

1 ENGROSSED SENATE AMENDMENT  
TO

2 ENGROSSED HOUSE  
3 BILL NO. 2672

By: Baker and West (Tammy) of  
the House

4 and

5 Pugh of the Senate

6  
7 An Act relating to schools; amending 70 O.S. 2021,  
8 Section 6-194, as amended by Section 1, Chapter 211,  
9 O.S.L. 2022 (70 O.S. Supp. 2022, Section 6-194),  
10 which relates to professional development programs;  
11 \*\*\*\* amending 70 O.S. 2021, Sections 1210.508C and  
12 1210.508D, which relate to the Reading Sufficiency  
13 Act; \*\*\*\* providing funding for students enrolled in  
14 kindergarten and first, second, and third grades;  
15 \*\*\*\* establishing minimum criteria for team  
16 employees; \*\*\*\* providing for codification; providing  
17 an effective date; and declaring an emergency.

18 AUTHOR: Add the following Senate Coauthors: Thompson (Kristen),  
19 Bergstrom, Haste, Stanley, Weaver, Coleman, Garvin,  
20 Newhouse, Daniels, Pederson, Bullard, Rogers, Pemberton,  
21 Stephens, Rader, Seifried, and Woods

22 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and  
23 entire bill and insert

24 "An Act relating to schools; making an appropriation  
to the State Board of Education; providing purpose;  
prohibiting use of funds for certain purpose;  
establishing minimum salary schedule for teachers;  
defining fringe benefits; specifying certain  
recognition of college degrees; requiring the State  
Board of Education to accept certain teaching  
experience; requiring certain notification; limiting  
teaching credit for certain service and experience;

1 allowing school district to offer more credit;  
2 directing the Board to recognize certain experiences;  
3 prohibiting application of minimum salary schedule to  
4 certain retired teachers; requiring certain certified  
5 personnel to receive certain salary increase above  
6 certain level paid during certain school year;  
7 directing persons employed in certain capacities at  
8 technology center school districts, Department of  
9 Corrections facilities, and Office of Juvenile  
10 Affairs facilities to receive certain salary  
11 increase; directing certain certified and support  
12 personnel to receive a one-time stipend during  
13 certain school year; directing persons employed in  
14 certain capacities at technology center school  
15 districts, Department of Corrections facilities, and  
16 Office of Juvenile Affairs facilities to receive a  
17 one-time stipend during certain school year; amending  
18 70 O.S. 2021, Section 6-190, as amended by Section 3,  
19 Chapter 359, O.S.L. 2022 (70 O.S. Supp. 2022, Section  
20 6-190), which relates to teacher certification;  
21 removing language allowing the establishment of  
22 advanced, lead, and master certificates; amending  
23 Section 2, Chapter 359, O.S.L. 2022 (70 O.S. Supp.  
24 2022, Section 6-190.2), which relates to creation of  
the Teacher Empowerment Revolving Fund; modifying  
entity for which fund was created; clarifying source  
of funds; modifying purpose of fund; defining terms;  
directing the State Department of Education to create  
the Rewarding Excellent Educators Grant Program;  
providing purpose; providing eligibility for grant  
funds; providing for award of funds on certain basis;  
directing use of grants; limiting the number of  
certain teachers and support employees that may  
receive certain bonuses; providing maximum bonus  
amount; amending 70 O.S. 2021, Section 18-200.1, as  
last amended by Section 2, Chapter 488, O.S.L. 2021,  
which relates to allocation of State Aid; updating  
statutory language; increasing transportation factor;  
amending 70 O.S. 2021, Section 18-201.1, which  
relates to calculation of weighted membership;  
modifying certain category weights; updating  
statutory language; providing for noncodification;  
providing for codification; providing an effective  
date; and declaring an emergency.

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

2 SECTION 1. There is hereby appropriated to the State Board of  
3 Education from any monies not otherwise appropriated from the  
4 General Revenue Fund of the State Treasury for the fiscal year  
5 beginning July 1, 2023, the sum of Five Hundred Million Dollars  
6 (\$500,000,000.00) for the financial support of public schools.

7 These monies shall be used to implement the provisions of Section 2  
8 of this act and to provide student supports. Monies appropriated  
9 pursuant to this section shall not be used to provide a bonus or  
10 salary increase to an administrator, as defined by Section 6-101.3  
11 of Title 70 of the Oklahoma Statutes.

12 SECTION 2. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 18-114.15 of Title 70, unless  
14 there is created a duplication in numbering, reads as follows:

15 A. Beginning with the 2023-2024 school year, certified  
16 personnel, as defined in Section 26-103 of Title 70 of the Oklahoma  
17 Statutes, in the public schools of Oklahoma shall receive in salary  
18 and/or fringe benefits not less than the amounts specified in the  
19 following schedule:

20 MINIMUM SALARY SCHEDULE

21 National

22 Years of	Bachelor's Board	Master's	Doctor's
23 Experience	Degree	Certification Degree	Degree
24 0	\$40,601	\$41,759	\$41,991 \$43,381

1	1	\$41,035	\$42,193	\$42,425	\$43,815
2	2	\$41,469	\$42,628	\$42,859	\$44,249
3	3	\$41,904	\$43,062	\$43,294	\$44,684
4	4	\$42,338	\$43,496	\$43,728	\$45,118
5	5	\$42,810	\$43,968	\$44,200	\$45,590
6	6	\$44,273	\$45,432	\$45,663	\$47,054
7	7	\$44,737	\$45,895	\$46,127	\$47,517
8	8	\$45,200	\$46,358	\$46,590	\$47,980
9	9	\$45,663	\$46,822	\$47,054	\$48,444
10	10	\$46,684	\$47,844	\$48,568	\$50,945
11	11	\$48,177	\$49,336	\$50,061	\$52,438
12	12	\$48,670	\$49,829	\$50,554	\$52,931
13	13	\$49,162	\$50,322	\$51,047	\$53,424
14	14	\$49,655	\$50,815	\$51,539	\$53,916
15	15	\$50,167	\$51,327	\$52,052	\$54,430
16	16	\$51,660	\$52,820	\$53,545	\$55,923
17	17	\$52,153	\$53,313	\$54,038	\$56,416
18	18	\$52,646	\$53,806	\$54,531	\$56,909
19	19	\$53,139	\$54,299	\$55,024	\$57,402
20	20	\$53,652	\$54,813	\$55,538	\$57,917
21	21	\$55,145	\$56,306	\$57,031	\$59,410
22	22	\$55,639	\$56,799	\$57,524	\$59,903
23	23	\$56,132	\$57,292	\$58,018	\$60,397
24	24	\$56,625	\$57,785	\$58,511	\$60,890

1	25	\$58,049	\$59,232	\$59,971	\$62,395
2	Master's Degree +				
3	Years of	National Board			
4	Experience	Certification			
5	0	\$43,149			
6	1	\$43,583			
7	2	\$44,018			
8	3	\$44,452			
9	4	\$44,886			
10	5	\$45,358			
11	6	\$46,822			
12	7	\$47,285			
13	8	\$47,749			
14	9	\$48,212			
15	10	\$49,728			
16	11	\$51,221			
17	12	\$51,713			
18	13	\$52,206			
19	14	\$52,699			
20	15	\$53,212			
21	16	\$54,705			
22	17	\$55,198			
23	18	\$55,691			
24	19	\$56,184			

1	20	\$56,698
2	21	\$58,192
3	22	\$58,685
4	23	\$59,178
5	24	\$59,671
6	25	\$61,153

7 B. 1. When determining the Minimum Salary Schedule, "fringe  
8 benefits" shall mean all or part of retirement benefits, excluding  
9 the contributions made pursuant to subsection A of Section 17-108.1  
10 of Title 70 of the Oklahoma Statutes and the flexible benefit  
11 allowance pursuant to Section 26-105 of Title 70 of the Oklahoma  
12 Statutes from the flexible benefit allowance funds disbursed by the  
13 State Board of Education and the State Board of Career and  
14 Technology Education pursuant to Section 26-104 of Title 70 of the  
15 Oklahoma Statutes.

16 2. If a school district intends to provide retirement benefits  
17 to a teacher such that the teacher's salary would be less than the  
18 amounts set forth in the minimum salary schedule specified in  
19 subsection A of this section, the district shall be required to  
20 provide written notification to the teacher prior to his or her  
21 employment or, if already employed by the district, no later than  
22 thirty (30) days prior to the date the district elects to provide  
23 retirement benefits such that the teacher's salary would be less  
24 than the minimum salary schedule.

1 C. Any of the degrees referred to in this section shall be from  
2 a college recognized by the State Board of Education. The Board  
3 shall accept teaching experience from out-of-state school districts  
4 that are accredited by the State Board of Education or appropriate  
5 state accrediting agency for the districts. The Board shall accept  
6 teaching experience from out-of-country schools that are accredited  
7 or otherwise endorsed by the appropriate national or regional  
8 accrediting or endorsement authority. Out-of-country certification  
9 documentation in a language other than English shall be analyzed by  
10 an educational credential evaluation service in accordance with  
11 industry standards and guidelines and approved by the State  
12 Department of Education. The person seeking to have credit granted  
13 for out-of-country teaching experience shall be responsible for all  
14 costs of the analysis by a credential evaluation service. The Board  
15 shall accept teaching experience from primary and secondary schools  
16 that are operated by the United States Department of Defense or are  
17 affiliated with the United States Department of State.

18 D. For the purpose of state salary increments and retirement,  
19 no teacher shall be granted credit for more than five (5) years of  
20 active duty in the military service or out-of-state or out-of-  
21 country teaching experience as a certified teacher or its  
22 equivalent. Nothing in this section shall prohibit boards of  
23 education from crediting more years of experience on district salary  
24 schedules than those allowed for state purposes.

1 E. The State Board of Education shall recognize, for purposes  
2 of certification and salary increments, all the years of experience  
3 of a:

4 1. Certified teacher who teaches in the educational program of  
5 the Department of Corrections, beginning with fiscal year 1981;

6 2. Vocational rehabilitation counselor under the Department of  
7 Human Services if the counselor was employed as a certified teacher  
8 by the State Department of Education when the Division of Vocational  
9 Rehabilitation was transferred from the State Board of Career and  
10 Technology Education or the State Board of Education to the Oklahoma  
11 Public Welfare Commission on July 1, 1968;

12 3. Vocational rehabilitation counselor which were completed  
13 while employed by the Department of Human Services if such counselor  
14 was certified as a teacher or was eligible for certification as a  
15 teacher in Oklahoma;

16 4. Certified teacher which were completed while employed by the  
17 Child Study Center located at University Hospital, if the teacher  
18 was certified as a teacher in Oklahoma; and

19 5. Certified school psychologist or psychometrist which were  
20 completed while employed as a doctoral intern, psychological  
21 assistant, or psychologist with any agency of the State of Oklahoma  
22 if the experience primarily involved work with persons of school- or  
23 preschool-age and if the person was, at the time the experience was  
24

1 acquired, certified as, or eligible for certification as, a school  
2 psychologist or psychometrist.

3 F. The provisions of this section shall not apply to teachers  
4 who have entered into postretirement employment with a public school  
5 in Oklahoma and are still receiving a monthly retirement benefit.

6 G. If a person employed as certified personnel, as defined in  
7 Section 26-103 of Title 70 of the Oklahoma Statutes, by a school  
8 district during the 2022-2023 school year was receiving a salary  
9 above the step level indicated by the State Minimum Salary Schedule  
10 for the 2022-2023 school year, the person shall receive a salary  
11 increase amount equal to the amount indicated in subsection A for  
12 the step level indicated for the person, provided they remain  
13 employed by the same district, unless the hours or the duties of the  
14 certified personnel are reduced proportionately. The salary  
15 increase provided for in subsection A of this section shall be in  
16 addition to, and not as a replacement for, the step increase  
17 indicated for the certified personnel pursuant to the State Minimum  
18 Salary Schedule, as provided for in this act.

19 H. If a school district does not receive Foundation or Salary  
20 Incentive Aid pursuant to Section 18-200.1 of Title 70 of the  
21 Oklahoma Statutes, funds shall be allocated by the State Board of  
22 Education to implement the salary increases indicated in subsection  
23 A of this section.

24

1 I. Persons employed as classroom instructional employees of  
2 technology center school districts supervised by the State Board of  
3 Career and Technology Education shall receive a salary increase  
4 amount equal to the amount indicated in subsection A of this section  
5 for the step level indicated for the person, provided they remain  
6 employed by the same technology center school district, unless the  
7 hours or the duties of the classroom instructional employees are  
8 reduced proportionately.

9 J. Persons employed as correctional teachers or vocational  
10 instructors by the Department of Corrections pursuant to Section  
11 510.6a of Title 57 of the Oklahoma Statutes or persons employed as  
12 teachers by the Office of Juvenile Affairs shall receive a salary  
13 increase amount equal to the amount indicated in subsection A of  
14 this section for the step level indicated for the person, provided  
15 they remain employed by the same Department of Corrections or Office  
16 of Juvenile Affairs facility, unless the hours or the duties of the  
17 correctional teachers, vocational instructors, or teachers are  
18 reduced proportionately.

19 SECTION 3. NEW LAW A new section of law not to be  
20 codified in the Oklahoma Statutes reads as follows:

21 A. During the 2023-2024 school year, all certified personnel,  
22 as defined in Section 26-103 of Title 70 of the Oklahoma Statutes,  
23 who were employed full time by a school district during the 2022-  
24 2023 school year shall receive a one-time stipend of Three Thousand

1 Dollars (\$3,000.00), provided they remain employed full time by the  
2 school district.

3 B. During the 2023-2024 school year, all support personnel, as  
4 defined in Section 26-103 of Title 70 of the Oklahoma Statutes,  
5 shall receive a one-time stipend of Three Thousand Dollars  
6 (\$3,000.00). This amount shall be prorated for part-time support  
7 personnel.

8 C. During the 2023-2024 school year, persons employed as  
9 classroom instructional employees of technology center school  
10 districts supervised by the State Board of Career and Technology  
11 Education who were employed full time by a technology center school  
12 district during the 2022-2023 school year shall receive a one-time  
13 stipend of Three Thousand Dollars (\$3,000.00), provided they remain  
14 employed full time by the technology center school district.

15 D. During the 2023-2024 school year, persons employed as  
16 correctional teachers or vocational instructors by the Department of  
17 Corrections pursuant to Section 510.6a of Title 57 of the Oklahoma  
18 Statutes or persons employed as teachers by the Office of Juvenile  
19 Affairs who were employed full time by the Department of Corrections  
20 or the Office of Juvenile Affairs during the 2022-2023 school year  
21 shall receive a one-time stipend of Three Thousand Dollars  
22 (\$3,000.00), provided they remain employed full time by the  
23 Department of Corrections or the Office of Juvenile Affairs.

24

1 SECTION 4. AMENDATORY 70 O.S. 2021, Section 6-190, as  
2 amended by Section 3, Chapter 359, O.S.L. 2022 (70 O.S. Supp. 2022,  
3 Section 6-190), is amended to read as follows:

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

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

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

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

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

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

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

23 6. Beginning November 1, 2001, has on file with the Board a  
24 current Oklahoma criminal history record from the Oklahoma State

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

12 2. 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 ~~I. 1. The Board may establish new levels of teacher~~  
23 ~~certificates: advanced, lead, and master. Each level shall have a~~  
24 ~~minimum salary increase requirement paid by the school district and~~

1 ~~matched with state dollars from the lottery funds as provided in~~  
2 ~~Section 713 of Title 3A of the Oklahoma Statutes. The advanced~~  
3 ~~certificate shall include a minimum salary increase of Three~~  
4 ~~Thousand Dollars (\$3,000.00), the lead certificate shall include a~~  
5 ~~minimum salary increase of Five Thousand Dollars (\$5,000.00), and~~  
6 ~~the master certificate shall include a minimum salary increase of~~  
7 ~~Ten Thousand Dollars (\$10,000.00) and maximum salary increase of~~  
8 ~~Forty Thousand Dollars (\$40,000.00).~~

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

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

21       3. ~~School districts may identify and designate the highest~~  
22 ~~quality teachers for advanced, lead, and master certificates.~~  
23 ~~Participating districts shall submit designation plans to the State~~  
24 ~~Department of Education for evaluation and approval. Districts~~

1 ~~shall have local control and flexibility in determining how to~~  
2 ~~evaluate teachers and assign designations, but, at a minimum, the~~  
3 ~~designation system shall include a teacher observation, out-of-~~  
4 ~~classroom time, and a student performance component.~~

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

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

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

1 ~~show evidence of validity and reliability of the~~  
2 ~~measures.~~

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

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

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

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

1 ~~7. After initial approval by the State Department of Education,~~  
2 ~~the Department shall review and validate each participating school~~  
3 ~~district's teacher evaluation system biennially.~~

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

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 of this~~  
22 ~~title. This increase shall be matched by state dollars from the~~  
23 ~~lottery funds as provided in Section 713 of Title 3A of the Oklahoma~~

1 ~~Statutes and shall be paid as regular annual compensation directly~~  
2 ~~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 of this title. This increase shall be~~  
9 ~~matched by state dollars from the lottery funds as provided in~~  
10 ~~Section 713 of Title 3A of the Oklahoma Statutes and shall be paid~~  
11 ~~as regular annual compensation directly to teachers through school~~  
12 ~~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 of this title. This increase, up to~~  
19 ~~Forty Thousand Dollars (\$40,000.00), shall be matched by state~~  
20 ~~dollars from the lottery funds as provided in Section 713 of Title~~  
21 ~~3A of the Oklahoma Statutes and shall be paid as regular annual~~  
22 ~~compensation directly to teachers through school districts.~~

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

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 of this act. If funding for the administration~~  
12 ~~of the teaching certificates listed in subsection I is not~~  
13 ~~available, the Department shall not be required to fulfill the~~  
14 ~~requirements listed in subsections I, K, and L of this section.~~

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

17 SECTION 5. AMENDATORY Section 2, Chapter 359, O.S.L.  
18 2022 (70 O.S. Supp. 2022, Section 6-190.2), is amended to read as  
19 follows:

20 Section 6-190.2. ~~A.~~ There is hereby created in the State  
21 Treasury a revolving fund for the ~~State Department of Education~~  
22 State Board of Education to be designated the "Teacher Empowerment  
23 Revolving Fund". The revolving fund shall be a continuing fund,  
24 ~~without legislative appropriation,~~ not subject to fiscal year

1 limitations, and shall ~~be under the control and management of the~~  
2 ~~State Department of Education~~ consist of all monies received  
3 pursuant to paragraph 2 of subsection D of Section 713 of Title 3A  
4 of the Oklahoma Statutes. ~~Expenditures from the Teacher Empowerment~~  
5 ~~Revolving Fund shall~~ All monies accruing to the credit of the fund  
6 may be budgeted and expended as provided for in subsection B of this  
7 section by the State Board of Education for the purpose of  
8 implementing the provisions of Section 6 of this act. ~~Expenditures~~  
9 from the fund shall be made upon warrants issued by the State  
10 Treasurer against claims filed as prescribed by law with the  
11 Director of the Office of Management and Enterprise Services for  
12 approval and payment.

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

22 SECTION 6. NEW LAW A new section of law to be codified  
23 in the Oklahoma Statutes as Section 18-126.1 of Title 70, unless  
24 there is created a duplication in numbering, reads as follows:

1 A. For the purposes of this act:

2 1. "Eligible teacher" means a certified person employed on a  
3 full-time basis by a school district to serve as a teacher,  
4 supervisor, counselor, librarian, or certified or registered nurse;  
5 and

6 2. "Eligible support employee" means a full-time employee of a  
7 school district as determined by the standard period of labor which  
8 is customarily understood to constitute full-time employment for the  
9 type of services performed by the employee who is employed a minimum  
10 of one hundred seventy-two (172) days and who provides those  
11 services, not performed by professional educators or certified  
12 teachers, which are necessary for the efficient and satisfactory  
13 functioning of a school district and shall not include adult  
14 education instructors or adult coordinators employed by technology  
15 center school districts.

16 B. The State Department of Education shall create the Rewarding  
17 Excellent Educators Grant Program for the purpose of providing grant  
18 funds to school districts to implement annual qualitative bonus pay  
19 plans for eligible teachers and eligible support employees.

20 C. To receive grant funds, a school district board of education  
21 shall approve and submit to the State Department of Education a  
22 qualitative bonus pay plan to reward high-performing eligible  
23 teachers and eligible support employees with annual bonuses. The  
24 plan shall include, but not be limited to, the following components:

- 1 1. Student growth, as defined by the school district board of
- 2 education;
- 3 2. Peer evaluations;
- 4 3. Administrator evaluations;
- 5 4. Mentorship participation; and
- 6 5. Participation in extra responsibilities or duties.

7 D. The State Department of Education shall award grant funds to  
8 school districts from the Teacher Empowerment Revolving Fund created  
9 in Section 6-190.2 of Title 70 of the Oklahoma Statutes on a first-  
10 come, first-served basis.

11 E. Grants awarded pursuant to this section shall be used to  
12 provide annual bonuses to eligible teachers and eligible support  
13 employees. No more than ten percent (10%) of a school district's  
14 eligible teachers and eligible support employees may be provided  
15 annual bonuses during each school year. No bonus shall exceed Five  
16 Thousand Dollars (\$5,000.00).

17 SECTION 7. AMENDATORY 70 O.S. 2021, Section 18-200.1, as  
18 last amended by Section 2, Chapter 488, O.S.L. 2021, is amended to  
19 read as follows:

20 Section 18-200.1. A. Beginning with the 2022-2023 school year,  
21 and each school year thereafter, each school district shall have its  
22 initial allocation of State Aid calculated based on the state  
23 dedicated revenues actually collected during the preceding fiscal  
24 year, the adjusted assessed valuation of the preceding year, and the

1 weighted average daily membership for the school district of the  
2 preceding school year. Each school district shall submit the  
3 following data based on the first nine (9) weeks, to be used in the  
4 calculation of the average daily membership of the school district:

- 5 1. Student enrollment by grade level;
- 6 2. Pupil category counts; and
- 7 3. Transportation supplement data.

8 On or before December 30, the State Department of Education  
9 shall determine each school district's current year allocation  
10 pursuant to subsection D of this section. The State Department of  
11 Education shall complete an audit, using procedures established by  
12 the Department, of the student enrollment by grade level data, pupil  
13 category counts, and transportation supplement data to be used in  
14 the State Aid Formula pursuant to subsection D of this section by  
15 December 1 and by January 15 shall notify each school district of  
16 the district's final State Aid allocation for the current school  
17 year. The January payment of State Aid and each subsequent payment  
18 for the remainder of the school year shall be based on the final  
19 State Aid allocation as calculated in subsection D of this section.  
20 Except for reductions made due to the assessment of penalties by the  
21 State Department of Education according to law, the January payment  
22 of State Aid and each subsequent payment for the remainder of the  
23 school year shall not decrease by an amount more than the amount  
24 that the current chargeable revenue increases for that district.

1 B. The State Department of Education shall retain not less than  
2 one and one-half percent (1 1/2%) of the total funds appropriated  
3 for financial support of schools, to be used to make midyear  
4 adjustments in State Aid and which shall be reflected in the final  
5 allocations. If the amount of appropriated funds, including the one  
6 and one-half percent (1 1/2%) retained, remaining after January 1 of  
7 each year is not sufficient to fully fund the final allocations, the  
8 Department shall recalculate each school district's remaining  
9 allocation pursuant to subsection D of this section using the  
10 reduced amount of appropriated funds.

11 C. On and after July 1, 1997, the amount of State Aid each  
12 district shall receive shall be the sum of the Foundation Aid, the  
13 Salary Incentive Aid, and the Transportation Supplement, as adjusted  
14 pursuant to the provisions of subsection G of this section and  
15 Section 18-112.2 of this title; provided, no district having per  
16 pupil revenue in excess of three hundred percent (300%) of the  
17 average per pupil revenue of all districts shall receive any State  
18 Aid or Supplement in State Aid.

19 The July calculation of per pupil revenue shall be determined by  
20 dividing the district's second preceding year's total weighted  
21 average daily membership (ADM) into the district's preceding year's  
22 total revenues excluding federal revenue, insurance loss payments,  
23 reimbursements, recovery of overpayments and refunds, unused  
24

1 reserves, prior expenditures recovered, prior year surpluses, and  
2 less the amount of any transfer fees paid in that year.

3 The December calculation of per pupil revenue shall be  
4 determined by dividing the district's preceding year's total  
5 weighted average daily membership (ADM) into the district's  
6 preceding year's total revenues excluding federal revenue, insurance  
7 loss payments, reimbursements, recovery of overpayments and refunds,  
8 unused reserves, prior expenditures recovered, prior year surpluses,  
9 and less the amount of any transfer fees paid in that year.

10 D. For the 1997-98 school year, and each school year  
11 thereafter, Foundation Aid, the Transportation Supplement, and  
12 Salary Incentive Aid shall be calculated as follows:

13 1. Foundation Aid shall be determined by subtracting the amount  
14 of the Foundation Program Income from the cost of the Foundation  
15 Program and adding to this difference the Transportation Supplement.

16 a. The Foundation Program shall be a district's higher  
17 weighted average daily membership based on the first  
18 nine (9) weeks of the current school year or the  
19 preceding school year of a school district, as  
20 determined by the provisions of subsection A of  
21 Section 18-201.1 of this title and paragraphs 1, 2, 3, and  
22 and 4 of subsection B of Section 18-201.1 of this  
23 title, multiplied by the Base Foundation Support  
24 Level. However, for the portion of weighted

1 membership derived from nonresident, transferred  
2 pupils enrolled in online courses, the Foundation  
3 Program shall be a district's weighted average daily  
4 membership of the preceding school year or the first  
5 nine (9) weeks of the current school year, whichever  
6 is greater, as determined by the provisions of  
7 subsection A of Section 18-201.1 of this title and  
8 paragraphs 1, 2, 3, and 4 of subsection B of Section  
9 18-201.1 of this title, multiplied by the Base  
10 Foundation Support Level.

11 b. The Foundation Program Income shall be the sum of the  
12 following:

13 (1) The adjusted assessed valuation of the current  
14 school year of the school district, minus the  
15 previous year protested ad valorem tax revenues  
16 held as prescribed in Section 2884 of Title 68 of  
17 the Oklahoma Statutes, multiplied by the mills  
18 levied pursuant to subsection (c) of Section 9 of  
19 Article X of the Oklahoma Constitution, if  
20 applicable, as adjusted in subsection (c) of  
21 Section 8A of Article X of the Oklahoma  
22 Constitution. For purposes of this subsection,  
23 the "adjusted assessed valuation of the current  
24 school year" shall be the adjusted assessed

1 valuation on which tax revenues are collected  
2 during the current school year, and

- 3 (2) Seventy-five percent (75%) of the amount received  
4 by the school district from the proceeds of the  
5 county levy during the preceding fiscal year, as  
6 levied pursuant to subsection (b) of Section 9 of  
7 Article X of the Oklahoma Constitution, and  
8 (3) ~~Motor Vehicle Collections~~ motor vehicle  
9 collections, and  
10 (4) ~~Gross Production Tax~~ gross production tax, and  
11 (5) ~~State Apportionment~~ state apportionment, and  
12 (6) R.E.A. ~~Tax~~ tax.

13 The items listed in divisions (3), (4), (5), and (6)  
14 of this subparagraph shall consist of the amounts  
15 actually collected from such sources during the  
16 preceding fiscal year calculated on a per capita basis  
17 on the unit provided for by law for the distribution  
18 of each such revenue.

19 2. The Transportation Supplement shall be equal to the average  
20 daily haul times the per capita allowance times the appropriate  
21 transportation factor.

- 22 a. The average daily haul shall be the number of children  
23 in a district who are legally transported and who live  
24 one and one-half (1 1/2) miles or more from school.

b. The per capita allowance shall be determined using the following chart:

PER CAPITA		PER CAPITA	
DENSITY FIGURE	ALLOWANCE	DENSITY FIGURE	ALLOWANCE
.3000 - .3083	\$167.00	.9334 - .9599	\$99.00
.3084 - .3249	\$165.00	.9600 - .9866	\$97.00
.3250 - .3416	\$163.00	.9867 - 1.1071	\$95.00
.3417 - .3583	\$161.00	1.1072 - 1.3214	\$92.00
.3584 - .3749	\$158.00	1.3215 - 1.5357	\$90.00
.3750 - .3916	\$156.00	1.5358 - 1.7499	\$88.00
.3917 - .4083	\$154.00	1.7500 - 1.9642	\$86.00
.4084 - .4249	\$152.00	1.9643 - 2.1785	\$84.00
.4250 - .4416	\$150.00	2.1786 - 2.3928	\$81.00
.4417 - .4583	\$147.00	2.3929 - 2.6249	\$79.00
.4584 - .4749	\$145.00	2.6250 - 2.8749	\$77.00
.4750 - .4916	\$143.00	2.8750 - 3.1249	\$75.00
.4917 - .5083	\$141.00	3.1250 - 3.3749	\$73.00
.5084 - .5249	\$139.00	3.3750 - 3.6666	\$70.00
.5250 - .5416	\$136.00	3.6667 - 3.9999	\$68.00
.5417 - .5583	\$134.00	4.0000 - 4.3333	\$66.00
.5584 - .5749	\$132.00	4.3334 - 4.6666	\$64.00
.5750 - .5916	\$130.00	4.6667 - 4.9999	\$62.00
.5917 - .6133	\$128.00	5.0000 - 5.5000	\$59.00
.6134 - .6399	\$125.00	5.5001 - 6.0000	\$57.00

1	.6400 - .6666	\$123.00	6.0001 - 6.5000	\$55.00
2	.6667 - .6933	\$121.00	6.5001 - 7.0000	\$53.00
3	.6934 - .7199	\$119.00	7.0001 - 7.3333	\$51.00
4	.7200 - .7466	\$117.00	7.3334 - 7.6667	\$48.00
5	.7467 - .7733	\$114.00	7.6668 - 8.0000	\$46.00
6	.7734 - .7999	\$112.00	8.0001 - 8.3333	\$44.00
7	.8000 - .8266	\$110.00	8.3334 - 8.6667	\$42.00
8	.8267 - .8533	\$108.00	8.6668 - 9.0000	\$40.00
9	.8534 - .8799	\$106.00	9.0001 - 9.3333	\$37.00
10	.8800 - .9066	\$103.00	9.3334 - 9.6667	\$35.00
11	.9067 - .9333	\$101.00	9.6668 or more	\$33.00

12           c.    The formula transportation factor shall be ~~1.39~~ 2.0.

13           3.    Salary Incentive Aid shall be determined as follows:

14           a.    Multiply the Incentive Aid guarantee by the district's  
15           higher weighted average daily membership based on the  
16           first nine (9) weeks of the current school year or the  
17           preceding school year of a school district, as  
18           determined by the provisions of subsection A of  
19           Section 18-201.1 of this title and paragraphs 1, 2, 3,  
20           and 4 of subsection B of Section 18-201.1 of this  
21           title.

22           b.    Divide the district's adjusted assessed valuation of  
23           the current school year minus the previous year's  
24           protested ad valorem tax revenues held as prescribed

1 in Section 2884 of Title 68 of the Oklahoma Statutes,  
2 by one thousand (1,000) and subtract the quotient from  
3 the product of subparagraph a of this paragraph. The  
4 remainder shall not be less than zero (0).

5 c. Multiply the number of mills levied for general fund  
6 purposes above the fifteen (15) mills required to  
7 support Foundation Aid pursuant to division (1) of  
8 subparagraph b of paragraph 1 of this subsection, not  
9 including the county four-mill levy, by the remainder  
10 of subparagraph b of this paragraph. The product  
11 shall be the Salary Incentive Aid of the district.

12 E. By June 30, 1998, the State Department of Education shall  
13 develop and the Department and all school districts shall have  
14 implemented a student identification system which is consistent with  
15 the provisions of subsections C and D of Section 3111 of Title 74 of  
16 the Oklahoma Statutes. The student identification system shall be  
17 used specifically for the purpose of reporting enrollment data by  
18 school sites and by school districts, the administration of the  
19 Oklahoma School Testing Program Act, the collection of appropriate  
20 and necessary data pursuant to the Oklahoma Educational Indicators  
21 Program, determining student enrollment, establishing a student  
22 mobility rate, allocation of the State Aid Formula, and midyear  
23 adjustments in funding for student growth. This enrollment data  
24 shall be submitted to the State Department of Education in

1 accordance with rules promulgated by the State Board of Education.  
2 Funding for the development, implementation, personnel training, and  
3 maintenance of the student identification system shall be set out in  
4 a separate line item in the allocation section of the appropriation  
5 bill for the State Board of Education for each year.

6 F. 1. In the event that ad valorem taxes of a school district  
7 are determined to be uncollectible because of bankruptcy, clerical  
8 error, or a successful tax protest, and the amount of such taxes  
9 deemed uncollectible exceeds Fifty Thousand Dollars (\$50,000.00) or  
10 an amount greater than twenty-five percent (25%) of ad valorem taxes  
11 per tax year, or the valuation of a district is lowered by order of  
12 the State Board of Equalization, the school district's State Aid,  
13 for the school year that such ad valorem taxes are calculated in the  
14 State Aid Formula, shall be determined by subtracting the net  
15 assessed valuation of the property upon which taxes were deemed  
16 uncollectible from the assessed valuation of the school district and  
17 the state. Upon request of the local board of education, it shall  
18 be the duty of the county assessor to certify to the Director of  
19 Finance of the State Department of Education the net assessed  
20 valuation of the property upon which taxes were determined  
21 uncollectible.

22 2. In the event that the amount of funds a school district  
23 receives for reimbursement from the Ad Valorem Reimbursement Fund is  
24 less than the amount of funds claimed for reimbursement by the

1 school district due to insufficiency of funds as provided in Section  
 2 193 of Title 62 of the Oklahoma Statutes, then the school district's  
 3 assessed valuation for the school year that such ad valorem  
 4 reimbursement is calculated in the State Aid Formula shall be  
 5 adjusted accordingly.

6 G. 1. Notwithstanding the provisions of Section 18-112.2 of  
 7 this title, a school district shall have its State Aid reduced by an  
 8 amount equal to the amount of carryover in the general fund of the  
 9 district as of June 30 of the preceding fiscal year, that is in  
 10 excess of the following standards for two (2) consecutive years:

Total Amount of General Fund Collections, Excluding Previous Year Cash Surplus as of June 30	Amount of General Fund Balance Allowable
Less than \$1,000,000	48%
\$1,000,000 - \$2,999,999	42%
\$3,000,000 - \$3,999,999	36%
\$4,000,000 - \$4,999,999	30%
\$5,000,000 - \$5,999,999	24%
\$6,000,000 - \$7,999,999	22%
\$8,000,000 - \$9,999,999	19%
\$10,000,000 or more	17%

23 2. By February 1 the State Department of Education shall send  
 24 by certified mail, with return receipt requested, to each ~~School~~

1 ~~District Superintendent~~ school district superintendent, ~~Auditor~~  
2 auditor, and ~~Regional Accreditation Officer~~ regional accreditation  
3 officer a notice of and calculation sheet reflecting the general  
4 fund balance penalty to be assessed against that school district.  
5 Calculation of the general fund balance penalty shall not include  
6 federal revenue. Within thirty (30) days of receipt of this written  
7 notice the school district shall submit to the Department a written  
8 reply either accepting or protesting the penalty to be assessed  
9 against the district. If protesting, the school district shall  
10 submit with its reply the reasons for rejecting the calculations and  
11 documentation supporting those reasons. The Department shall review  
12 all school district penalty protest documentation and notify each  
13 district by March 15 of its finding and the final penalty to be  
14 assessed to each district. General fund balance penalties shall be  
15 assessed to all school districts by April 1.

16 3. Any school district which receives proceeds from a tax  
17 settlement or a Federal Emergency Management Agency settlement  
18 during the last two (2) months of the preceding fiscal year shall be  
19 exempt from the penalties assessed in this subsection, if the  
20 penalty would occur solely as a result of receiving funds from the  
21 tax settlement.

22 4. Any school district which receives an increase in State Aid  
23 because of a change in Foundation and/or Salary Incentive Aid  
24 factors during the last two (2) months of the preceding fiscal year

1 shall be exempt from the penalties assessed in this subsection, if  
2 the penalty would occur solely as a result of receiving funds from  
3 the increase in State Aid.

4 5. If a school district does not receive Foundation and/or  
5 Salary Incentive Aid during the preceding fiscal year, the State  
6 Board of Education may waive the penalty assessed in this subsection  
7 if the penalty would result in a loss of more than forty percent  
8 (40%) of the remaining State Aid to be allocated to the school  
9 district between April 1 and the remainder of the school year and if  
10 the Board determines the penalty will cause the school district not  
11 to meet remaining financial obligations.

12 6. Any school district which receives gross production revenue  
13 apportionment during the 2002-2003 school year or in any subsequent  
14 school year that is greater than the gross production revenue  
15 apportionment of the preceding school year shall be exempt from the  
16 penalty assessed in this subsection, if the penalty would occur  
17 solely as a result of the gross production revenue apportionment, as  
18 determined by the State Board of Education.

19 7. Beginning July 1, 2003, school districts that participate in  
20 consolidation or annexation pursuant to the provisions of the  
21 Oklahoma School ~~Voluntary~~ Consolidation and Annexation Act shall be  
22 exempt from the penalty assessed in this subsection for the school  
23 year in which the consolidation or annexation occurs and for the  
24 next three (3) fiscal years.

1       8. Any school district which receives proceeds from a sales tax  
2 levied by a municipality pursuant to Section 22-159 of Title 11 of  
3 the Oklahoma Statutes or proceeds from a sales tax levied by a  
4 county pursuant to Section 1370 of Title 68 of the Oklahoma Statutes  
5 during the 2003-2004 school year or the 2004-2005 school year shall  
6 be exempt from the penalties assessed in this subsection, if the  
7 penalty would occur solely as a result of receiving funds from the  
8 sales tax levy.

9       9. Any school district which has an amount of carryover in the  
10 general fund of the district in excess of the limits established in  
11 paragraph 1 of this subsection during the fiscal years beginning  
12 July 1, 2020, July 1, 2021, July 1, 2022, and July 1, 2023, shall  
13 not be assessed a general fund balance penalty as provided for in  
14 this subsection.

15       10. For purposes of calculating the general fund balance  
16 penalty, the terms "carryover" and "general fund balance" shall not  
17 include federal revenue.

18       H. In order to provide startup funds for the implementation of  
19 early childhood programs, State Aid may be advanced to school  
20 districts that initially start early childhood instruction at a  
21 school site. School districts that desire such advanced funding  
22 shall make application to the State Department of Education no later  
23 than September 15 of each year and advanced funding shall be awarded  
24 to the approved districts no later than October 30. The advanced

1 funding shall not exceed the per pupil amount of State Aid as  
2 calculated in subsection D of this section per anticipated Head  
3 Start eligible student. The total amount of advanced funding shall  
4 be proportionately reduced from the monthly payments of the  
5 district's State Aid payments during the last six (6) months of the  
6 same fiscal year.

7 I. 1. Beginning July 1, 1996, the Oklahoma Tax Commission,  
8 notwithstanding any provision of law to the contrary, shall report  
9 monthly to the State Department of Education the monthly  
10 apportionment of the following information:

- 11 a. the assessed valuation of property,
- 12 b. motor vehicle collections,
- 13 c. R.E.A. tax collected, and
- 14 d. gross productions tax collected.

15 2. Beginning July 1, 1997, the State Auditor and Inspector's  
16 Office, notwithstanding any provision of law to the contrary, shall  
17 report monthly to the State Department of Education the monthly  
18 apportionment of the proceeds of the county levy.

19 3. Beginning July 1, 1996, the Commissioners of the Land  
20 Office, notwithstanding any provision of law to the contrary, shall  
21 report monthly to the State Department of Education the monthly  
22 apportionment of state apportionment.

23 4. Beginning July 1, 1997, the county treasurers' offices,  
24 notwithstanding any provision of law to the contrary, shall report

1 monthly to the State Department of Education the ad valorem tax  
2 protest amounts for each county.

3 5. The information reported by the Tax Commission, the State  
4 Auditor and Inspector's Office, the county treasurers' offices, and  
5 the Commissioners of the Land Office, pursuant to this subsection  
6 shall be reported by school district on forms developed by the State  
7 Department of Education.

8 SECTION 8. AMENDATORY 70 O.S. 2021, Section 18-201.1, is  
9 amended to read as follows:

10 Section 18-201.1. A. Beginning with the 2020-21 school year,  
11 and each school year thereafter, the weighted membership of a school  
12 district for calculation of Foundation Aid purposes pursuant to  
13 paragraph 1 of subsection D of Section 18-200.1 of this title shall  
14 be the sum of the weighted pupil grade level calculation, the  
15 weighted pupil category calculation, the weighted district  
16 calculation, and the weighted teacher experience and degree  
17 calculation. The weighted membership of a school district for  
18 calculation of Salary Incentive Aid purposes pursuant to paragraph 3  
19 of subsection D of Section 18-200.1 of this title shall be the sum  
20 of the weighted pupil grade level calculation, the weighted pupil  
21 category calculation, the weighted district calculation, and the  
22 weighted teacher experience and degree calculation.

23 B. Beginning with the 2022-2023 school year, the weighted  
24 calculations provided for in subsection A of this section shall be

1 based on the higher weighted average daily membership of the first  
2 nine (9) weeks of the current school year or the preceding school  
3 year of a school district, unless otherwise specified. The higher  
4 of the two (2) weighted average daily memberships shall be used  
5 consistently in all of the calculations; however, the weighted  
6 calculation for a statewide virtual charter school experiencing a  
7 significant decline in membership shall be based on the first nine  
8 (9) weeks of the current school year for the statewide virtual  
9 charter school. For purposes of this subsection, "significant  
10 decline in membership" means equal to or greater than a fifteen  
11 percent (15%) decrease in average daily membership from the  
12 preceding school year to the average daily membership of the first  
13 nine (9) weeks of the current school year. The average daily  
14 membership data used for all calculations in paragraphs 1, 2, 3, and  
15 4 of this subsection shall be the same as used in the calculation of  
16 the State Aid Formula. The weighted calculations provided for in  
17 subsection A of this section shall be determined as follows:

18 1. The weighted pupil grade level calculation shall be  
19 determined by taking the highest average daily membership and  
20 assigning weights to the pupils according to grade attended as  
21 follows:

22	GRADE LEVEL	WEIGHT
23	a. Half-day early childhood programs	.7
24	b. Full-day early childhood programs	1.3

1	c.	Half-day kindergarten	1.3
2	d.	Full-day kindergarten	1.5
3	e.	First and second grade	1.351
4	f.	Third grade	1.051
5	g.	Fourth through sixth grade	1.0
6	h.	Seventh through twelfth grade	1.2
7	i.	Out-of-home placement	1.50

8        Multiply the membership of each subparagraph of this paragraph  
9 by the weight assigned to such subparagraph of this paragraph and  
10 add the totals together to determine the weighted pupil grade level  
11 calculation for a school district. Determination of the pupils  
12 eligible for the early childhood program weight shall be pursuant to  
13 the provisions of Section 1-114 of this title. The pupils eligible  
14 for the out-of-home placement pupil weight shall be students who are  
15 not residents of the school district in which they are receiving  
16 education pursuant to the provisions of subsection D of Section 1-  
17 113 of this title. Such weight may be claimed by the district  
18 providing educational services to such student for the days that  
19 student is enrolled in that district. If claimed, the out-of-home  
20 placement weight shall be in lieu of the pupil grade level and any  
21 pupil category weights for that student. Provided, if a student  
22 resides in a juvenile detention center that is restricted to less  
23 than twelve (12) beds, the out-of-home placement pupil weight for  
24 such students shall be calculated as follows: for a center with six

1 (6) beds - 3.0; for a center with eight (8) beds - 2.3; and for a  
2 center with ten (10) beds - 1.80.

3 2. The weighted pupil category calculation shall be determined  
4 by assigning a weight to the pupil category as follows:

5	CATEGORY	WEIGHT
6	a. Visual Impairment	3.8
7	b. Specific Learning Disability	.4
8	c. Deafness or Hearing Impairment	2.9
9	d. Deaf-Blindness	3.8
10	e. Intellectual Disability	1.3
11	f. Emotional Disturbance	2.5
12	g. Gifted	.34
13	h. Multiple Disabilities	2.4
14	i. Orthopedic Impairment	1.2
15	j. Speech or Language Impairment	.05
16	k. Bilingual	.25
17	l. Special Education Summer Program	1.2
18	m. Economically Disadvantaged	<del>.25</del> <u>.3</u>
19	n. Optional Extended School Year	
20	Program	As determined by
21		the State Board
22		of Education
23	o. Autism	2.4
24	p. Traumatic Brain Injury	2.4

1           q.    Other Health Impairment

1.2

2           Except as otherwise provided, multiply the number of pupils  
3 approved in the school year with the highest average daily  
4 membership in each category by the weight assigned to such category  
5 and add the totals together to determine the weighted pupil category  
6 calculation for a school district. For the 1997-98 school year and  
7 subsequent school years, the number to be multiplied by the weight  
8 assigned to the gifted category in subparagraph g of this paragraph  
9 shall be the lesser of (1) the sum of the number of students who  
10 scored in the top three percent (3%) on any national standardized  
11 test of intellectual ability plus the number of students identified  
12 as gifted pursuant to subparagraphs a through d of paragraph 1 of  
13 Section 1210.301 of this title, or (2) the sum of the number of  
14 students who scored in the top three percent (3%) on any national  
15 standardized test of intellectual ability plus eight percent (8%) of  
16 the total average daily membership of the school district for the  
17 first nine (9) weeks of the school year.

18           3. The weighted district calculation shall be determined by  
19 determining the calculations for each school district for both the  
20 small school district formula and the district sparsity - isolation  
21 formula, applying whichever is the greater of the calculations of  
22 the two formulas and then applying the restrictions pursuant to  
23 subparagraph c of this paragraph.

1 a. Small school district formula: 529 minus the average  
2 daily membership divided by 529 times .2 times total  
3 average daily membership.

4 The small school district formula calculation shall apply  
5 only to school districts whose highest average daily  
6 membership is less than 529 pupils. School districts which  
7 are consolidated or annexed after July 1, 2003, pursuant to  
8 the Oklahoma School ~~Voluntary~~ Consolidation and Annexation  
9 Act shall have the weighted district size calculation for  
10 the three (3) school years following the fiscal year in  
11 which such consolidation occurred calculated to be the sum  
12 of the individual consolidated districts computed as if the  
13 consolidation had not taken place. Thereafter, any such  
14 district which is consolidated pursuant to the Oklahoma  
15 School ~~Voluntary~~ Consolidation and Annexation Act shall not  
16 qualify for the weighted district calculation unless the  
17 district can satisfy the specifications herein. Subject to  
18 the provisions of subparagraph c of this paragraph, the  
19 resulting number shall be counted as additional students  
20 for the purpose of calculating State Aid.

21 b. District sparsity - isolation formula:

22 The district sparsity - isolation formula calculation shall  
23 apply only to school districts:  
24

1 (1) whose total area in square miles is greater than  
2 the average number of square miles for all school  
3 districts in this state; and

4 (2) whose areal density is less than one-fourth (1/4)  
5 of the state average areal density. Areal  
6 density shall be determined by dividing the  
7 school district's average daily membership by the  
8 school district's total area in square miles.

9 The district sparsity - isolation formula calculation shall  
10 be calculated as follows:

11 The school district student cost factor multiplied by  
12 the school district area factor. The resulting  
13 product shall be multiplied by the school district's  
14 average daily membership. Subject to the provisions  
15 of subparagraph c of this paragraph, the resulting  
16 number shall be counted as additional students for the  
17 purpose of calculating State Aid.

18 The school district student cost factor shall be calculated  
19 as follows:

20 The school district's average daily membership shall  
21 be categorized into the following grade level groups  
22 and applied to the appropriate formulas as computed  
23 below:

24 Grade Level Group

1        Grades K-5                    Divide 74 by the sum of the Grade  
2    Level ADM plus 23,  
3    add .85 to the quotient, then  
4    multiply the sum by the Grade  
5    Level ADM.

6        Grades 6-8                    Divide 122 by the sum of the Grade  
7    Level ADM plus 133,  
8    add .85 to the quotient, then  
9    multiply the sum by the Grade  
10    Level ADM.

11       Grades 9-12                    Divide 292 by the sum of the Grade  
12    Level ADM plus 128,  
13    add .78 to the quotient, then  
14    multiply the sum by the Grade  
15    Level ADM.

16    The sum of the grade level group's average daily  
17    membership shall be divided by the school district's  
18    average daily membership. The number one (1.0) shall  
19    be subtracted from the resulting quotient.

20    The school district area cost factor shall be calculated as  
21    follows:

22    Subtract the state average district area from the  
23    district area, then divide the remainder by the state  
24    average district area;

1           however, the district area cost factor shall not exceed one  
2           (1.0).

3           The State Board of Education shall define geographical barriers  
4 whose location in a school district would inhibit the district from  
5 consolidation or annexation. The Board shall make available an  
6 application process, review applications, and for districts the  
7 Board deems necessary allow additional square miles to be used for  
8 the purposes of calculations used for the weighted district sparsity  
9 - isolation formula. Provided, that the additional square miles  
10 allowed for geographical barriers shall not exceed thirty percent  
11 (30%) of the district's actual size.

12           c. State Aid funds which a district is calculated to  
13 receive as a result of the weighted district  
14 calculation shall be restricted as follows:

15                   If, after the weighted district calculation is  
16 applied, the district's projected per pupil  
17 revenue exceeds one hundred fifty percent (150%)  
18 of the projected state average per pupil revenue,  
19 then the district's State Aid shall be reduced by  
20 an amount that will restrict the district's  
21 projected per pupil revenue to one hundred fifty  
22 percent (150%) of the projected state average per  
23 pupil revenue. Provided, in applying the  
24 restriction provided in this division, the

1 district's State Aid shall not be reduced by an  
2 amount greater than by the amount of State Aid  
3 which was generated by the weighted district  
4 calculation.

5 The July calculation of the projected per pupil  
6 revenue shall be determined by dividing the district's  
7 preceding year's average daily membership (ADM) as  
8 weighted by the pupil grade level, the pupil category,  
9 the district and the teacher experience degree index  
10 calculations for projected State Aid into the  
11 district's projected total revenues including  
12 projected funds for the State Aid Formula for the  
13 preceding year, net assessed valuation for the  
14 preceding calendar year times thirty-nine (39) mills,  
15 county revenues excluding the county four-mills  
16 revenues for the second preceding year, other state  
17 appropriations for the preceding year, and the  
18 collections for the preceding year of state  
19 apportionment, motor vehicle revenue, gross production  
20 tax, and R.E.A. tax.

21 The December calculation of the projected per pupil  
22 revenue shall be determined by dividing the higher of  
23 the district's first nine (9) weeks of the current  
24 school year or the preceding school year's average

1 daily membership (ADM) as weighted by the pupil grade  
2 level, the pupil category, the district and the  
3 teacher experience degree index calculations for  
4 projected State Aid into the district's projected  
5 total revenues including funds for the December  
6 calculation of the current year State Aid Formula, net  
7 assessed valuation for the current calendar year times  
8 thirty-nine (39) mills, county revenues excluding the  
9 county four-mills revenue for the preceding year,  
10 other state appropriations for the preceding year, and  
11 the collections for the preceding year of state  
12 apportionment, motor vehicle revenue, gross production  
13 tax, and R.E.A. tax.

14 The district's projected total revenues for each  
15 calculation shall exclude the following collections  
16 for the second preceding year: federal revenue,  
17 insurance loss payments, reimbursements, recovery of  
18 overpayments and refunds, unused reserves, prior  
19 expenditures recovered, prior year surpluses, and  
20 other local miscellaneous revenues.

21 4. The weighted teacher experience and degree calculation shall  
22 be determined in accordance with the teacher experience and degree  
23 index. The State Department of Education shall determine an index  
24 for each state teacher by using data supplied in the school

1 district's teacher personnel reports of the preceding year and  
2 utilizing the index as follows:

3 TEACHER EXPERIENCE - DEGREE INDEX

4 EXPERIENCE	BACHELOR'S	MASTER'S	DOCTOR'S
5	DEGREE	DEGREE	DEGREE
6 0 - 2	.7	.9	1.1
7 3 - 5	.8	1.0	1.2
8 6 - 8	.9	1.1	1.3
9 9 - 11	1.0	1.2	1.4
10 12 - 15	1.1	1.3	1.5
11 Over 15	1.2	1.4	1.6

12 The school district teacher index for each school district shall  
13 be determined by subtracting the weighted average state teacher from  
14 the weighted average district teacher. Multiply the school district  
15 teacher index if greater than zero by .7 and then multiply that  
16 product by the sum of the district's weighted pupil grade level  
17 calculation provided in paragraph 1 of this subsection and the  
18 weighted pupil category calculation provided in subparagraph m of  
19 paragraph 2 of this subsection to determine the weighted teacher  
20 experience and degree calculation.

21 SECTION 9. This act shall become effective July 1, 2023.

22 SECTION 10. It being immediately necessary for the preservation  
23 of the public peace, health, or safety, an emergency is hereby  
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."

3 Passed the Senate the 27th day of April, 2023.

4

5

\_\_\_\_\_  
Presiding Officer of the Senate

6

7 Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
8 2023.

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\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

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1 ENGROSSED HOUSE  
2 BILL NO. 2672

By: Baker and West (Tammy) of  
the House

3 and

4 Pugh of the Senate  
5  
6

7 An Act relating to schools; amending 70 O.S. 2021,  
8 Section 6-194, as amended by Section 1, Chapter 211,  
9 O.S.L. 2022 (70 O.S. Supp. 2022, Section 6-194),  
10 which relates to professional development programs;  
11 requiring dyslexia and dysgraphia program be approved  
12 by the State Department of Education; amending 70  
13 O.S. 2021, Sections 1210.508C and 1210.508D, which  
14 relate to the Reading Sufficiency Act; deleting  
15 exception for avoiding annual submission of reading  
16 sufficiency plan updates; requiring annual report of  
17 certain student data by specified date; modifying  
18 funding allocation for Reading Sufficiency Act funds;  
19 providing funding for students enrolled in  
20 kindergarten and first, second, and third grades;  
21 directing funds be used only for certain purposes;  
22 mandating certain school districts receive Department  
23 approval prior to fund distribution; requiring  
24 retention of certain funds to employ a literacy  
instructional team; providing for technical  
assistance and program implementation guidance to  
team members and schools; directing team members to  
be placed regionally statewide; providing duties for  
team; listing training required for team members;  
providing Department oversight of team; establishing  
minimum criteria for team employees; listing hiring  
preferences for team members with certain knowledge  
and training; providing for codification; providing  
an effective date; and declaring an emergency.

22 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:  
23  
24

1 SECTION 11. AMENDATORY 70 O.S. 2021, Section 6-194, as  
2 amended by Section 1, Chapter 211, O.S.L. 2022 (70 O.S. Supp. 2022,  
3 Section 6-194), is amended to read as follows:

4 Section 6-194. A. The district boards of education of this  
5 state shall establish professional development programs for the  
6 certified teachers and administrators of the district. Programs  
7 shall be adopted by each board based upon recommendations of a  
8 professional development committee appointed by the board of  
9 education for the district. For the fiscal years ending June 30,  
10 2011, and June 30, 2012, a school district board of education may  
11 elect not to adopt and offer a professional development program for  
12 certified teachers and administrators of the district. If a school  
13 district elects not to adopt and offer a professional development  
14 program, the district may expend any monies allocated for  
15 professional development for any purpose related to the support and  
16 maintenance of the school district as determined by the board of  
17 education of the school district.

18 B. Each professional development committee shall include  
19 classroom teachers, administrators, school counselors or licensed  
20 mental health providers, and parents, guardians or custodians of  
21 children in the school district and shall consult with a higher  
22 education faculty. A majority of the members of the professional  
23 development committee shall be composed of classroom teachers. The  
24 teacher members shall be selected by a designated administrator of

1 the school district from a list of names submitted by the teachers  
2 in the school district. The members selected shall be subject to  
3 the approval of a majority vote of the teachers in the district.

4 C. In developing program recommendations, each professional  
5 development committee shall annually utilize a data-driven approach  
6 to analyze student data and determine district and school  
7 professional development needs. The professional development  
8 programs adopted shall be directed toward development of  
9 competencies and instructional strategies in the core curriculum  
10 areas for the following goals:

- 11 1. Increasing the academic performance data scores for the  
12 district and each school site;
- 13 2. Closing achievement gaps among student subgroups;
- 14 3. Increasing student achievement as demonstrated on state-  
15 mandated tests and the ACT;
- 16 4. Increasing high school graduation rates; and
- 17 5. Decreasing college remediation rates.

18 Each program may also include components on classroom management  
19 and student discipline strategies, outreach to parents, guardians or  
20 custodians of students, special education, and racial and ethnic  
21 education, which all personnel defined as teachers in Section 1-116  
22 of this title shall be required to complete on a periodic basis.  
23 The State Board of Education shall provide guidelines to assist  
24

1 school districts in developing and implementing racial and ethnic  
2 education components into professional development programs.

3 D. At a minimum of once an academic year a program shall be  
4 offered which includes the following:

- 5 1. Training on recognition of child abuse and neglect;
- 6 2. Recognition of child sexual abuse;
- 7 3. Proper reporting of suspected abuse; and
- 8 4. Available resources.

9 E. One time per year, beginning in the 2009-2010 school year,  
10 training in the area of autism shall be offered and all resident  
11 teachers of students in early childhood programs through grade three  
12 shall be required to complete the autism training during the  
13 resident year and at least one time every three (3) years  
14 thereafter. All other teachers and education support professionals  
15 of students in early childhood programs through grade three shall be  
16 required to complete the autism training at least one time every  
17 three (3) years. The autism training shall include a minimum  
18 awareness of the characteristics of autistic children, resources  
19 available and an introduction to positive behavior supports to  
20 challenging behavior. Each adopted program shall allow school  
21 counselors to receive at least one-third (1/3) of the hours or  
22 credit required each year through programs or courses specifically  
23 designed for school counselors.

24

1 Districts are authorized to utilize any means for professional  
2 development that is not prohibited by law including, but not limited  
3 to, professional development provided by the district, any state  
4 agency, institution of higher education, or any private entity.

5 F. One time per year, beginning in the 2020-2021 school year, a  
6 dyslexia awareness program shall be offered. Beginning in the 2023-  
7 2024 school year, the program shall include information and training  
8 in dysgraphia. At a minimum, the program shall be approved by the  
9 State Department of Education and include:

10 1. Training in awareness of dyslexia characteristics in  
11 students;

12 2. Training in effective classroom instruction to meet the  
13 needs of students with dyslexia; and

14 3. Available dyslexia resources for teachers, students and  
15 parents.

16 G. Except as otherwise provided for in this subsection, each  
17 certified teacher in this state shall be required by the district  
18 board of education to meet the professional development requirements  
19 established by the board, or established through the negotiation  
20 process. Except as otherwise provided for in this subsection, the  
21 professional development requirements established by each board of  
22 education shall require every teacher to annually complete a minimum  
23 number of the total number of points required to maintain  
24 employment. Failure of any teacher to meet district board of

1 education professional development requirements may be grounds for  
2 nonrenewal of such teacher's contract by the board. Such failure  
3 may also be grounds for nonconsideration of salary increments  
4 affecting the teacher. For the fiscal years ending June 30, 2011,  
5 and June 30, 2012, a certified teacher shall not be required to  
6 complete any points of the total number of professional development  
7 points required. Provided, a teacher may elect to complete some or  
8 all of the minimum number of points required for the two (2) fiscal  
9 years and any points completed shall be counted toward the total  
10 number of points required to maintain employment. If a teacher does  
11 not complete some or all of the minimum number of points required  
12 for one (1) or both fiscal years, the total number of points  
13 required to maintain employment shall be adjusted and reduced by the  
14 number of points not completed.

15 H. Each district shall annually submit a report to the State  
16 Department of Education on the district level professional  
17 development needs, activities completed, expenditures, and results  
18 achieved for each school year by each goal as provided in subsection  
19 C of this section. If a school district elects not to adopt and  
20 offer a professional development program as provided for in  
21 subsection A of this section, the district shall not be required to  
22 submit an annual report as required pursuant to this subsection but  
23 shall report to the State Department of Education its election not  
24

1 to offer a program and all professional development activities  
2 completed by teachers and administrators of the school district.

3 I. Subject to the availability of funds, the Department shall  
4 develop an online system for reporting as required in subsection H  
5 of this section. The Department shall also make such information  
6 available on its website.

7 SECTION 12. AMENDATORY 70 O.S. 2021, Section 1210.508C,  
8 is amended to read as follows:

9 Section 1210.508C A. 1. Each student enrolled in kindergarten  
10 in a public school in this state shall be screened at the beginning,  
11 middle and end of each school year for reading skills including, but  
12 not limited to, phonemic awareness, letter recognition, and oral  
13 language skills as identified in the subject matter standards  
14 adopted by the State Board of Education. A screening instrument  
15 approved by the State Board shall be utilized for the purposes of  
16 this section.

17 2. For those kindergarten children at risk for reading  
18 difficulties at the beginning of the year, teachers shall emphasize  
19 reading skills as identified in the subject matter standards adopted  
20 by the State Board of Education, monitor progress throughout the  
21 year and measure mid-year and year-end reading progress.

22 3. Kindergarten students who are not meeting grade-level  
23 targets by mid-year in reading shall be provided a program of  
24

1 reading instruction designed to enable the student to acquire the  
2 appropriate grade-level reading skills.

3 4. Classroom assistants, which may include parents,  
4 grandparents, or other volunteers, shall be provided in kindergarten  
5 classes to assist with the screening of students if a teacher aide  
6 is not already employed to assist in a kindergarten classroom.

7 B. Each student enrolled in first, second and third grade of  
8 the public schools of this state shall be assessed at the beginning,  
9 middle and end of each school year using a screening instrument  
10 approved by the State Board of Education for the acquisition of  
11 reading skills including, but not limited to, phonemic awareness,  
12 phonics, reading fluency, vocabulary, and comprehension.

13 C. Any student enrolled in first, second or third grade who is  
14 assessed and who is not meeting grade-level targets in reading shall  
15 be provided a program of reading instruction designed to enable the  
16 student to acquire the appropriate grade level reading skills. The  
17 program of reading instruction shall include provisions of the READ  
18 Initiative adopted by the school district as provided for in  
19 subsection P of this section. Throughout the year progress  
20 monitoring shall continue, and diagnostic assessment, if determined  
21 appropriate, shall be provided. Year-end reading skills shall be  
22 measured to determine reading success.

23 D. The State Board of Education shall approve screening  
24 instruments for use at the beginning and end of the school year, for

1 monitoring of progress, and for measurement of reading skills at the  
2 end of the school year as required in subsections A and B of this  
3 section; provided, at least one of the screening instruments shall  
4 meet the following criteria:

5 1. Assess for phonemic awareness, phonics, reading fluency,  
6 vocabulary and comprehension;

7 2. Document the validity and reliability of each assessment;

8 3. Can be used for identifying students who are at risk for  
9 reading deficiency and progress monitoring throughout the school  
10 year;

11 4. Can be used to assess students with disabilities and English  
12 language learners; and

13 5. Accompanied by a data management system that provides  
14 profiles for students, class, grade level and school building. The  
15 profiles shall identify each student's instructional point of need  
16 and reading achievement level. The State Board shall also determine  
17 other comparable reading assessments for diagnostic purposes to be  
18 used for students at risk of reading failure. The State Board shall  
19 ensure that any assessments approved are in alignment with the  
20 subject matter standards adopted by the State Board of Education.

21 E. 1. The program of reading instruction required in  
22 subsections A and B of this section shall align with the subject  
23 matter standards adopted by the State Board of Education and shall  
24 include provisions of the READ Initiative adopted by the school

1 district as provided for in subsection P of this section. A program  
2 of reading instruction may include, but is not limited to:

- 3 a. sufficient additional in-school instructional time for  
4 the acquisition of phonemic awareness, phonics,  
5 reading fluency, vocabulary, and comprehension,
- 6 b. if necessary, tutorial instruction after regular  
7 school hours, on Saturdays and during summer; however,  
8 such instruction may not be counted toward the one-  
9 hundred-eighty-day or one-thousand-eighty-hour school  
10 year required in Section 1-109 of this title, and
- 11 c. assessments identified for diagnostic purposes and  
12 periodic monitoring to measure the acquisition of  
13 reading skills including, but not limited to, phonemic  
14 awareness, phonics, reading fluency, vocabulary, and  
15 comprehension, as identified in the student's program  
16 of reading instruction.

17 2. A student enrolled in first or second grades who has been  
18 assessed as provided for in subsection B of this section and found  
19 not to be meeting grade-level targets in reading, shall be entitled  
20 to supplemental instructional services and supports in reading until  
21 the student is determined by the results of a screening instrument  
22 to be meeting grade-level targets in reading. The program of  
23 reading instruction for each student shall be developed by a Student  
24 Reading Proficiency Team and shall include supplemental

1 instructional services and supports. Each team shall be composed  
2 of:

- 3 a. the parent or guardian of the student,
- 4 b. the teacher assigned to the student who had  
5 responsibility for reading instruction in that  
6 academic year,
- 7 c. a teacher who is responsible for reading instruction  
8 and is assigned to teach in the next grade level of  
9 the student, and
- 10 d. a certified reading specialist, if one is available.

11 F. The program of reading instruction shall continue until the  
12 student is determined by the results of approved reading assessments  
13 to be meeting grade-level targets.

14 G. 1. Every school district shall adopt, and implement a  
15 district reading sufficiency plan which has had input from school  
16 administrators, teachers, and parents and if possible a reading  
17 specialist, and which shall be submitted electronically to and  
18 approved by the State Board of Education. The plan shall be updated  
19 annually. ~~School districts shall not be required to electronically~~  
20 ~~submit the annual updates to the Board if the last plan submitted to~~  
21 ~~the Board was approved and expenditures for the program include only~~  
22 ~~expenses relating to individual and small group tutoring, purchase~~  
23 ~~of and training in the use of screening and assessment measures,~~  
24 ~~summer school programs and Saturday school programs. If any~~

1 ~~expenditure for the program is deleted or changed or any other type~~  
2 ~~of expenditure for the program is implemented, the school district~~  
3 ~~shall be required to submit the latest annual update to the Board~~  
4 ~~for approval.~~ The district reading sufficiency plan shall include a  
5 plan for each site which includes an analysis of the data provided  
6 by the Oklahoma School Testing Program and other reading assessments  
7 utilized as required in this section, and which outlines how each  
8 school site will comply with the provisions of the Reading  
9 Sufficiency Act. Each year, on or before October 1, a school  
10 district shall report to the Board for students enrolled in  
11 prekindergarten, kindergarten, first, second, and third grades:

- 12 a. the number of retained students,
- 13 b. the number of times a student has been retained, and
- 14 c. the number of students in transitional classrooms.

15 2. The State Board of Education shall adopt rules for the  
16 implementation and evaluation of the provisions of the Reading  
17 Sufficiency Act. The evaluation shall include, but not be limited  
18 to, an analysis of the data required in subsection S of this  
19 section.

20 H. For any third-grade student found not to be meeting grade-  
21 level targets as determined by reading assessments administered  
22 pursuant to this section, a new program of reading instruction,  
23 including provisions of the READ Initiative adopted by the school  
24 district as provided for in subsection P of this section, shall be

1 developed by a Student Reading Proficiency Team and implemented as  
2 specified in subsection E of this section. In addition to other  
3 requirements of the Reading Sufficiency Act, the plan may include  
4 specialized tutoring.

5 I. 1. Any first-grade, second-grade or third-grade student who  
6 demonstrates end of year proficiency in reading at the third-grade  
7 level through a screening instrument which meets the acquisition of  
8 reading skills criteria pursuant to subsection B of this section  
9 shall not be subject to retention pursuant to this section. After a  
10 student has demonstrated proficiency through a screening instrument,  
11 the district shall provide notification to the parent or guardian of  
12 the student that they have satisfied the requirements of the Reading  
13 Sufficiency Act and will not be subject to retention pursuant to  
14 this section.

15 2. If a third-grade student is identified at any point of the  
16 academic year as having a significant reading deficiency, which  
17 shall be defined as not meeting grade-level targets on a screening  
18 instrument which meets the acquisition of reading skills criteria  
19 pursuant to subsection B of this section, the district shall  
20 immediately begin a student reading portfolio as provided by  
21 subsection L of this section and shall provide notice to the parent  
22 of the deficiency pursuant to subsection J of this section.

23 3. If a student has not yet satisfied the proficiency  
24 requirements of this section prior to the completion of third grade

1 and still has a significant reading deficiency, as identified based  
2 on assessments administered as provided for in subsection B of this  
3 section, has not accumulated evidence of third-grade proficiency  
4 through a student portfolio as provided in subsection L of this  
5 section, or is not subject to a good-cause exemption as provided in  
6 subsection L of this section, then the student shall not be eligible  
7 for automatic promotion to fourth grade.

8 4. The minimum criteria for grade-level performance of third-  
9 grade students pursuant to the Reading Sufficiency Act shall be that  
10 students are able to read and comprehend grade-level text. To  
11 determine the promotion and retention of third-grade students  
12 pursuant to the Reading Sufficiency Act, the State Board of  
13 Education shall use only the scores for the standards for reading  
14 foundations/processes and vocabulary portions of the statewide  
15 third-grade assessment administered pursuant to Section 1210.508 of  
16 this title and shall not use the scores from the other language arts  
17 portions of the assessment. The performance levels established by  
18 the Commission for Educational Quality and Accountability pursuant  
19 to Section 1210.508 of this title shall ensure that students meeting  
20 the performance-level criteria are performing at grade level on the  
21 reading foundations and vocabulary portions of the statewide third-  
22 grade assessment.

23 5. a. A student not eligible for automatic promotion as  
24 provided for under paragraph 3 of this subsection and

1 who does not meet the criteria established by the  
2 Commission for Educational Quality and Accountability  
3 on the reading portion of the statewide third-grade  
4 assessment administered pursuant to Section 1210.508  
5 of this title may be evaluated for probationary  
6 promotion by the Student Reading Proficiency Team  
7 which was created for the student pursuant to  
8 subsection E of this section.

9 b. The student shall be promoted to the fourth grade if  
10 the team members unanimously recommend probationary  
11 promotion to the school principal and the school  
12 district superintendent and the principal and  
13 superintendent approve the recommendation that  
14 promotion is the best option for the student. If a  
15 student is allowed a probationary promotion, the team  
16 shall continue to review the reading performance of  
17 the student and repeat the requirements of this  
18 paragraph each academic year until the student  
19 demonstrates grade-level reading proficiency, as  
20 identified through a screening instrument which meets  
21 the acquisition of reading skills criteria pursuant to  
22 subsection B of this section, for the corresponding  
23 grade level in which the student is enrolled or  
24 transitions to a locally designed remediation plan

1 after the fifth grade which shall have the goal of  
2 ensuring that the student is on track to be college  
3 and career ready.

4 6. Beginning with the 2017-2018 school year, students who do  
5 not meet the performance criteria established by the Commission for  
6 Educational Quality and Accountability on the reading portion of the  
7 statewide third-grade assessment administered pursuant to Section  
8 1210.508 of this title, who are not subject to a good cause  
9 exemption as provided in subsection L of this section, and who do  
10 not qualify for promotion or probationary promotion as provided in  
11 this subsection, shall be retained in the third grade and provided  
12 intensive instructional services and supports as provided for in  
13 subsection O of this section.

14 7. Each school district shall annually report to the State  
15 Department of Education the number of students promoted to the  
16 fourth grade pursuant to this subsection and the number of students  
17 promoted to a subsequent grade pursuant to the provisions in  
18 paragraph 5 of this subsection. The State Department of Education  
19 shall publicly report the aggregate and district-specific number of  
20 students promoted on their website and shall provide electronic  
21 copies of the report to the Governor, Secretary of Education,  
22 President Pro Tempore of the Senate, Speaker of the House of  
23 Representatives, and to the respective chairs of the committees with  
24

1 responsibility for common education policy in each legislative  
2 chamber.

3 J. The parent of any student who is found to have a reading  
4 deficiency and is not meeting grade-level reading targets and has  
5 been provided a program of reading instruction as provided for in  
6 subsection B of this section shall be notified in writing of the  
7 following:

8 1. That the student has been identified as having a substantial  
9 deficiency in reading;

10 2. A description of the current services that are provided to  
11 the student pursuant to a conjoint measurement model such that a  
12 reader and a text are placed on the same scale;

13 3. A description of the proposed supplemental instructional  
14 services and supports that will be provided to the student that are  
15 designed to remediate the identified area of reading deficiency;

16 4. That the student will not be promoted to the fourth grade if  
17 the reading deficiency is not remediated by the end of the third  
18 grade, unless the student is otherwise promoted as provided for in  
19 subsection I of this section or is exempt for good cause as set  
20 forth in subsection L of this section;

21 5. Strategies for parents to use in helping their child succeed  
22 in reading proficiency;

23 6. The grade-level performance scores of the student;

24

1           7. That while the results of the statewide assessments  
2 administered pursuant to Section 1210.508 of this title are the  
3 initial determinant, they are not the sole determiner of promotion  
4 and that portfolio reviews and assessments are available; and

5           8. The specific criteria and policies of the school district  
6 for midyear promotion implemented as provided for in paragraph 4 of  
7 subsection O of this section.

8           K. No student may be assigned to a grade level based solely on  
9 age or other factors that constitute social promotion.

10          L. For those students who do not meet the academic requirements  
11 for promotion and who are not otherwise promoted as provided for in  
12 subsection I of this section, a school district may promote the  
13 student for good cause only. Good-cause exemptions for promotion  
14 shall be limited to the following:

15           1. English language learners who have had less than two (2)  
16 years of instruction in an English language learner program;

17           2. Students with disabilities whose individualized education  
18 program (IEP), consistent with state law, indicates that the student  
19 is to be assessed with alternate achievement standards through the  
20 Oklahoma Alternate Assessment Program (OAAP);

21           3. Students who demonstrate an acceptable level of performance  
22 on an alternative standardized reading assessment approved by the  
23 State Board of Education;

24

1 4. Students who demonstrate, through a student portfolio, that  
2 the student is reading on grade level as evidenced by demonstration  
3 of mastery of the state standards beyond the retention level;

4 5. Students with disabilities who participate in the statewide  
5 assessments administered pursuant to Section 1210.508 of this title  
6 and who have an individualized education program that reflects that  
7 the student has received intensive remediation in reading and has  
8 made adequate progress in reading pursuant to the student's  
9 individualized education program;

10 6. Students who have received intensive remediation in reading  
11 through a program of reading instruction for two (2) or more years  
12 but still demonstrate a deficiency in reading and who were  
13 previously retained in prekindergarten for academic reasons,  
14 kindergarten, first grade, second grade, or third grade; and

15 7. Students who have been granted an exemption for medical  
16 emergencies by the State Department of Education.

17 M. A student who is otherwise promoted as provided for in  
18 subsection I of this section or is promoted for good cause as  
19 provided for in subsection L of this section shall be provided  
20 intensive reading instruction that includes specialized diagnostic  
21 information and specific reading strategies for each student until  
22 the student meets grade-level targets in reading. The school  
23 district shall assist schools and teachers to implement reading

24

1 strategies for the promoted students that research has shown to be  
2 successful in improving reading among low-performing readers.

3 N. Requests to exempt students from the retention requirements  
4 based on one of the good-cause exemptions as described in subsection  
5 L of this section shall be made using the following process:

6 1. Documentation submitted from the teacher of the student to  
7 the school principal that indicates the student meets one of the  
8 good-cause exemptions and promotion of the student is appropriate.  
9 In order to minimize paperwork requirements, the documentation shall  
10 consist only of the alternative assessment results or student  
11 portfolio work and the individual education plan (IEP), as  
12 applicable;

13 2. The principal of the school shall review and discuss the  
14 documentation with the teacher and, if applicable, the other members  
15 of the Student Reading Proficiency Team as described in subsection E  
16 of this section. If the principal determines that the student meets  
17 one of the good-cause exemptions and should be promoted based on the  
18 documentation provided, the principal shall make a recommendation in  
19 writing to the school district superintendent; and

20 3. After review, the school district superintendent shall  
21 accept or reject the recommendation of the principal in writing.

22 O. Each school district shall:

23 1. Conduct a review of the program of reading instruction for  
24 all students who do not meet the performance criteria established by

1 the Commission for Educational Quality and Accountability on the  
2 reading portion of the statewide assessment administered pursuant to  
3 Section 1210.508 of this title and did not meet the criteria for one  
4 of the good-cause exemptions as set forth in subsection L of this  
5 section. The review shall address additional supports and services,  
6 as described in this subsection, needed to remediate the identified  
7 areas of reading deficiency. The school district shall require a  
8 student portfolio to be completed for each retained student;

9 2. Provide to students who have been retained as set forth in  
10 subsection I of this section with intensive interventions in  
11 reading, intensive instructional services and supports to remediate  
12 the identified areas of reading deficiency, including a minimum of  
13 ninety (90) minutes of daily, uninterrupted, scientific-research-  
14 based reading instruction. Retained students shall be provided  
15 other strategies prescribed by the school district, which may  
16 include, but are not limited to:

- 17 a. small group instruction,
- 18 b. reduced teacher-student ratios,
- 19 c. more frequent progress monitoring,
- 20 d. tutoring or mentoring,
- 21 e. transition classes containing third- and fourth-grade  
22 students,
- 23 f. extended school day, week, or year, and

24

1 g. summer reading academies as provided for in Section  
2 1210.508E of this title, if available;

3 3. Provide written notification to the parent or guardian of  
4 any student who is to be retained as set forth in subsection I of  
5 this section that the student has not met the performance criteria  
6 required for promotion and was not otherwise promoted and the  
7 reasons the student is not eligible for a good-cause exemption. The  
8 notification shall include a description of proposed interventions  
9 and intensive instructional supports that will be provided to the  
10 student to remediate the identified areas of reading deficiency;

11 4. Implement a policy for the midyear promotion of a retained  
12 student who can demonstrate that the student is a successful and  
13 independent reader, is reading at or above grade-level targets, and  
14 is ready to be promoted to the fourth grade. Tools that school  
15 districts may use in reevaluating any retained student may include  
16 screening assessments, alternative assessments, and portfolio  
17 reviews, in accordance with rules of the State Board of Education.  
18 Retained students may only be promoted midyear prior to November 1  
19 and only upon demonstrating that the student has met the performance  
20 criteria established by the Commission for Educational Quality and  
21 Accountability on the reading portion of the statewide third-grade  
22 assessment administered pursuant to Section 1210.508 of this title,  
23 or upon demonstrating proficiency in reading at the third-grade  
24 level through a screening instrument administered pursuant to

1 subsection B of this section, and upon showing progress sufficient  
2 to master appropriate fourth-grade-level skills, as determined by  
3 the school. A midyear promotion shall be made only upon agreement  
4 of the parent or guardian of the student and the school principal;

5 5. Provide students who are retained with a high-performing  
6 teacher who can address the needs of the student, based on student  
7 performance data and above-satisfactory performance appraisals; and

8 6. In addition to required reading enhancement and acceleration  
9 strategies, provide students who are retained with at least one of  
10 the following instructional options:

11 a. supplemental tutoring in scientific-research-based  
12 reading services in addition to the regular reading  
13 block, including tutoring before or after school,

14 b. a parent-guided "Read at Home" assistance plan, as  
15 developed by the State Department of Education, the  
16 purpose of which is to encourage regular parent-guided  
17 home reading, or

18 c. a mentor or tutor with specialized reading training.

19 P. Beginning with the 2011-2012 school year, each school  
20 district shall establish a Reading Enhancement and Acceleration  
21 Development (READ) Initiative. The focus of the READ Initiative  
22 shall be to prevent the retention of third-grade students by  
23 offering intensive accelerated reading instruction to third-grade  
24 students who failed to meet standards for promotion to fourth grade

1 and to kindergarten through third-grade students who are exhibiting  
2 a reading deficiency. The READ Initiative shall:

3 1. Be provided to all kindergarten through third-grade students  
4 at risk of retention as identified by the assessments administered  
5 pursuant to the Reading Sufficiency Act. The assessment used shall  
6 measure phonemic awareness, phonics, reading fluency, vocabulary,  
7 and comprehension;

8 2. Be provided during regular school hours in addition to the  
9 regular reading instruction;

10 3. Provide a reading curriculum that, at a minimum, meets the  
11 following specifications:

12 a. assists students assessed as exhibiting a reading  
13 deficiency in developing the ability to read at grade  
14 level,

15 b. provides skill development in phonemic awareness,  
16 phonics, reading fluency, vocabulary, and  
17 comprehension,

18 c. provides a scientific-research-based and reliable  
19 assessment,

20 d. provides initial and ongoing analysis of the reading  
21 progress of each student, and

22 e. is implemented during regular school hours;

23 4. Establish at each school, where applicable, an Intensive  
24 Acceleration Class for retained third-grade students who

1 subsequently do not meet the performance criteria established by the  
2 Commission for Educational Quality and Accountability on the reading  
3 portion of the statewide assessment administered pursuant to Section  
4 1210.508 of this title. The focus of the Intensive Acceleration  
5 Class shall be to increase the reading level of a child at least two  
6 grade levels in one (1) school year. The Intensive Acceleration  
7 Class shall:

- 8 a. be provided to any student in the third grade who does  
9 not meet the performance criteria established by the  
10 Commission for Educational Quality and Accountability  
11 on the reading portion of the statewide assessments  
12 and who was retained in the third grade the prior year  
13 because of not meeting the performance criteria on the  
14 reading portion of the statewide assessments,
- 15 b. have a reduced teacher-student ratio,
- 16 c. provide uninterrupted reading instruction for the  
17 majority of student contact time each day and  
18 incorporate opportunities to master the fourth-grade  
19 state standards in other core subject areas,
- 20 d. use a reading program that is scientific-research-  
21 based and has proven results in accelerating student  
22 reading achievement within the same school year,

- e. provide intensive language and vocabulary instruction using a scientific-research-based program, including use of a speech-language therapist, and
- f. include weekly progress monitoring measures to ensure progress is being made;

5. Provide reports to the State Board of Education, upon request, on the specific intensive reading interventions and supports implemented by the school district. The State Superintendent of Public Instruction shall annually prescribe the required components of the reports; and

6. Provide to a student who has been retained in the third grade and has received intensive instructional services but is still not ready for grade promotion, as determined by the school district, the option of being placed in a transitional instructional setting. A transitional setting shall specifically be designed to produce learning gains sufficient to meet fourth-grade performance standards while continuing to remediate the areas of reading deficiency.

Q. 1. Each school district board of education shall annually publish on the school website, and report in writing to the State Board of Education by September 1 of each year, the following information on the prior school year:

- a. the provisions of this section relating to public school student progression and the policies and

1 procedures of the school district on student retention  
2 and promotion,

3 b. the number and percentage of all students in grade  
4 three that did not meet the performance criteria  
5 established by the Commission for Educational Quality  
6 and Accountability on the reading portion of the  
7 statewide assessment administered pursuant to Section  
8 1210.508 of this title,

9 c. by grade, the number and percentage of all students  
10 retained in grades three through ten,

11 d. information on the total number and percentage of  
12 students who were promoted for good cause, by each  
13 category of good cause as specified above, and

14 e. any revisions to the policies of the school district  
15 on student retention and promotion from the prior  
16 year.

17 2. The State Department of Education shall establish a uniform  
18 format for school districts to report the information required in  
19 this subsection. The format shall be developed with input from  
20 school districts and shall be provided not later than ninety (90)  
21 days prior to the annual due date. The Department shall annually  
22 compile the information required, along with state-level summary  
23 information, and report the information to the public, the Governor,  
24

1 the President Pro Tempore of the Senate, and the Speaker of the  
2 House of Representatives.

3 R. The State Department of Education shall provide technical  
4 assistance as needed to aid school districts in administering the  
5 provision of the Reading Sufficiency Act.

6 S. On or before January 31 of each year, the State Department  
7 of Education shall issue to the Governor, the President Pro Tempore  
8 of the Senate, the Speaker of the House of Representatives and  
9 members of the Senate and House of Representatives Education  
10 Committees a Reading Sufficiency Report which shall include, but is  
11 not limited to, trend data detailing three (3) years of data,  
12 disaggregated by student subgroups to include economically  
13 disadvantaged, major racial or ethnic groups, students with  
14 disabilities, and English language learners, as appropriate for the  
15 following:

16 1. The number and percentage of students in kindergarten  
17 through third grade determined to be at risk for reading  
18 difficulties compared to the total number of students enrolled in  
19 each grade;

20 2. The number and percentage of students in kindergarten who  
21 continue to be at risk for reading difficulties as determined by the  
22 year-end measurement of reading progress;

23 3. The number and percentage of students in kindergarten  
24 through third grade who have successfully completed their program of

1 reading instruction and are reading on grade level as determined by  
2 the results of approved reading assessments;

3 4. The number and percentage of students that meet or do not  
4 meet the performance criteria established by the Commission for  
5 Educational Quality and Accountability on the reading portion of the  
6 statewide third-grade assessment administered pursuant to Section  
7 1210.508 of this title;

8 5. The number of students tested, the number of students  
9 promoted through meeting proficiency on a screening instrument as  
10 provided for in subsection I of this section, the number of students  
11 promoted through each of the good-cause exemptions as provided for  
12 in subsection L of this section and the number of students retained  
13 and the number of students promoted through probationary promotion  
14 as provided for in subsection I of this section for each elementary  
15 site;

16 6. Data tracking the progression of students promoted through  
17 each of the good-cause exemptions as provided for in subsection L of  
18 this section and students promoted through probationary promotion or  
19 students who are retained in third grade as provided for in  
20 subsection I of this section. The data shall include but not be  
21 limited to information regarding whether students graduate on time;

22 7. The amount of funds for reading remediation received by each  
23 district;

24

1 8. An evaluation and narrative interpretation of the report  
2 data analyzing the impact of the Reading Sufficiency Act on  
3 students' ability to read at grade level;

4 9. The type of reading instruction practices and methods  
5 currently being used by school districts in the state;

6 10. Socioeconomic information, access to reading resources  
7 outside of school and screening for and identification of learning  
8 disabilities for students not reading at the appropriate grade level  
9 by third grade;

10 11. The types of intensive remediation efforts being conducted  
11 by school districts to identify best practices for students that are  
12 not reading at the appropriate grade level and are not retained  
13 under the provisions of this section; and

14 12. Any recommendations for improvements or amendments to the  
15 Reading Sufficiency Act.

16 The State Department of Education may contract with an  
17 independent entity for the reporting and analysis requirements of  
18 this subsection.

19 T. Copies of the results of the assessments administered shall  
20 be made a part of the permanent record of each student.

21 SECTION 13. AMENDATORY 70 O.S. 2021, Section 1210.508D,  
22 is amended to read as follows:

23 Section 1210.508D A. Contingent on the provision of  
24 appropriated funds designated for the Reading Sufficiency Act,

1 school districts may be allocated monies for each ~~enrolled~~  
2 kindergarten student or first-, second- and third-grade student  
3 based on the average daily attendance of those students from the  
4 ~~current~~ previous school year, including any student who has been  
5 retained in the third grade pursuant to Section 1210.508C of this  
6 ~~title, who is found to be in need of remediation or intervention in~~  
7 ~~reading~~. The allocation shall be distributed to each school  
8 district upon approval of the reading sufficiency plan for the  
9 school district by the State Department of Education and the  
10 submittal of a child-count report to the Department that details the  
11 ~~number of students identified as needing remediation or intervention~~  
12 ~~in reading~~ average daily attendance numbers. To determine a per-  
13 student allocation amount, the total amount of funds available for  
14 allocation each year shall be divided by the total number of  
15 ~~students in the state identified as in need of remediation or~~  
16 ~~intervention in reading as provided for in Section 1210.508C of this~~  
17 ~~title~~ based on the average daily attendance from the previous school  
18 year. Each school district shall be allocated an amount equal to  
19 the per-student allocation amount multiplied by the ~~number~~ average  
20 daily attendance of identified students enrolled from the previous  
21 school year in the school district.

22 1. School districts shall use monies generated by the Reading  
23 Sufficiency Act only for instructional purposes and professional  
24 development based on the plan submitted to the Department intended

1 to improve reading proficiency for students in kindergarten and  
2 first, second, and third grades with particular emphasis on students  
3 in kindergarten and first and second grade.

4 2. Each school district that has more than twenty percent (20%)  
5 of its students in third grade who do not demonstrate sufficient  
6 reading skills as established by the State Board of Education  
7 according to the reading portion of the statewide assessment shall  
8 receive monies generated by the Reading Sufficiency Act established  
9 in this section only after the kindergarten and first, second, and  
10 third grade reading program plan of the school district has been  
11 submitted, reviewed, and approved by the Department. Additional  
12 support for schools shall be defined in rules promulgated by the  
13 Department. The Department shall give approval to a school district  
14 before any portion of the monies generated by the Reading  
15 Sufficiency Act may be distributed to the school district pursuant  
16 to this subsection.

17 B. Beginning with the 2022-2023 school year, districts  
18 receiving more than Two Thousand Five Hundred Dollars (\$2,500.00)  
19 pursuant to subsection A of this section shall spend no less than  
20 ten percent (10%) to provide professional development for teachers  
21 teaching prekindergarten through grade five. The professional  
22 development shall include training in the science of how students  
23 learn to read as well as instructional materials required for  
24 implementation.

1 C. By June 30, 2022, the Department shall approve and publish a  
2 list of professional development programs that are evidence-based  
3 and directly address the cognitive science of how students learn to  
4 read for which districts are permitted to use the funds received  
5 under this section.

6 D. If a teacher attends and completes a professional  
7 development institute in elementary reading approved by the Oklahoma  
8 Commission for Teacher Preparation during the summer or when school  
9 is not in session, the teacher may receive a stipend equal to the  
10 amount of the cost for a substitute teacher, based on the amount of  
11 funds allocated.

12 SECTION 14. NEW LAW A new section of law to be codified  
13 in the Oklahoma Statutes as Section 1210.508H of Title 70, unless  
14 there is created a duplication in numbering, reads as follows:

15 A. Beginning with the 2023-2024 school year, the State  
16 Department of Education shall retain no less than ten percent (10%)  
17 of funds appropriated for the Reading Sufficiency Act to employ a  
18 literacy instructional team to support school districts in  
19 implementation of the requirements of Section 1210.508C of Title 70  
20 of the Oklahoma Statutes. The Department shall provide technical  
21 assistance for literacy instruction, dyslexia and related disorders,  
22 and serve as a primary source of information and support for schools  
23 in addressing the needs of students struggling with literacy,  
24 dyslexia and related disorders. The Department shall develop

1 program implementation guidance for school districts to assist  
2 schools in administering an effective kindergarten through third  
3 grade evidence-based reading program plan. The guidance shall  
4 include identifying and recommending appropriate program  
5 expenditures, providing technical oversight and assistance for  
6 annually updating reading program plans, selecting and adopting  
7 evidence-based reading curricula, and providing and promoting  
8 teacher professional development that is based on evidence-based  
9 reading research.

10 B. The Department shall employ a literacy instructional team  
11 with team members who are placed regionally across the state. The  
12 literacy instructional teams shall assist general education and  
13 special education teachers in recognizing educational needs to  
14 improve literacy outcomes for all students including those with  
15 dyslexia or identified with the risk characteristics associated with  
16 dyslexia. The role of the literacy instructional team shall also  
17 include increasing professional awareness and instructional  
18 competencies to meet the educational needs of all students including  
19 those with dyslexia or identified with risk characteristics  
20 associated with dyslexia. The Department shall prioritize supports  
21 and interventions, including enrollment in reading trainings and  
22 professional development, for schools which have the highest  
23 percentage of students who do not demonstrate sufficient reading  
24 skills as established by the State Board of Education.

1 C. Literacy instructional team members employed by the  
2 Department shall have training in:

3 1. The science of how students learn to read including  
4 phonological awareness, phonics, fluency, vocabulary, comprehension,  
5 writing, and language;

6 2. Foundation of multisensory, explicit, systematic, and  
7 structured reading instruction;

8 3. Identification of and the appropriate interventions,  
9 accommodations, and teaching techniques for struggling students;

10 4. The requirements of the Reading Sufficiency Act;

11 5. Special education laws and procedures; and

12 6. Appropriate interventions, accommodations, and assistive  
13 technology supports for students with dyslexia or a related  
14 disorder.

15 D. The literacy instructional team members employed by the  
16 Department shall report to the Director of Reading Sufficiency and  
17 have:

18 1. A minimum of five regional literacy leads, at least one who  
19 shall be designated by the Department as a dyslexia specialist to  
20 provide school districts with support and resources that are  
21 necessary to assist students with dyslexia. The Department shall  
22 give preference to educators applying for regional literacy lead  
23 who:

24

- a. have an endorsement or certification as a certified structured literacy dyslexia specialist or certified academic language therapist,
- b. are knowledgeable of multitiered systems of support; and
- c. have been trained in the identification of and intervention for dyslexia and related disorders, including best practice interventions and treatment models for dyslexia; and

2. A minimum of ten literacy specialists. The Department shall give preference to educators applying for literacy specialist who:

- a. have training in the science of reading,
- b. are knowledgeable of multitiered systems of support, and
- c. have been trained in the identification of and intervention for dyslexia and related disorders, including best practice interventions and treatment models for dyslexia.

SECTION 15. This act shall become effective July 1, 2023.

SECTION 16. It being immediately necessary for the preservation of the public peace, health or safety, an emergency is hereby

