

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2644

By: Baker

4  
5  
6 AS INTRODUCED

7 An Act relating to teacher licensure and  
8 certification; amending 70 O.S. 2011, Section 3-104,  
9 as last amended by Section 1, Chapter 271, O.S.L.  
10 2013 (70 O.S. Supp. 2018, Section 3-104), which  
11 relates to powers and duties of the State Board of  
12 Education; prohibiting Board from charging fee for  
13 license or certificate renewal; amending Section 1,  
14 Chapter 315, O.S.L. 2015 (70 O.S. Supp. 2018, Section  
15 6-108.1), which relates to license or certificate  
16 renewal; deleting processing fee for renewal  
17 application; prohibiting Board from charging  
18 processing fee for license or certificate renewal;  
19 amending 70 O.S. 2011, Section 6-190, as last amended  
20 by Section 1, Chapter 229, O.S.L. 2018 (70 O.S. Supp.  
21 2018, Section 6-190), which relates to teacher  
22 contracts; striking fees for lead and master teaching  
23 certificate renewal; and providing an effective date.  
24

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

19 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-104, as  
20 last amended by Section 1, Chapter 271, O.S.L. 2013 (70 O.S. Supp.  
21 2018, Section 3-104), is amended to read as follows:

22 Section 3-104. The supervision of the public school system of  
23 Oklahoma shall be vested in the State Board of Education and,  
24

1 subject to limitations otherwise provided by law, the State Board of  
2 Education shall:

3 1. Adopt policies and make rules for the operation of the  
4 public school system of the state;

5 2. Appoint, prescribe the duties and fix the compensation of a  
6 secretary, an attorney and all other personnel necessary for the  
7 proper performance of the functions of the State Board of Education.  
8 The secretary shall not be a member of the Board;

9 3. Submit to the Governor a departmental budget based upon  
10 major functions of the Department as prepared by the State  
11 Superintendent of Public Instruction and supported by detailed data  
12 on needs and proposed operations as partially determined by the  
13 budgetary needs of local school districts filed with the State Board  
14 of Education for the ensuing fiscal year. Appropriations therefor  
15 shall be made in lump-sum form for each major item in the budget as  
16 follows:

- 17 a. State Aid to schools,  
18 b. the supervision of all other functions of general and  
19 special education including general control, free  
20 textbooks, school lunch, Indian education and all  
21 other functions of the Board and an amount sufficient  
22 to adequately staff and administer these services, and  
23 c. the Board shall determine the details by which the  
24 budget and the appropriations are administered.

1           Annually, the Board shall make preparations to  
2           consolidate all of the functions of the Department in  
3           such a way that the budget can be based on two items,  
4           administration and aid to schools. A maximum amount  
5           for administration shall be designated as a part of  
6           the total appropriation;

7           4. On the first day of December preceding each regular session  
8 of the Legislature, prepare and deliver to the Governor and the  
9 Legislature a report for the year ending June 30 immediately  
10 preceding the regular session of the Legislature. The report shall  
11 contain:

- 12           a. detailed statistics and other information concerning  
13           enrollment, attendance, expenditures including State  
14           Aid, and other pertinent data for all public schools  
15           in this state,
- 16           b. reports from each and every division within the State  
17           Department of Education as submitted by the State  
18           Superintendent of Public Instruction and any other  
19           division, department, institution or other agency  
20           under the supervision of the Board,
- 21           c. recommendations for the improvement of the public  
22           school system of the state,
- 23           d. a statement of the receipts and expenditures of the  
24           State Board of Education for the past year, and

1 e. a statement of plans and recommendations for the  
2 management and improvement of public schools and such  
3 other information relating to the educational  
4 interests of the state as may be deemed necessary and  
5 desirable;

6 5. Provide for the formulation and adoption of curricula,  
7 courses of study and other instructional aids necessary for the  
8 adequate instruction of pupils in the public schools;

9 6. Have authority in matters pertaining to the licensure and  
10 certification of persons for instructional, supervisory and  
11 administrative positions and services in the public schools of the  
12 state subject to the provisions of Section 6-184 of this title, and  
13 shall formulate rules governing the issuance and revocation of  
14 certificates for superintendents of schools, principals,  
15 supervisors, librarians, clerical employees, school nurses, school  
16 bus drivers, visiting teachers, classroom teachers and for other  
17 personnel performing instructional, administrative and supervisory  
18 services, but not including members of boards of education and other  
19 employees who do not work directly with pupils, and may charge and  
20 collect reasonable fees for the issuance of such certificates,  
21 provided they shall not charge a fee for renewal of a license or  
22 certificate:

23 a. the State Department of Education shall not issue a  
24 certificate to and shall revoke the certificate of any

1 person who has been convicted, whether upon a verdict  
2 or plea of guilty or upon a plea of nolo contendere,  
3 or received a suspended sentence or any probationary  
4 term for a crime or an attempt to commit a crime  
5 provided for in Section 843.5 of Title 21 of the  
6 Oklahoma Statutes if the offense involved sexual abuse  
7 or sexual exploitation as those terms are defined in  
8 Section 1-1-105 of Title 10A of the Oklahoma Statutes,  
9 Sections 741, 843.1, if the offense included sexual  
10 abuse or sexual exploitation, 865 et seq., 885, 888,  
11 891, 1021, 1021.2, 1021.3, 1040.13a, 1087, 1088,  
12 1111.1, 1114 or 1123 of Title 21 of the Oklahoma  
13 Statutes or who enters this state and who has been  
14 convicted, received a suspended sentence or received a  
15 deferred judgment for a crime or attempted crime  
16 which, if committed or attempted in this state, would  
17 be a crime or an attempt to commit a crime provided  
18 for in any of said laws,

19 b. all funds collected by the State Department of  
20 Education for the issuance of certificates to  
21 instructional, supervisory and administrative  
22 personnel in the public schools of the state shall be  
23 deposited in the "Teachers' Certificate Fund" in the  
24 State Treasury and may be expended by the State Board

1 of Education to finance the activities of the State  
2 Department of Education necessary to administer the  
3 program, for consultative services, publication costs,  
4 actual and necessary travel expenses as provided in  
5 the State Travel Reimbursement Act incurred by persons  
6 performing research work, and other expenses found  
7 necessary by the State Board of Education for the  
8 improvement of the preparation and certification of  
9 teachers in Oklahoma. Provided, any unobligated  
10 balance in the Teachers' Certificate Fund in excess of  
11 Ten Thousand Dollars (\$10,000.00) on June 30 of any  
12 fiscal year shall be transferred to the General  
13 Revenue Fund of the State of Oklahoma. Until July 1,  
14 1997, the State Board of Education shall have  
15 authority for approval of teacher education programs.  
16 The State Board of Education shall also have authority  
17 for the administration of teacher residency and  
18 professional development, subject to the provisions of  
19 the Oklahoma Teacher Preparation Act;

20 7. Promulgate rules governing the classification, inspection,  
21 supervision and accrediting of all public nursery, kindergarten,  
22 elementary and secondary schools and on-site educational services  
23 provided by public school districts or state-accredited private  
24 schools in partial hospitalization programs, day treatment programs,

1 and day hospital programs as defined in this act for persons between  
2 the ages of three (3) and twenty-one (21) years of age in the state.  
3 However, no school shall be denied accreditation solely on the basis  
4 of average daily attendance.

5 Any school district which maintains an elementary school and  
6 faces the necessity of relocating its school facilities because of  
7 construction of a lake, either by state or federal authority, which  
8 will inundate the school facilities, shall be entitled to receive  
9 probationary accreditation from the State Board of Education for a  
10 period of five (5) years after the effective date of this act and  
11 any school district, otherwise qualified, shall be entitled to  
12 receive probationary accreditation from the State Board of Education  
13 for a period of two (2) consecutive years to attain the minimum  
14 average daily attendance. The Head Start and public nurseries or  
15 kindergartens operated from Community Action Program funds shall not  
16 be subjected to the accrediting rules of the State Board of  
17 Education. Neither will the State Board of Education make rules  
18 affecting the operation of the public nurseries and kindergartens  
19 operated from federal funds secured through Community Action  
20 Programs even though they may be operating in the public schools of  
21 the state. However, any of the Head Start or public nurseries or  
22 kindergartens operated under federal regulations may make  
23 application for accrediting from the State Board of Education but  
24 will be accredited only if application for the approval of the

1 programs is made. The status of no school district shall be changed  
2 which will reduce it to a lower classification until due notice has  
3 been given to the proper authorities thereof and an opportunity  
4 given to correct the conditions which otherwise would be the cause  
5 of such reduction.

6 Private and parochial schools may be accredited and classified  
7 in like manner as public schools or, if an accrediting association  
8 is approved by the State Board of Education, by procedures  
9 established by the State Board of Education to accept accreditation  
10 by such accrediting association, if application is made to the State  
11 Board of Education for such accrediting;

12 8. Be the legal agent of the State of Oklahoma to accept, in  
13 its discretion, the provisions of any Act of Congress appropriating  
14 or apportioning funds which are now, or may hereafter be, provided  
15 for use in connection with any phase of the system of public  
16 education in Oklahoma. It shall prescribe such rules as it finds  
17 necessary to provide for the proper distribution of such funds in  
18 accordance with the state and federal laws;

19 9. Be and is specifically hereby designated as the agency of  
20 this state to cooperate and deal with any officer, board or  
21 authority of the United States Government under any law of the  
22 United States which may require or recommend cooperation with any  
23 state board having charge of the administration of public schools  
24 unless otherwise provided by law;



1           10. Be and is hereby designated as the "State Educational  
2 Agency" referred to in Public Law 396 of the 79th Congress of the  
3 United States, which law states that said act may be cited as the  
4 "National School Lunch Act", and said State Board of Education is  
5 hereby authorized and directed to accept the terms and provisions of  
6 said act and to enter into such agreements, not in conflict with the  
7 Constitution of Oklahoma or the Constitution and Statutes of the  
8 United States, as may be necessary or appropriate to secure for the  
9 State of Oklahoma the benefits of the school lunch program  
10 established and referred to in said act;

11           11. Have authority to secure and administer the benefits of the  
12 National School Lunch Act, Public Law 396 of the 79th Congress of  
13 the United States, in the State of Oklahoma and is hereby authorized  
14 to employ or appoint and fix the compensation of such additional  
15 officers or employees and to incur such expenses as may be necessary  
16 for the accomplishment of the above purpose, administer the  
17 distribution of any state funds appropriated by the Legislature  
18 required as federal matching to reimburse on children's meals;

19           12. Accept and provide for the administration of any land,  
20 money, buildings, gifts, donation or other things of value which may  
21 be offered or bequeathed to the schools under the supervision or  
22 control of said Board;

23           13. Have authority to require persons having administrative  
24 control of all school districts in Oklahoma to make such regular and

1 special reports regarding the activities of the schools in said  
2 districts as the Board may deem needful for the proper exercise of  
3 its duties and functions. Such authority shall include the right of  
4 the State Board of Education to withhold all state funds under its  
5 control, to withhold official recognition, including accrediting,  
6 until such required reports have been filed and accepted in the  
7 office of said Board and to revoke the certificates of persons  
8 failing or refusing to make such reports;

9 14. Have general supervision of the school lunch program. The  
10 State Board of Education may sponsor workshops for personnel and  
11 participants in the school lunch program and may develop, print and  
12 distribute free of charge or sell any materials, books and bulletins  
13 to be used in such school lunch programs. There is hereby created  
14 in the State Treasury a revolving fund for the Board, to be  
15 designated the School Lunch Workshop Revolving Fund. The fund shall  
16 consist of all fees derived from or on behalf of any participant in  
17 any such workshop sponsored by the State Board of Education, or from  
18 the sale of any materials, books and bulletins, and such funds shall  
19 be disbursed for expenses of such workshops and for developing,  
20 printing and distributing of such materials, books and bulletins  
21 relating to the school lunch program. The fund shall be  
22 administered in accordance with Section 155 of Title 62 of the  
23 Oklahoma Statutes;

24

1        15. Prescribe all forms for school district and county officers  
2 to report to the State Board of Education where required. The State  
3 Board of Education shall also prescribe a list of appropriation  
4 accounts by which the funds of school districts shall be budgeted,  
5 accounted for and expended; and it shall be the duty of the State  
6 Auditor and Inspector in prescribing all budgeting, accounting and  
7 reporting forms for school funds to conform to such lists;

8        16. Provide for the establishment of a uniform system of pupil  
9 and personnel accounting, records and reports;

10       17. Have authority to provide for the health and safety of  
11 school children and school personnel while under the jurisdiction of  
12 school authorities;

13       18. Provide for the supervision of the transportation of  
14 pupils;

15       19. Have authority, upon request of the local school board, to  
16 act in behalf of the public schools of the state in the purchase of  
17 transportation equipment;

18       20. Have authority and is hereby required to perform all duties  
19 necessary to the administration of the public school system in  
20 Oklahoma as specified in the Oklahoma School Code; and, in addition  
21 thereto, those duties not specifically mentioned herein if not  
22 delegated by law to any other agency or official;

23       21. Administer the State Public Common School Building  
24 Equalization Fund established by Section 32 of Article X of the

1 Oklahoma Constitution. Any monies as may be appropriated or  
2 designated by the Legislature, other than ad valorem taxes, any  
3 other funds identified by the State Department of Education, which  
4 may include, but not be limited to, grants-in-aid from the federal  
5 government for building purposes, the proceeds of all property that  
6 shall fall to the state by escheat, penalties for unlawful holding  
7 of real estate by corporations, and capital gains on assets of the  
8 permanent school funds, shall be deposited in the State Public  
9 Common School Building Equalization Fund. The fund shall be used to  
10 aid school districts and charter schools in acquiring buildings,  
11 subject to the limitations fixed by Section 32 of Article X of the  
12 Oklahoma Constitution. It is hereby declared that the term  
13 "acquiring buildings" as used in Section 32 of Article X of the  
14 Oklahoma Constitution shall mean acquiring or improving school  
15 sites, constructing, repairing, remodeling or equipping buildings,  
16 or acquiring school furniture, fixtures, or equipment. For charter  
17 schools, the fund shall only be used to acquire buildings in which  
18 students enrolled in the charter school will be attending. It is  
19 hereby declared that the term "school districts" as used in Section  
20 32 of Article X of the Oklahoma Constitution shall mean school  
21 districts and charter schools created pursuant to the provisions of  
22 the Oklahoma Charter Schools Act. If sufficient monies are  
23 available in the fund, the Board shall solicit proposals for grants  
24 from school districts and charter schools and shall determine the

1 process for consideration of proposals. Grants shall be awarded  
2 only to school districts which have a total assessed property  
3 valuation per average daily membership that is less than the state  
4 average total assessed property valuation per average daily  
5 membership and, at the time of application, the district has voted  
6 the five-mill building fund levy authorized in Section 10 of Article  
7 X of the Oklahoma Constitution, and has voted indebtedness through  
8 the issuance of new bonds for at least fifty percent (50%) within  
9 the last three (3) years of the maximum allowable pursuant to the  
10 provisions of Section 26 of Article X of the Oklahoma Constitution  
11 as shown on the school district budget filed with the State Board of  
12 Equalization for the current school year and certifications by the  
13 Attorney General prior to April 1 of the school year. Grants shall  
14 be awarded only to charter schools which have secured matching funds  
15 for the specific purpose of acquiring buildings in an amount of not  
16 less than ten percent (10%) of the total grant amount. The amount  
17 of each grant awarded by the Board each year shall not exceed Four  
18 Million Dollars (\$4,000,000.00). From the total amount available to  
19 provide grants to public schools and charter schools, charter  
20 schools shall be allocated the greater of ten percent (10%) of the  
21 total amount or the percent of students enrolled in charter schools  
22 that are not sponsored by the Statewide Virtual Charter School Board  
23 as compared to the student enrollment in school districts which have  
24 a total assessed property valuation per average daily membership

1 that is equal to or less than twenty-five percent (25%) of the state  
2 total assessed property valuation per average daily membership. The  
3 Board shall give priority consideration to school districts which  
4 have a total assessed property valuation per average daily  
5 membership that is equal to or less than twenty-five percent (25%)  
6 of the state average total assessed property valuation per average  
7 daily membership. The Board is authorized to prorate grants awarded  
8 if monies are not sufficient in the fund to award grants to  
9 qualified districts and charter schools. The State Board of  
10 Education shall make available to eligible charter schools any  
11 unused grant funds that remain after the initial allocation to all  
12 eligible public school districts and charter schools of this state.  
13 The State Board of Education shall prescribe rules for making grants  
14 of aid from, and for otherwise administering, the fund pursuant to  
15 the provisions of this paragraph, and may employ and fix the duties  
16 and compensation of technicians, aides, clerks, stenographers,  
17 attorneys and other personnel deemed necessary to carry out the  
18 provisions of this paragraph. The cost of administering the fund  
19 shall be paid from monies appropriated to the State Board of  
20 Education for the operation of the State Department of Education;

21 22. Recognize that the Director of the Oklahoma Department of  
22 Corrections shall be the administrative authority for the schools  
23 which are maintained in the state reformatories and shall appoint  
24 the principals and teachers in such schools. Provided, that rules

1 of the State Board of Education for the classification, inspection  
2 and accreditation of public schools shall be applicable to such  
3 schools; and such schools shall comply with standards set by the  
4 State Board of Education; and

5 23. Have authority to administer a revolving fund which is  
6 hereby created in the State Treasury, to be designated the  
7 Statistical Services Revolving Fund. The fund shall consist of all  
8 monies received from the various school districts of the state, the  
9 United States Government, and other sources for the purpose of  
10 furnishing or financing statistical services and for any other  
11 purpose as designated by the Legislature. The State Board of  
12 Education is hereby authorized to enter into agreements with school  
13 districts, municipalities, the United States Government, foundations  
14 and other agencies or individuals for services, programs or research  
15 projects. The Statistical Services Revolving Fund shall be  
16 administered in accordance with Section 155 of Title 62 of the  
17 Oklahoma Statutes.

18 SECTION 2. AMENDATORY Section 1, Chapter 315, O.S.L.  
19 2015 (70 O.S. Supp. 2018, Section 6-108.1), is amended to read as  
20 follows:

21 Section 6-108.1 A. No later than October 1 of each year, the  
22 State Department of Education shall provide written notice to the  
23 last-known address of any individual who held any license or  
24 certificate issued by the State Board of Education which expired on

1 June 30 of the same year. Notice shall also be provided to the  
2 last-known district which employed any such individual.

3 B. If any individual whose license or certificate issued by the  
4 State Board of Education has expired submits a renewal application  
5 ~~and processing fee~~ by December 31 of the year in which the license  
6 or certificate has expired, such license or certificate shall be  
7 renewed with an effective date of July 1 of the year in which the  
8 license or certificate has expired, unless other statutory basis  
9 exists for denying such renewal.

10 C. If any individual whose license or certificate issued by the  
11 State Board of Education has expired submits a renewal application  
12 ~~and processing fee~~ after December 31 of the year in which the  
13 license or certificate has expired, such license or certificate  
14 shall be renewed with an effective date in accordance with State  
15 Department of Education rules, unless another statutory basis exists  
16 for denying such renewal.

17 D. The State Board of Education shall not charge a processing  
18 fee for renewal or late renewal of a license or certificate shall  
19 ~~not exceed one hundred fifty percent (150%) of the standard renewal~~  
20 ~~processing fee for renewal applications submitted by December 31 of~~  
21 ~~the year in which the license or certificate has expired, or two~~  
22 ~~hundred percent (200%) of the standard renewal processing fee for~~  
23 ~~renewal applications submitted after December 31 of the year in~~  
24 ~~which the license or certificate has expired.~~



1 SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-190, as  
2 last amended by Section 1, Chapter 229, O.S.L. 2018 (70 O.S. Supp.  
3 2018, 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~~ti~~;

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~~ti~~;

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

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

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

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

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

12 G. 1. The Board shall issue a certificate to teach to a person  
13 who has successfully completed a competency exam used in a majority  
14 of the other states. The certificate to teach shall only be for  
15 those subject areas and grade levels that correspond with a  
16 certification area used in Oklahoma.

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

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

3 H. The Board shall issue a lead teaching certificate to any  
4 person who upon application:

5 1. Has successfully completed the requirements of this  
6 subsection;

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

8 3. Participates in a meaningful individualized program of  
9 professional development, as provided for in Section 6-101.10 of  
10 this title;

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

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

16 I. 1. The Board shall issue a master teaching certificate to  
17 any person who upon application:

18 a. has successfully completed the requirements of this  
19 subsection,

20 b. has a minimum of seven (7) years of experience as a  
21 teacher, and

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

24

1 (2) has earned a "highly effective" rating pursuant  
2 to Section 6-101.16 of this title and holds or  
3 has held a National Board certification from the  
4 National Board for Professional Teaching  
5 Standards.

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

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

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

- 19 a. co-teaching,
- 20 b. co-planning,
- 21 c. peer reviews, and
- 22 d. other duties mutually agreed upon by the  
23 superintendent and the master teacher, and may be used  
24 to satisfy the qualitative evaluation component for

1 teachers as required by Section 6-101.16 of this title  
2 by performing the duties set forth in this paragraph.

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

8 K. The terms of the contracts issued to those holding lead and  
9 master teaching certificates shall include the following:

10 1. Lead: an additional ten (10) days to be used to strengthen  
11 instructional leadership. A person with a lead teaching certificate  
12 shall receive an annual salary supplement of at least Three Thousand  
13 Dollars (\$3,000.00) or the district's daily rate of pay, whichever  
14 is higher, in addition to the salary for which the teacher qualifies  
15 pursuant to Section 18-114.14 of this title; and

16 2. Master: an additional fifteen (15) days to be used to  
17 strengthen leadership. A person with a master teaching certificate  
18 shall receive an annual salary supplement of at least Five Thousand  
19 Dollars (\$5,000.00) or the district's daily rate of pay, whichever  
20 is higher, in addition to the salary for which the teacher qualifies  
21 pursuant to Section 18-114.14 of this title.

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

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

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

16 M. Beginning in the 2021-2022 school year, the Department shall  
17 make the teaching certificates provided for in this section  
18 available for any person who has received a recommendation from  
19 their local board of education and who meets the eligibility  
20 criteria.

21 N. For the 2019-2020 and 2020-2021 school years, the Department  
22 shall identify school districts to implement the teaching  
23 certificates provided for in this section on a pilot program basis  
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1 with the assistance of public-private partnerships, funding from  
2 philanthropic organizations or federal grants.

3 O. The Department shall seek funding necessary for the  
4 administration of this section. If funding for the administration  
5 of the teaching certificates listed in paragraphs H and I is not  
6 available, the Department shall not be required to fulfill the  
7 requirements listed in subsections K, L, M and N of the section.

8 P. The State Board of Education shall promulgate rules to  
9 implement the provisions of this act.

10 SECTION 4. This act shall become effective November 1, 2019.

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