

## CHAPTER 20. STAFF

### SUBCHAPTER 9. PROFESSIONAL STANDARDS: TEACHER EDUCATION AND CERTIFICATION

#### PART 9. TEACHER CERTIFICATION

##### 210:20-9-95. Effective date of teaching certificates

(a) **New certificates.** A non-emergency certificate issued to an applicant who completes all requirements and applies for the certificate between ~~May~~ July 1 and December 31 will be dated and become effective July 1 of the year the application was submitted, and provided all supporting documentation were received. ~~provided that~~ Additionally, an applicant may be employed for a maximum of sixty (60) days pending receipt of results of a national criminal history record check pursuant to Title 70 O.S. § 5-142. A non-emergency certificate issued to an applicant who completes all requirements and applies for the certificate between January 1 and ~~April~~ June 30 will be dated and become effective the first day of the month in which the application was submitted, provided that and all supporting documents are ~~were~~ received by the State Board of Education. The effective date for all emergency certificates will be the first day of the month in which the application was submitted and all supporting documents are received, according to deadlines established by the State Board of Education.

(b) **Renewal of standard certificates and licenses.** Renewed standard certificates will become effective July 1 following receipt of the application provided the application is made prior to the expiration of the certificate. If a certificate has expired and a renewal application is submitted by December 31 of the year in which the certificate expired, the certificate shall be renewed with an effective date of July 1 of the year in which it expired. If a certificate has expired and a renewal application is submitted after December 31 of the year in which the certificate expired, the renewed certificate will be dated the first day of the month in which the application and all supporting documents are received. In the event an educator's certificate cannot be renewed due to failure to comply with Oklahoma's tax laws, the renewed certificate will be dated the date the State Department of Education receives notice from the Tax Commission that the educator has come into compliance.

### SUBCHAPTER 13. TEACHER TESTING

##### 210:20-13-1. Teacher testing regulations

###### (a) Examinees.

(1) Any person who applies for a teacher certification credential must take and receive a passing score on ~~the a~~ a state-approved Oklahoma Teacher Certification Test(s) in the field(s) which corresponds or most closely corresponds to the desired credential(s).

(2) ~~To register for the Oklahoma Teacher Certification Test(s), candidates may apply directly to the Teacher Certification Testing Section, State Department of Education (SDE) whose personnel will ensure that the candidate meets regulations contained in the TEACHER EDUCATION AND CERTIFICATION HANDBOOK, published by the SDE. In order to be eligible for registration, a candidate shall meet the state minimum coursework requirements for certification. The signature of approval of the college or university Director of Teacher Education (DTE) is not required for eligibility to test.~~

(32) Upon passing the Teacher Certification Test(s) and the written test based solely upon the U.S. Naturalization Test, and upon application for certification to the State Department of Education, a ~~license or~~ certificate will be issued ~~without~~ college or university approval for traditional teacher education program completers, or with Oklahoma State Department of Education and/or another state-approved entity approval for non-traditional teacher candidates.

(b) **Grandfather clause.** The testing requirement(s) set forth in this section shall not apply to persons who were certified before February 1, 1982, including, without limitation, any certification credential(s) such "grandfathered" persons may have acquired up to October 1, 1986.

(c) **Certification renewal.** Such testing requirement also does not apply to the renewal of Oklahoma teacher certification credentials;

(d) **Other regulations.** ~~For additional information on the Oklahoma Teacher Certification Testing Program, consult Appendix B of the TEACHER EDUCATION AND CERTIFICATION HANDBOOK or the current edition of the OKLAHOMA TEACHER CERTIFICATION TESTING PROGRAM REGISTRATION BULLETIN.~~

### SUBCHAPTER 25. TEACHER INCENTIVE PAY PLAN

##### 210:20-25-1. Rules and regulations

(a) **Purpose.** The purpose of this rule is to establish a framework for the development, approval, and administration of an academically based incentive pay plan to recognize and reward effective classroom teaching. The rule is intended to promote instructional excellence, enhance student achievement, and improve teacher retention.

**(b) Definitions.**

(1) **“Classroom Teacher”** means any employee who holds certification and assignment outside of the classification of administrator.

(2) **“Incentive Pay Award”** means a one-time financial award, not exceeding fifty percent (50%) of the recipient’s regular annual salary, excluding fringe benefits and extra duty pay. There awards are not part of the continuing contract and are not included in retirement of the Federal Insurance Contributions Act (“F.I.C.A.”), to the extent an exemption is provided by federal law.

**(c) Authority.** The State Board of Education, in compliance with the provisions of Title 70 O.S. § 5-141.2, or any successor statute(s) thereto, regarding academically based incentive pay plans for classroom teachers, shall adopt and post on its website five (5) model incentive pay plans. The Office of School and District Support shall annually notify local school districts of the availability for teachers to benefit from incentive pay, through local board adoption or teacher petition, along with any amendments made to the plans available for selection. In accordance with state law, the local board of education are not required to adopt or implement an incentive pay plan unless it chooses to do so or until a formal petition is received that meets the statutory threshold as provided herein.

(1) The local board of education shall adopt and implement an academically based incentive pay plan if a petition signed by twenty percent (20%) or more of the classroom teachers employed by the district is received. To be considered valid, the petition must:

(A) Be submitted in writing to the district superintendent;

(B) Include printed names and original signatures of partitioned teachers; and

(C) Be verified by the district administration to confirm that at least twenty percent (20%) of classroom teachers employed at the time of submission have signed the petition.

(2) The teacher count used for verification shall reflect certified, non-administrative, instructional staff employed as of the date the petition is received.

(3) To ensure timely development and submission of the incentive pay plan, all petitions must be submitted on or before December 1st of the school year prior to the proposed implementation year (e.g., by December 1, 2024, for implementation in the 2025–2026 fiscal year).

**(d) Plan Development Process.** Prior to adopting or modifying an incentive pay plan, the local board of education shall:

(1) Review the model plans developed by the Oklahoma State Department of Education (“OSDE”) and shall consider one or more of the five model incentive pay plans developed and distributed by the OSDE pursuant to Title 70 O.S. § 5-141.2(A), or any successor statute(s) thereto. These models may be adopted in full, adapted to meet district needs, or used as a framework for a locally developed plan.

(2) Appoint an Incentive Pay Advisory Committee consisting of not less than four (4) and not more than ten (10) people and composed of:

(A) Classroom teachers;

(B) Parents and guardians;

(C) Local business leaders or farmers; and

(D) Other community members.

(3) Place the proposed plan on a board agenda for adoption after completion of, at minimum, a thirty (30) day public comment period ensuring transparency and community engagement.

(4) Submit the adopted plan to the Oklahoma State Board of Education for approval by March 1st of the preceding school year in which the plan is to be implemented or revised.

(5) Repeat this process each year the plan is modified to maintain compliance with state requirements and ensure continued citizen input.

(6) Seek the advice of the local teacher incentive pay plan advisory committee. Such advice shall include, what kind of academically based incentive pay plan the district will should develop.

**(e) Design of the local teacher incentive pay plan.**

(1) The teacher incentive pay plan shall include the criteria for selection of the teacher incentive pay plan recipients.

(2) The teacher incentive pay plan shall include a description of the process of selecting teacher incentive pay recipients. There shall be no discrimination based on race, sex, age, color, religion, political affiliation or opinion, national origin, or physical handicap in the decision making process.

(3) The teacher incentive pay plan shall include a description of teacher incentive pay awards.

(4) The teacher incentive pay plan shall include an appeal process for the selection of recipients.

(5) The plan submitted to the State Board of Education shall include the names of the teacher incentive pay advisory committee along with identifying roles.

(6) The plan submitted to the State Board of Education shall include the names of the teacher local evaluation committee along with identifying roles.

**(f) Management of the teacher incentive pay plan.**

(1) The local board of education shall provide for the implementation of the teacher incentive pay plan with the advice of the Local Evaluation Committee.

(A) A Local Evaluation Committee shall be an advisory committee formed annually to:

(i) Review eligible classroom teachers based on plan criteria;

- (ii) Recommend teachers and award amounts to the local board of education; and
- (iii) Maintain confidentiality in the evaluation process; and
- (B) Members of the Local Evaluation Committee shall recuse themselves from scoring or recommending any teacher with whom they have a direct supervisory relationship or a close personal/familial connection.
- (C) All incentive award determinations shall be documented by the Local Evaluation Committee and made available to the district superintendent and local board of education.
- (D) Nothing herein shall preclude the local board of education from awarding eligible classroom teachers based on plan criteria which were not recommended by the Local Evaluation Committee.
- (E) The local board of education shall not appoint the same individual to serve on both the Local Evaluation Committee and the Incentive Pay Advisory Committee unless the district's average daily attendance ("ADM"), pursuant to Title 70 O.S. 5-117.3, or any succeeding statute(s) thereto, is below 350 students.
- (2) The local board of education shall be responsible for the management of the teacher incentive pay plan.
  - (A) Incentive pay awards may be funded through:
    - (i) Monies appropriated from the Oklahoma Legislature for reimbursement in accordance with Title 70 O.S. § 5-141.2, or any successor statute(s) thereto;\_
    - (ii) Monies otherwise appropriated from the Oklahoma Legislature
    - (iii) Monies from the district general fund, as determined by the local board of education.
  - (B) The district superintendent or designee shall annually review the plan's effectiveness and provide a report to the local board of education that includes:
    - (i) Participation rates;
    - (ii) Award distribution;
    - (iii) Teacher retention data; and
    - (iv) Community feedback.
  - (C) Based on this data, the local board of education may revise the plan for the following year, subject to seeking public comment and approval by the Oklahoma State Board of Education.
- (3) The local board of education shall comply with any rules, forms, procedures, or reporting requirements established by law or regulation for the effective administration and oversight of incentive pay plans.

**(a) Adopting a local teacher incentive pay plan:**

- (1) If the local board of education decides that the local district will not adopt an incentive pay plan, it will not be required to do so unless petitioned as cited in (a) (2):
- (2) If the local teacher incentive pay plan is initiated by petition from the classroom teachers, the petition shall be submitted to the local board of education on or before November 15 prior to the school year preceding implementation:
- (3) Any board of education that develops and implements a teacher incentive pay plan shall follow all of the regulations pertaining to an Oklahoma Teacher Incentive Pay Plan as promulgated by the State Board of Education:

**(b) Local board responsibilities for formulating a local teacher incentive pay plan:**

- (1) The local board of education is responsible to provide for the development of an academically based teacher incentive pay plan; and for any year in which a plan is to be adopted or modified, they shall be responsible for following all Oklahoma Teacher Incentive Pay Plan regulations:
- (2) The local board of education shall be responsible for establishing procedures and timelines for:
  - (A) appointing committees;
  - (B) developing the teacher incentive pay plan;
  - (C) placing the teacher incentive pay plan on the board meeting agenda for public comment;
  - (D) approving the local teacher incentive pay plan, and
  - (E) submitting the plan to the State Board of Education for approval by March 1.
- (3) The local board shall clearly define the roles and responsibilities of the advisory committee:
- (4) Such members shall not be eligible for receiving an incentive pay award during the year of service on the evaluation committee:
- (5) Service on one committee above does not preclude an individual from being eligible to serve on the other committee:
- (6) The local board of education in formulating a teacher incentive pay plan shall seek the advice of the local teacher incentive pay plan advisory committee. Such advice shall include, but not be limited to, the following:
  - (A) What processes and procedures will be used in developing the plan;
  - (B) How teacher input shall be obtained; and
  - (C) What kind of academically based incentive pay plan the district will develop:

**(c) Design of the local teacher incentive pay plan:**

- (1) The teacher incentive pay plan shall include the goals and objectives of the plan:
- (2) The teacher incentive pay plan shall be developed to accomplish the stated goals and objectives:
- (3) The teacher incentive pay plan shall include the criteria for selection of the teacher incentive pay plan recipients:
- (4) The teacher incentive pay plan shall include a description of the process of selecting teacher incentive pay recipients: The selection process shall be equitable; there shall be no discrimination based on race, sex, age, color, religion, political affiliation or opinion, national origin, or physical handicap in the decision making process:
- (5) The teacher incentive pay plan shall include a description of teacher incentive pay awards:

(6) The teacher incentive pay plan shall include an appeal process for the selection of recipients.

(7) The plan submitted to the State Board of Education shall include the names of the teacher incentive pay advisory committee along with identifying roles.

(8) The plan submitted to the State Board of Education shall include the names of the teacher incentive pay evaluation committee along with identifying roles.

**(d) Management of the teacher incentive pay plan:**

(1) The local board of education shall provide for the implementation of the teacher incentive pay plan.

(2) The local board of education shall be responsible for the management of the teacher incentive pay plan.