

STATE OF OKLAHOMA

2nd Session of the 59th Legislature (2024)

SENATE BILL 1320

By: Daniels

AS INTRODUCED

An Act relating to school employees; amending 70 O.S. 2021, Section 3-129.2, which relates to defined terms under the Empowered Schools and School Districts Act; updating statutory references; defining term; amending 70 O.S. 2021, Section 3-129.3, which relates to empowerment plans; updating statutory references; removing requirement that plan include description of certain collective bargaining agreement waiver; prohibiting empowerment plans from including collective bargaining agreements or recognition of certain bargaining agent; removing requirement that plan include evidence of certain approval and consent; requiring plan to include certain teacher recruitment commitment; amending 70 O.S. 2021, Section 3-129.8, which relates to waivers of certain collective bargaining agreements; removing language regarding waiver of certain agreement provisions and process to approve waiver; directing certain collective bargaining agreement to be void upon certain approval; amending 70 O.S. 2021, Section 6-190, as amended by Section 3, Chapter 359, O.S.L. 2022 (70 O.S. Supp. 2023, Section 6-190), which relates to teacher certification; updating statutory references; allowing empowered schools, zones, and districts to apply to the State Board of Education for certain funding to provide certain salary increases; requiring the terms of certain contracts with empowered schools, zones, and districts to include certain provisions; providing salary increases for teachers with advanced, lead, and master certificates employed by empowered schools, zones, and districts; amending Section 2, Chapter 359, O.S.L. 2022 (70 O.S. Supp. 2023, Section 6-190.2), which relates to the Teacher Empowerment Revolving Fund; modifying purpose of fund; amending

1 70 O.S. 2021, Section 509.7, which relates to
2 procedures for resolving an impasse in certain
3 negotiations; directing an employee rather than an
4 organization to develop certain procedure; modifying
5 makeup of certain committee; updating statutory
6 language; providing an effective date; and declaring
7 an emergency.

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

9 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-129.2, is
10 amended to read as follows:

11 Section 3-129.2. As used in the Empowered Schools and School
12 Districts Act:

13 1. "Empowered school" means a school in which a school district
14 board of education implements an empowerment plan pursuant to
15 ~~Section 3~~ Section 3-129.3 of this ~~act~~ title;

16 2. "Empowered school zone" means a group of schools of a school
17 district that share common interests, such as geographical location
18 or educational focus, or that sequentially serve classes of students
19 as they progress through elementary and secondary education and in
20 which a school district board of education implements an empowerment
21 plan pursuant to ~~Section 3~~ Section 3-129.3 of this ~~act~~ title;

22 3. "Empowered district" means a school district in which all
23 schools of a school district are included in an empowerment plan
24 implemented by the school district board of education pursuant to
25 ~~Section 3~~ Section 3-129.3 of this ~~act~~ title; and

1 4. “Empowerment plan” means a commitment to improving the
2 quality of education through recruitment of exceptional teachers,
3 fostering innovative learning environments, eliminating unnecessary
4 bureaucracy, and placing a value on performance through the
5 elimination of collective bargaining agreements; and

6 5. “State Board” means the State Board of Education.

7 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-129.3, is
8 amended to read as follows:

9 Section 3-129.3. A. 1. A public school, zone, or district may
10 submit to its school district board of education an empowerment plan
11 as described in subsection C of this section.

12 2. A school district board of education shall receive and
13 review each empowerment plan submitted pursuant to paragraph 1 of
14 this subsection. The school district board of education shall
15 either approve or disapprove the empowerment plan within sixty (60)
16 days after receiving the plan.

17 3. If the school district board of education rejects the plan,
18 it shall provide to the public school, zone, or district that
19 submitted the plan a written explanation of the basis for its
20 decision. A public school, zone, or district may resubmit an
21 amended empowerment plan at any time after denial.

22 4. If the school district board of education approves the plan,
23 it shall proceed to seek approval of the school, zone, or district
24

1 as an empowered school, zone, or district pursuant to ~~Section 6~~
2 Section 3-129.6 of this ~~act~~ title.

3 B. A school district board of education may initiate and
4 collaborate with one or more public schools of the school district
5 to create one or more empowerment plans, as described in subsection
6 C of this section. In creating an empowerment plan the school
7 district board of education shall ensure that each public school
8 that would be affected by the plan has the opportunity to
9 participate in the creation of the plan.

10 C. Each empowerment plan shall include the following
11 information:

12 1. A statement of the mission of the school, zone, or district
13 and why designation as an empowered school, zone, or district would
14 enhance the ability of the school, zone, or district to achieve its
15 mission;

16 2. A description of the innovations the school, zone, or
17 district would implement, which may include, but not be limited to,
18 innovations in school staffing, curriculum and assessment, class
19 scheduling, use of financial and other resources, and faculty
20 recruitment, employment, evaluation, and compensation;

21 3. A listing of the programs, policies, or operational
22 documents within the school, zone, or district that would be
23 affected by the innovations identified by the school, zone, or
24 district and the manner in which they would be affected. The

1 programs, policies, or operational documents may include, but not be
2 limited to:

- 3 a. the research-based educational program to be
4 implemented,
- 5 b. the length of school day and school year,
- 6 c. the student promotion and graduation policies to be
7 implemented,
- 8 d. the assessment plan,
- 9 e. the proposed budget, and
- 10 f. the proposed staffing plan;

11 4. A description of any statutory, regulatory, or district
12 policy requirements that would need to be waived for the school,
13 zone, or district to implement the identified innovations;

14 ~~5. A description of any provision of the collective bargaining~~
15 ~~agreement in effect for the personnel at the school, zone, or~~
16 ~~district that would need to be waived for the school, zone, or~~
17 ~~district to implement its identified innovation~~ An empowerment plan
18 shall not include collective bargaining agreements or the
19 recognition of an exclusive collective bargaining agent;

20 6. An identification of the improvements in academic
21 performance that the school, zone, or district expects to achieve in
22 implementing the innovations;

1 7. An estimate of the cost savings and increased efficiencies,
2 if any, the school, zone, or district expects to achieve in
3 implementing the identified innovations;

4 ~~8. Evidence that both a majority of the administrators and a~~
5 ~~majority of the teachers employed at the school, zone, or district~~
6 ~~approve the empowerment plan and consent to the designation as an~~
7 ~~empowered school, zone, or district. The determination of approval~~
8 ~~and consent of the plan shall be obtained by means of a secret~~
9 ~~ballot vote;~~

10 ~~9.~~ A statement of the level of support for designation as an
11 empowered school, zone, or district demonstrated by the other
12 persons employed at the school, zone, or district, the students and
13 parents or legal guardians of students enrolled in the school, zone,
14 or district, and the community surrounding the school, zone, or
15 district; ~~and~~

16 ~~10.~~ 9. A commitment to recruiting teachers with advanced, lead,
17 and master certificates as authorized by Section 6-190 of this
18 title; and

19 10. Any additional information required by the school district
20 board of education of the school district in which the empowerment
21 plan would be implemented.

22 D. Each plan for creating an empowered school, zone, or
23 district whether submitted by a group of public schools or created
24 by a school district board of education through collaboration with a

1 group of public schools, shall also include the following additional
2 information:

3 1. A description of how innovations in the schools in the
4 empowered school, zone, or district would be integrated to achieve
5 results that would be less likely to be accomplished by each school
6 working alone; and

7 2. An estimate of any economies of scale that would be achieved
8 by innovations implemented jointly by the schools within the
9 empowered school, zone, or district.

10 E. No employee of a school, zone, or district shall be
11 discriminated against by the school district board of education, the
12 superintendent of the school district, or any other administrative
13 officer of the school district or by any employee organization, an
14 officer of the organization, or a member of the organization for
15 exercising or not exercising the rights provided for under the
16 Empowered Schools and School Districts Act. An employee of a school
17 district or an officer or member of an employee organization shall
18 be prohibited from impeding, restraining, or coercing an employee of
19 a school, zone, or district from exercising the rights provided for
20 under the act or causing an employer to impede, restrain, or coerce
21 an employee from exercising the rights provided for under the act.

22 SECTION 3. AMENDATORY 70 O.S. 2021, Section 3-129.8, is
23 amended to read as follows:

24
25

1 Section 3-129.8. A. ~~1.~~ On and after the date on which the
2 State Board of Education approves a school, zone, or district as an
3 empowered school, zone, or district, any collective bargaining
4 agreement of the empowered school, zone, or district shall ~~include a~~
5 ~~provision that allows each empowered school, zone, or district to~~
6 ~~waive any provisions of the collective bargaining agreement~~
7 ~~identified in the empowerment plan as needing to be waived for the~~
8 ~~empowered school, zone, or district to implement its identified~~
9 ~~innovations~~ be void.

10 ~~2. For an empowered school, waiver of one or more of the~~
11 ~~provisions of the collective bargaining agreement shall be based on~~
12 ~~obtaining the approval, by means of a secret ballot vote, of at~~
13 ~~least sixty percent (60%) of the members of the collective~~
14 ~~bargaining unit who are employed at the empowered school.~~

15 ~~3. For an empowered school zone or district, waiver of one or~~
16 ~~more of the provisions of the collective bargaining agreement shall~~
17 ~~be based on obtaining, at each school included in the empowered~~
18 ~~school zone or district, the approval, by means of a secret ballot~~
19 ~~vote, of at least sixty percent (60%) of the members of the~~
20 ~~collective bargaining unit who are employed in the zone or district.~~
21 ~~The school district board of education for the empowered zone or~~
22 ~~district may choose to revise the plan for creating an empowered~~
23 ~~zone or district to remove from the zone or district any school in~~
24 ~~which at least sixty percent (60%) of the members of the collective~~

1 ~~bargaining unit employed at the school do not vote to waive the~~
2 ~~identified provisions of the collective bargaining agreement.~~

3 ~~4. If a school district board of education, in collaboration~~
4 ~~with the empowered school, zone, or district, revises the~~
5 ~~empowerment plan, as provided in Section 9 of this act, and the~~
6 ~~revisions include changes to the identified provisions of the~~
7 ~~collective bargaining agreement that need to be waived to implement~~
8 ~~the innovations that are included in the empowerment plan, the~~
9 ~~school district board of education shall seek such additional~~
10 ~~waivers or revision or revocation of the existing waivers of~~
11 ~~provisions of the collective bargaining agreement as are necessary~~
12 ~~to implement the revised empowerment plan. Any changes to waivers,~~
13 ~~or additional waivers, of the identified provisions of the~~
14 ~~collective bargaining agreement shall be subject to approval in the~~
15 ~~same manner as provided in paragraphs 2 and 3 of this subsection for~~
16 ~~the initial approval of waivers of provisions of the collective~~
17 ~~bargaining agreement.~~

18 ~~5. Except as otherwise provided in paragraph 4 of this~~
19 ~~subsection, waiver of identified provisions of a collective~~
20 ~~bargaining agreement for an empowered school, zone, or district~~
21 ~~pursuant to this subsection shall continue as long as the school,~~
22 ~~zone, or district remains an empowered school, zone, or district. A~~
23 ~~waiver approved pursuant to this subsection shall continue to apply~~
24 ~~to any substantially similar provision that is included in a new or~~

1 ~~renewed collective bargaining agreement for the schools of the~~
2 ~~empowered school, zone, or district.~~

3 B. A person who is a member of the collective bargaining unit
4 and is employed at an empowered school or zone may request a
5 transfer to another public school in the district. The school
6 district board of education shall make every reasonable effort to
7 accommodate the request of the person.

8 SECTION 4. AMENDATORY 70 O.S. 2021, Section 6-190, as
9 amended by Section 3, Chapter 359, O.S.L. 2022 (70 O.S. Supp. 2023,
10 Section 6-190), is amended to read as follows:

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

17 B. The Board shall issue a certificate to teach to any person
18 who:

19 1. Has successfully completed the teacher education program
20 required by the Commission for Educational Quality and
21 Accountability;

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

1 3. Has met all other requirements as may be established by the
2 Board;

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

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

7 6. Beginning November 1, 2001, has on file with the Board a
8 current Oklahoma criminal history record from the Oklahoma State
9 Bureau of Investigation as well as a national criminal history
10 record check as defined in Section 150.9 of Title 74 of the Oklahoma
11 Statutes. Upon receipt of the Oklahoma criminal history record, the
12 Board may issue a temporary certificate which shall be effective
13 until receipt of the national fingerprint-based criminal history
14 record. The person applying for a certificate shall be responsible
15 for the cost of the criminal history records.

16 C. The Board shall issue a certificate to teach to any person
17 who:

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

20 2. Holds certification from the National Board for Professional
21 Teaching Standards;

22 3. Holds an out-of-country certificate and meets the
23 requirements set forth in subsection F of this section; or
24

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

4 D. Beginning July 1, 2004, any person applying for initial
5 Oklahoma certification shall have on file with the Board a current
6 Oklahoma criminal history record from the Oklahoma State Bureau of
7 Investigation as well as a national criminal history record check as
8 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon
9 receipt of the Oklahoma criminal history record, the Board may issue
10 a temporary certificate which shall be effective until receipt of
11 the national fingerprint-based criminal history record. The person
12 applying for a certificate shall be responsible for the cost of the
13 criminal history records.

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

19 F. 1. The Board shall issue a certificate to teach to a person
20 who holds a valid out-of-country certificate and meets any
21 requirements established by the Board. The certificate to teach
22 shall only be for those subject areas and grade levels most closely
23 aligned to the subject areas and grade levels recognized on the out-
24 of-country certificate.

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

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

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

20 G. 1. The Board shall issue a certificate to teach to a person
21 who holds a valid out-of-state certificate. The certificate to
22 teach shall only be for those subject areas and grade levels most
23 closely aligned to the subject areas and grade levels recognized on
24 the out-of-state certificate.

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

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

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

21 2. 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 I. 1. The Except as provided for in subsection L of this
8 section, the Board may establish new levels of teacher certificates:
9 advanced, lead, and master. Each level shall have a minimum salary
10 increase requirement paid by the school district and matched with
11 state dollars from the lottery funds as provided in Section 713 of
12 Title 3A of the Oklahoma Statutes. The advanced certificate shall
13 include a minimum salary increase of Three Thousand Dollars
14 (\$3,000.00), the lead certificate shall include a minimum salary
15 increase of Five Thousand Dollars (\$5,000.00), and the master
16 certificate shall include a minimum salary increase of Ten Thousand
17 Dollars (\$10,000.00) and maximum salary increase of Forty Thousand
18 Dollars (\$40,000.00).

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

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

3. School districts may identify and designate the highest quality teachers for advanced, lead, and master certificates.

Participating districts shall submit designation plans to the State Department of Education for evaluation and approval. Districts shall have local control and flexibility in determining how to evaluate teachers and assign designations, but, at a minimum, the designation system shall include a teacher observation, out-of-classroom time, and a student performance component.

- a. Teacher observation shall be based on the district's selected Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) evaluation tool or an alternate method of evaluation; provided, the method is evidenced-based. Alternate methods of evaluation shall not replace the requirements of Section 6-101.16 of this title.
- b. Each school district that elects to participate in assigning advanced, lead, and master teacher certificates shall include an out-of-classroom

1 component for its assigned teachers to allow for
2 professional growth opportunities while staying in the
3 classroom. How out-of-classroom time is allotted and
4 managed shall be determined by the school district and
5 submitted as part of its designation plan to the State
6 Department of Education for review and approval.

7 c. Student performance measures may be determined by the
8 district and may include, but shall not be limited to,
9 pre- and post-tests, summative or formative, and
10 portfolios. The school district application shall
11 show evidence of validity and reliability of the
12 measures.

13 Districts may use additional factors in determining which
14 teachers are eligible to receive a designation, such as student
15 surveys, teacher leadership responsibilities, teacher mentorship
16 responsibilities, family surveys, demonstration of district core
17 values, teacher peer surveys, and contributions to the broader
18 school community. No more than ten percent (10%) of each school
19 district's teachers may be designated as an advanced, lead, or
20 master teacher in any given school year.

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

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

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

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

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

18 J. The State Board of Education shall adopt rules to implement
19 a renewal schedule and associated fees for advanced, lead, and
20 master teaching certificates. The rules shall allow a teacher that
21 no longer meets the requirements of an advanced, lead, or master
22 teaching certificate to make application for the standard teaching
23 certificate.

1 K. ~~The~~ Except as provided for in subsection L of this section,
2 the terms of the contracts issued to those holding advanced, lead,
3 and master teaching certificates shall include the following:

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

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

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

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

16 L. A school, zone, or district that has been approved as an
17 empowered school, zone, or district pursuant to the Empowered
18 Schools and School Districts Act may apply to the State Board of
19 Education to receive full funding, with no required school district
20 matching funds, from the Teacher Empowerment Revolving Fund created
21 in Section 6-190.2 of this title to provide salary increases to
22 teachers earning advanced, lead, and master certificates. The terms
23 of the contracts an empowered school, zone, or district issues to

1 teachers holding advanced, lead, and master teaching certificates
2 shall include the following:

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

14 2. Lead: an additional ten (10) days to be used to strengthen
15 instructional leadership. A person with a lead teaching certificate
16 shall receive an annual salary increase of at least Ten Thousand
17 Dollars (\$10,000.00) or the empowered school, zone, or district's
18 daily rate of pay, whichever is higher, in addition to the salary
19 for which the teacher qualifies pursuant to Section 18-114.15 of
20 this title. This increase shall be funded by state dollars from the
21 lottery funds as provided in Section 713 of Title 3A of the Oklahoma
22 Statutes and shall be paid as regular annual compensation directly
23 to teachers through the empowered school, zone, or district; and
24

1 3. Master: an additional fifteen (15) days to be used to
2 strengthen instructional leadership. A person with a master
3 teaching certificate shall receive an annual salary increase of at
4 least Twenty Thousand Dollars (\$20,000.00) or the empowered school,
5 zone, or district's daily rate of pay, whichever is higher, in
6 addition to the salary for which the teacher qualifies pursuant to
7 Section 18-114.15 of this title. This increase, up to Forty
8 Thousand Dollars (\$40,000.00), shall be funded by state dollars from
9 the lottery funds as provided in Section 713 of Title 3A of the
10 Oklahoma Statutes and shall be paid as regular annual compensation
11 directly to teachers through the empowered school, zone, or
12 district.

13 M. Beginning in the 2022-2023 school year, the Department shall
14 make the teaching certificates provided for in subsections K and L
15 of this section available for any person who has received a
16 recommendation from his or her school district or empowered school,
17 zone, or district and who meets the eligibility criteria as outlined
18 in each school district's teacher evaluation system provided for in
19 subsection I of this section.

20 ~~M.~~ N. The funding necessary for the administration of
21 subsections K and L of this section shall be provided from the
22 Teacher Empowerment Revolving Fund created in ~~Section 2~~ Section 6-
23 190.2 of this ~~act~~ title. If funding for the administration of the
24 teaching certificates listed in subsection I is not available, the

1 Department shall not be required to fulfill the requirements listed
2 in subsections I, K, and L of this section.

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

5 SECTION 5. AMENDATORY Section 2, Chapter 359, O.S.L.
6 2022 (70 O.S. Supp. 2023, Section 6-190.2), is amended to read as
7 follows:

8 Section 6-190.2. A. There is hereby created in the State
9 Treasury a revolving fund for the State Department of Education to
10 be designated the "Teacher Empowerment Revolving Fund". The
11 revolving fund shall be a continuing fund, without legislative
12 appropriation, not subject to fiscal year limitations, and shall be
13 under the control and management of the State Department of
14 Education. Expenditures from the Teacher Empowerment Revolving Fund
15 shall be budgeted and expended as provided for in subsection B of
16 this section.

17 B. The State Department of Education shall utilize the funds
18 for the program outlined in Section 6-190 of Title 70 of the
19 Oklahoma Statutes. Funding shall go toward advanced, lead, and
20 master certificate holders on a first-come, first-served basis until
21 the cash is exhausted for the school year. Funds from the Teacher
22 Empowerment Revolving Fund shall ~~serve~~:

23 1. Serve as a state match to local dollars each school district
24 contributes to salary increases for its teachers granted advanced,

1 lead, and master ~~teachers~~ teaching certificates pursuant to
2 subsection K of Section 6-190 of Title 70 of the Oklahoma Statutes,
3 as provided in Section 713 of Title 3A of the Oklahoma Statutes; or

4 2. Serve to fully fund salary increases for teachers employed
5 by an empowered school, zone, or district who are granted advanced,
6 lead, and master teaching certificates pursuant to subsection L of
7 Section 6-190 of Title 70 of the Oklahoma Statutes, as provided in
8 Section 713 of Title 3A of the Oklahoma Statutes.

9 SECTION 6. AMENDATORY 70 O.S. 2021, Section 509.7, is
10 amended to read as follows:

11 Section 509.7. A procedure for resolving impasses will be
12 developed by the board of education of a school district and the
13 representatives of the ~~organization~~ employee. ~~Said~~ The procedure
14 shall include the actions set forth in this section and may include
15 such other actions as are agreed to by both parties. Unless
16 otherwise provided for by law, "days" means calendar days. Time
17 limits set forth herein may be extended by mutual agreement of the
18 parties.

19 A. If negotiations are not successfully concluded by the first
20 day of school, impasse shall exist. At any earlier time, either
21 party may declare impasse. Upon reaching of impasse, the items
22 causing the impasse shall be referred to a three-member fact-finding
23 committee. This committee shall consist of:

1 1. One member who shall be selected by the ~~representatives of~~
2 ~~the organization~~ employee within five (5) days after the reaching of
3 impasse;

4 2. One member who shall be selected by the ~~local~~ school
5 district board of education within five (5) days after the reaching
6 of impasse; and

7 3. One member who shall serve as chairperson of the committee
8 and shall be selected as follows:

- 9 a. The State Board of Education shall appoint as fact-
10 finders not ~~less~~ fewer than twenty nor more than
11 thirty persons to be placed on the ~~State~~
12 ~~Superintendent's~~ Superintendent of Public
13 Instruction's list of fact-finders. The appointees
14 ~~must~~ shall reside in Oklahoma, ~~must~~ shall be neutral
15 and unbiased, and ~~must~~ shall be knowledgeable in the
16 fields of school operations, school finance, personnel
17 management, dispute resolution, and hearing
18 procedures. The appointees shall not currently be
19 elected public officers or employees of a board of
20 education or officers or employees of an organization
21 of education employees. No person who is related
22 within the second degree by consanguinity or affinity
23 to an elected public officer, to an employee of the
24 ~~local~~ school district board of education that is

1 involved in the impasse, or to an employee of an
2 organization of education employees shall be eligible
3 to serve as a fact-finder.

4 b. An appointee shall serve until ~~such appointee~~ he or
5 she resigns or is removed by the State Board of
6 Education from the ~~State Superintendent's~~
7 Superintendent of Public Instruction's list of fact-
8 finders. An appointee ~~must~~ shall be removed
9 immediately if he or she becomes an elected public
10 officer ~~or,~~ an employee of a board of education, or an
11 officer or employee of an organization of education
12 employees.

13 c. Within ten (10) days of being notified that a fact-
14 finder is needed, the ~~State~~ Superintendent of Public
15 Instruction or designee shall provide the names of
16 five potential fact-finders selected at random from
17 the list of appointees who are available to serve as a
18 member and the chairperson of the committee. The
19 parties shall select the fact-finder from the five
20 names within fifteen (15) days after receiving the
21 list of fact-finders.

22 d. It shall be the responsibility of the State Board of
23 Education to establish rules, regulations, training,
24

1 hearing procedures, and payment schedules to implement
2 the provisions of this paragraph.

3 B. Within five (5) days after the selection of the chairperson,
4 the representatives who have been negotiating for the board and for
5 the ~~organization~~ employee shall meet to exchange written language on
6 each item at impasse. The exchanged documents shall also be
7 furnished by each party to the chairperson and other members of the
8 committee.

9 C. The chairperson shall convene the committee for fact
10 finding. This committee shall meet with the representatives of both
11 parties. Within twenty (20) days after the chairperson is selected,
12 the committee shall present written recommendations to the ~~local~~
13 school district board of education and to the ~~organization~~ employee.

14 D. If either party decides it must reject one or more of the
15 committee's recommendations, ~~said~~ the party must shall, within seven
16 (7) days after the committee has presented its recommendations,
17 request a meeting of the representatives who have been negotiating
18 for the school district board of education and for the ~~organization~~
19 employee. The parties shall meet within seven (7) days of the
20 request, unless both parties deem it unnecessary. At such meeting,
21 the representatives shall exchange written statements expressing
22 each party's rationale for rejecting each recommendation found
23 unacceptable and shall attempt to clarify any remaining differences.
24 The representatives shall then resume good faith effort to resolve

1 the remaining differences; provided, after fourteen (14) days after
2 the exchange of the written statements, either party may discontinue
3 such effort.

4 E. The ~~local~~ school district board of education shall file a
5 copy of the fact-finding report with the office of the ~~State~~
6 Superintendent of Public Instruction. If the effort to resolve
7 differences is successful, the parties shall draft a written
8 agreement and present the agreement to both parties for
9 ratification, and such agreement shall also be forwarded to the
10 ~~State~~ Superintendent of Public Instruction. If the effort to
11 resolve differences is unsuccessful, the ~~local~~ school district board
12 of education shall forward to the ~~State~~ Superintendent of Public
13 Instruction in writing its final disposition of the negotiations
14 impasse process within thirty (30) days of the effective date of
15 implementation.

16 SECTION 7. This act shall become effective July 1, 2024.

17 SECTION 8. It being immediately necessary for the preservation
18 of the public peace, health, or safety, an emergency is hereby
19 declared to exist, by reason whereof this act shall take effect and
20 be in full force from and after its passage and approval.

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