributed annually to the Oklahoma
8 Education Lottery Trust Fund shall only be appropriated as follows:

9 ~~1. Forty-five~~

10 a. forty-five percent (45%) for the following:

11 ~~a.~~ (1) kindergarten through twelfth grade public

12 education, including but not limited to

13 compensation and benefits for public school

14 teachers and support employees, and

15 ~~b.~~ (2) early childhood development programs, which shall

16 include but not be limited to costs associated

17 with prekindergarten and full-day kindergarten

18 programs~~;~~ ,

19 ~~2. Forty-five~~

20 b. forty-five percent (45%) for the following:

21 ~~a.~~ (1) tuition grants, loans and scholarships to

22 citizens of this state to enable such citizens to

23 attend colleges and universities located within

24 this state, regardless of whether such colleges

1 and universities are owned or operated by the
2 Oklahoma State Regents for Higher Education, or
3 to attend institutions operated under the
4 authority of the Oklahoma Department of Career
5 and Technology Education; provided, such tuition
6 grants, loans and scholarships shall not be made
7 to a citizen of this state to attend a college or
8 university which is not accredited by the
9 Oklahoma State Regents for Higher Education,

10 ~~b.~~ (2) construction of educational facilities for
11 elementary school districts, independent school
12 districts, The Oklahoma State System of Higher
13 Education, and career and technology education,

14 ~~c.~~ (3) capital outlay projects for elementary school
15 districts, independent school districts, The
16 Oklahoma State System of Higher Education, and
17 career and technology education,

18 ~~d.~~ (4) technology for public elementary school district,
19 independent school district, state higher
20 education, and career and technology education
21 facilities, which shall include but not be
22 limited to costs of providing to teachers at
23 accredited public institutions who teach levels
24 kindergarten through twelfth grade, personnel at

1 technology centers under the authority of the
2 Oklahoma State Department of Career and
3 Technology Education, and professors and
4 instructors within The Oklahoma State System of
5 Higher Education, the necessary training in the
6 use and application of computers and advanced
7 electronic instructional technology to implement
8 interactive learning environments in the
9 classroom and to access the statewide distance
10 learning network and costs associated with
11 repairing and maintaining advanced electronic
12 instructional technology,

13 ~~e.~~ (5) endowed chairs for professors at institutions of
14 higher education operated by The Oklahoma State
15 System of Higher Education, and

16 ~~f.~~ (6) programs and personnel of the Oklahoma School for
17 the Deaf and the Oklahoma School for the Blind, ~~and~~

18 ~~3. Five~~

19 c. five percent (5%) to the School Consolidation and
20 Assistance Fund. When the total amount in the School
21 Consolidation and Assistance Fund from all sources
22 equals Five Million Dollars (\$5,000,000.00), all
23 monies appropriated pursuant to this ~~paragraph~~
24 subparagraph which would otherwise be deposited in the

1 School Consolidation and Assistance Fund in excess of
2 Five Million Dollars (\$5,000,000.00) shall be
3 allocated by the State Department of Education to
4 public schools based on the audited end-of-year
5 average daily membership in grades 8 through 12 during
6 the preceding school year for the purpose of
7 purchasing technology equipment. If at any time the
8 total amount in the School Consolidation and
9 Assistance Fund drops below Five Million Dollars
10 (\$5,000,000.00), the monies appropriated pursuant to
11 this ~~paragraph~~ subparagraph shall be deposited in the
12 School Consolidation and Assistance Fund until the
13 Fund again reaches Five Million Dollars
14 (\$5,000,000.00) ~~+~~ and

15 ~~4. Five~~

16 d. five percent (5%) to the Teachers' Retirement System
17 Dedicated Revenue Revolving Fund.

18 In no instance shall the annual maximum percentage for
19 administrative costs, not including marketing and advertising costs,
20 funds set aside for prizes, commissions paid to retailers, contract
21 fees paid to gaming system vendors and instant ticket providers or
22 emergency-related capital expenses, exceed three percent (3%) of
23 sales.

1 ~~F.~~ 2. The remaining portion of lottery annual net proceeds
2 deposited to the Oklahoma Education Lottery Trust Fund that exceeds
3 Seventy-five Million Dollars (\$75,000,000.00) shall be deposited to
4 the credit of the Teacher Empowerment Revolving Fund created in
5 Section 2 of this act.

6 E. The Legislature shall appropriate funds from the Oklahoma
7 Education Lottery Trust Fund only for the purposes specified in
8 subsection ~~E~~ D of this section. Even when funds from the trust fund
9 are used for these purposes, the Legislature shall not use funds
10 from the trust fund to supplant or replace other state funds
11 supporting common education, higher education, or career and
12 technology education.

13 ~~G.~~ F. In order to ensure that the funds from the trust fund are
14 used to enhance and not supplant funding for education, the State
15 Board of Equalization shall examine and investigate appropriations
16 from the trust fund each year. At the meeting of the State Board of
17 Equalization held within five (5) days after the monthly
18 apportionment in February of each year, the State Board of
19 Equalization shall issue a finding and report which shall state
20 whether appropriations from the trust fund were used to enhance or
21 supplant education funding. If the State Board of Equalization
22 finds that education funding was supplanted by funds from the trust
23 fund, the Board shall specify the amount by which education funding
24 was supplanted. In this event, the Legislature shall not make any

1 appropriations for the ensuing fiscal year until an appropriation in
2 that amount is made to replenish the trust fund.

3 ~~H.~~ G. Except as otherwise provided by this subsection, no
4 deficiency in the Oklahoma Education Lottery Trust Fund shall be
5 replenished by reducing any nonlottery funds, including,
6 specifically but without limitation, the General Revenue Fund, the
7 Constitutional Reserve Fund or the Education Reform Revolving Fund
8 of the State Department of Education. No program or project started
9 specifically from lottery proceeds shall be continued from the
10 General Revenue Fund, the Constitutional Reserve Fund or the
11 Education Reform Revolving Fund of the State Department of
12 Education. Such programs must be adjusted or discontinued according
13 to available lottery proceeds unless the Legislature by general law
14 establishes eligibility requirements and appropriates specific funds
15 therefor. No surplus in the Oklahoma Education Lottery Trust Fund
16 shall be reduced or transferred to correct any nonlottery
17 deficiencies in sums available for general appropriations. The
18 provisions of this subsection shall not apply to bonds or other
19 obligations issued pursuant to or to the repayment of bonds or other
20 obligations issued pursuant to the Oklahoma Higher Education Promise
21 of Excellence Act of 2005.

22 ~~F.~~ H. There is hereby created in the State Treasury a revolving
23 fund to be designated the "Oklahoma Education Lottery Revolving
24 Fund". The fund shall be a continuing fund, not subject to fiscal

1 year limitations, and shall consist of all monies received by the
2 Commission. The Commission shall make payments of net proceeds from
3 the fund to the Oklahoma Education Lottery Trust Fund on or before
4 the fifteenth day of each calendar quarter as provided in subsection
5 C of this section. All monies accruing to the credit of the
6 Oklahoma Education Lottery Revolving Fund are hereby appropriated
7 and may be budgeted and expended for the payment of net proceeds,
8 prizes, commissions to retailers, administrative expenses and all
9 other expenses arising out of the operation of the education
10 lottery, subject to the limitations provided in the Oklahoma
11 Education Lottery Act. Expenditures from the fund shall be made
12 upon warrants issued by the State Treasurer against claims filed as
13 prescribed by law with the Director of the Office of Management and
14 Enterprise Services for approval and payment.

15 The monies in the fund shall be invested by the State Treasurer
16 in accordance with state investment practices. All earnings
17 attributable to such investments shall likewise accrue to the credit
18 of the fund.

19 ~~¶~~ I. When appropriations from the Oklahoma Education Lottery
20 Trust Fund are made to common education pursuant to the provisions
21 of subparagraph a of paragraph 1 of subsection ~~E~~ D of this section,
22 the appropriations shall be made available on a monthly basis. In
23 addition to the provisions of subsections C and D of this section,
24 the following process shall be used to ensure that the

1 appropriations are made available to common education in a timely
2 manner:

3 1. Beginning in July of the fiscal year in which appropriations
4 are made to common education from the Oklahoma Education Lottery
5 Trust Fund, the Commission, on or before the ninth day of each
6 month, shall transfer to the State Treasurer, for credit to the
7 Oklahoma Education Lottery Trust Fund, the amount of net proceeds
8 accruing during the preceding month equal to the amount of total
9 monthly collections due to common education as required by
10 subparagraph a of paragraph 1 of subsection ~~E~~ D of this section;

11 2. The Director of the Office of Management and Enterprise
12 Services shall allocate the transfers provided for in paragraph 1 of
13 this subsection to the State Department of Education on a monthly
14 basis, not to exceed one-twelfth (1/12) of the annual apportionment
15 for the fiscal year; and

16 3. The total amount of transfers to the Oklahoma Education
17 Lottery Trust Fund of net lottery proceeds made pursuant to this
18 subsection shall not exceed the total appropriations made to common
19 education from the Oklahoma Education Lottery Trust Fund for the
20 specific fiscal year.

21 ~~K.~~ J. When appropriations from the Oklahoma Education Lottery
22 Trust Fund are made to The Oklahoma State System of Higher
23 Education, the appropriations shall be made available to the System
24 on a monthly basis. In addition to the provisions of subsections C

1 and D of this section, the following process shall be used to ensure
2 that the appropriations are made available to The Oklahoma State
3 System of Higher Education in a timely manner:

4 1. Beginning in July of the fiscal year in which appropriations
5 are made to The Oklahoma State System of Higher Education from the
6 Oklahoma Education Lottery Trust Fund, the Commission, on or before
7 the ninth day of each month, shall transfer to the State Treasurer,
8 for credit to the Oklahoma Education Lottery Trust Fund, the amount
9 of net proceeds accruing during the preceding month equal to the
10 amount of total monthly collections due to the Oklahoma State
11 Regents for Higher Education as required by subparagraph b of
12 paragraph 2 1 of subsection E D of this section;

13 2. The Director of the Office of Management and Enterprise
14 Services shall allocate the transfers provided for in paragraph 1 of
15 this subsection to the Oklahoma State Regents for Higher Education
16 on a monthly basis, not to exceed one-twelfth (1/12) of the annual
17 apportionment for the fiscal year; and

18 3. The total amount of transfers to the Oklahoma Education
19 Lottery Trust Fund of net lottery proceeds made pursuant to this
20 subsection shall not exceed the total appropriations made to The
21 Oklahoma State System for Higher Education from the Oklahoma
22 Education Lottery Trust Fund for the specific fiscal year.

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 6-190.2 of Title 70, unless
3 there is created a duplication in numbering, reads as follows:

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

12 B. The State Department of Education shall utilize the funds
13 for the program outlined in Section 6-190 of Title 70 of the
14 Oklahoma Statutes. Funding shall go toward advanced, lead, and
15 master certificate holders on a first-come, first-served basis until
16 the cash is exhausted for the school year. Funds from the Teacher
17 Empowerment Revolving Fund shall serve as a state match to local
18 dollars each school district contributes to its advanced, lead, and
19 master teachers as provided in Section 713 of Title 3A of the
20 Oklahoma Statutes.

21 SECTION 3. AMENDATORY 70 O.S. 2021, Section 6-190, is
22 amended to read as follows:

23 Section 6-190. A. The board of education of each school
24 district shall employ and contract in writing, as required in

1 Section 6-101 of this title, only with persons certified to teach by
2 the State Board of Education in accordance with the Oklahoma Teacher
3 Preparation Act, except as otherwise provided for by Section 6-101
4 of this title and by other law.

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

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

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

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

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

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

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

1 record. The person applying for a certificate shall be responsible
2 for the cost of the criminal history records.

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

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

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

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

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

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

24

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

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

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

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

1 The person applying for a certificate shall be responsible for the
2 cost of the criminal history record checks.

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

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

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

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

1 person applying for a certificate shall be responsible for the cost
2 of the criminal history record checks.

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

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

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

20 ~~1. Has successfully completed the requirements of this~~
21 ~~subsection;~~

22 ~~2. Has a minimum of five (5) years of experience as a teacher;~~
23
24

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

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

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

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

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

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

15 ~~c. (1) has earned a "superior" rating pursuant to~~
16 ~~Section 6-101.16 of this title, or~~
17 ~~(2) has earned a "highly effective" rating pursuant~~
18 ~~to Section 6-101.16 of this title and holds or~~
19 ~~has held a National Board certification from the~~
20 ~~National Board for Professional Teaching~~
21 ~~Standards.~~

22 ~~2. Teachers with a master teaching certificate may assume~~
23 ~~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), the
2 lead certificate shall include a minimum salary increase of Five
3 Thousand Dollars (\$5,000.00), and the master certificate shall
4 include a minimum salary increase of Ten Thousand Dollars
5 (\$10,000.00) and maximum salary increase of Forty Thousand Dollars
6 (\$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 Teacher and Leader Effectiveness Evaluation
5 System (TLE) evaluation tool or an alternate method of
6 evaluation; provided, the method is evidenced based.
7 Alternate methods of evaluation shall not replace the
8 requirements of Section 6-101.16 of this title.

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

18 c. Student performance measures may be determined by the
19 district and may include, but shall not be limited to,
20 pre- and post-tests, summative or formative, and
21 portfolios. The school district application shall
22 show evidence of validity and reliability of the
23 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 above base pay,
11 up to Forty Thousand Dollars (\$40,000.00) per teacher.

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

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

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

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

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

11 ~~L.~~ K. The terms of the contracts issued to those holding
12 advanced, lead, and master teaching certificates shall include the
13 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 of this
20 title. This increase shall be matched by state dollars from the
21 lottery funds as provided in Section 713 of Title 3A of the Oklahoma
22 Statutes and shall be paid as regular annual compensation directly
23 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 ~~supplement~~ increase of at least ~~Three~~
4 ~~Thousand Dollars (\$3,000.00)~~ Five Thousand Dollars (\$5,000.00) or
5 the district's daily rate of pay, whichever is higher, in addition
6 to the salary for which the teacher qualifies pursuant to Section
7 18-114.14 of this title. This increase shall be matched by state
8 dollars from the lottery funds as provided in Section 713 of Title
9 3A of the Oklahoma Statutes and shall be paid as regular annual
10 compensation directly to teachers through school districts; and

11 ~~2.~~ 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 ~~supplement~~ increase of at least ~~Five~~
14 ~~Thousand Dollars (\$5,000.00)~~ Ten Thousand Dollars (\$10,000.00) or
15 the district's daily rate of pay, whichever is higher, in addition
16 to the salary for which the teacher qualifies pursuant to Section
17 18-114.14 of this title. This increase, up to Forty Thousand
18 Dollars (\$40,000.00), shall be matched by state dollars from the
19 lottery funds as provided in Section 713 of Title 3A of the Oklahoma
20 Statutes and shall be paid as regular annual compensation directly
21 to teachers through school districts.

22 If a person with a ~~an~~ 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 ~~M. 1. Any person who is eligible for a lead or master teaching
4 certificate described in this section shall make application for the
5 following school year with the State Board of Education. The
6 application shall include a recommendation from the local board of
7 education and determination that the applicant has met the statutory
8 criteria. In reviewing an application, the local school board of
9 education and the superintendent shall consider the ability of the
10 school district to fulfill the additional requirements described in
11 subsections I and J of this section before making a recommendation
12 to the State Board of Education.~~

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

16 ~~N. L. Beginning in the 2021-2022 2022-2023 school year, the
17 Department shall make the teaching certificates provided for in this
18 section available for any person who has received a recommendation
19 from ~~their local board of education~~ his or her school district and
20 who meets the eligibility criteria as outlined in each school
21 district's teacher evaluation system provided for in subsection I of
22 this section.~~

23 ~~O. For the 2019-2020 and 2020-2021 school years, the Department
24 shall identify school districts to implement the teaching~~

1 ~~certificates provided for in this section on a pilot program basis~~
2 ~~with the assistance of public-private partnerships, funding from~~
3 ~~philanthropic organizations or federal grants.~~

4 ~~P.~~ ~~The Department shall seek funding~~ M. The funding necessary
5 for the administration of this section shall be provided from the
6 Teacher Empowerment Revolving Fund created in Section 2 of this act.

7 If funding for the administration of the teaching certificates
8 listed in ~~subsections~~ subsection I and J is not available, the
9 Department shall not be required to fulfill the requirements listed
10 in subsections I, K, and L, ~~M, N and O~~ of this section.

11 ~~O.~~ N. The State Board of Education shall promulgate rules to
12 implement the provisions of ~~this act~~ Section 6-180 et seq. of this
13 title.

14 SECTION 4. This act shall become effective July 1, 2022.

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

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