

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 229

By: Montgomery

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6 AS INTRODUCED

7 An Act relating to teacher certification; amending 70  
8 O.S. 2011, Section 6-187, as last amended by Section  
9 1, Chapter 139, O.S.L. 2020 (70 O.S. Supp. 2020,  
10 Section 6-187), which relates to competency  
11 examinations for teacher certification; allowing the  
12 State Board of Education to renew for up to certain  
13 number of years the emergency or provisional  
14 certificate of an individual who meets certain  
15 criteria and maintains certain evaluation rating;  
16 providing an effective date; and declaring an  
17 emergency.

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

19 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-187, as  
20 last amended by Section 1, Chapter 139, O.S.L. 2020 (70 O.S. Supp.  
21 2020, Section 6-187), is amended to read as follows:

22 Section 6-187. A. Prior to July 1, 2014, a competency  
23 examination shall be adopted by the Oklahoma Commission for Teacher  
24 Preparation and beginning July 1, 2014, a competency examination  
25 shall be adopted by the Commission for Educational Quality and  
26 Accountability for the general education, professional education and  
27 various subject areas and grade levels for purposes of ensuring

1 academic achievement and competency of each teacher candidate or  
2 teacher in the subject area the person is seeking certification to  
3 teach which shall also include certification as an administrator, as  
4 prescribed by the State Board of Education.

5 The Commission, consistent with the purposes of this section,  
6 shall promulgate rules and procedures to guarantee the  
7 confidentiality of examinations.

8 B. No teacher candidate shall be eligible for certification  
9 until successfully completing the competency examination except  
10 those candidates who make application to the State Board and meet  
11 the criteria for the alternative placement program pursuant to  
12 Section 6-122.3 of this title. Certification shall be limited to  
13 areas of approval in which the certified teacher has successfully  
14 completed the examination. Subject to the provisions of subsection  
15 C of this section, testing for certification for subjects in which a  
16 teacher candidate or teacher is seeking a minor teaching assignment  
17 or an endorsement to teach shall be limited to the specific subject  
18 area test.

19 A teacher candidate or teacher may take the general education,  
20 professional education or subject area portions of the examination  
21 subject to any limit imposed by the Commission.

22 C. 1. Except as otherwise provided for in this subsection, a  
23 teacher may be certified in as many areas as the teacher meets the  
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1 necessary requirements provided by law and has successfully  
2 completed the subject area portion of the examination.

3 2. Except as otherwise provided for in this paragraph,  
4 certification in early childhood, elementary, or special education  
5 shall require completion of an appropriate teacher education program  
6 approved by the Commission.

7 Any teacher who is certified to teach elementary education may  
8 be certified in early childhood education upon meeting the  
9 requirements provided in law and successful completion of the  
10 appropriate subject area portion of the examination. Any teacher  
11 who is certified to teach early childhood education may be certified  
12 in elementary education upon meeting the requirements provided in  
13 law and successful completion of the appropriate subject area  
14 portion of the examination. Any special education teacher who  
15 becomes certified to teach through completion of an accredited  
16 teacher preparation program may be certified in early childhood or  
17 elementary education upon meeting the requirements provided in law  
18 and successful completion of the appropriate subject portion of the  
19 examination. Any teacher who becomes certified to teach through  
20 completion of an accredited teacher preparation program or becomes  
21 alternatively certified to teach through the Troops to Teachers  
22 program may be certified in special education upon meeting the  
23 requirements provided in law and successful completion of the  
24 appropriate subject area portion of the examination. Any special

1 education teacher who has not completed a Commission-approved  
2 teacher education program in elementary education or early childhood  
3 education but who has successfully completed the subject area  
4 portion of the examination may be certified in elementary education  
5 or early childhood education for the purpose of providing direct  
6 instruction and serving as the teacher of record for grading  
7 purposes in special education settings only.

8 D. The Commission shall offer the competency examination at  
9 least four times per calendar year on dates to be established by the  
10 Commission.

11 E. If a teacher candidate or teacher is a non-native-English  
12 speaker, the Commission shall offer the subject area competency  
13 examination in the native language of the teacher candidate or  
14 teacher only if the teacher candidate or teacher is employed or has  
15 been offered employment by a school district as a teacher in a  
16 foreign language immersion program offered by the school district.  
17 If a non-native-English speaker who has received certification in a  
18 subject area after taking the subject area competency examination in  
19 the native language of the speaker seeks to add a certification area  
20 in the future and that person is no longer employed as a teacher in  
21 a foreign language immersion program, the examination for the  
22 additional certification area shall be taken in English. The State  
23 Board of Education shall issue a restricted license or certificate  
24 to any teacher who has completed a subject area competency

1 examination in the native language of the teacher as provided for in  
2 this subsection restricting the teacher to teaching only in a  
3 foreign language immersion program.

4 F. 1. Nothing in the Oklahoma Teacher Preparation Act shall  
5 restrict the right of the State Board of Education to issue an  
6 emergency or provisional certificate, as needed. Provided, however,  
7 prior to the issuance of an emergency certificate, the district  
8 shall document substantial efforts to employ a teacher who holds a  
9 provisional or standard certificate. In the event a district is  
10 unable to hire an individual meeting this criteria, the district  
11 shall document efforts to employ an individual with a provisional or  
12 standard certificate in another curricular area with academic  
13 preparation in the field of need. Only after these alternatives  
14 have been exhausted shall the district be allowed to employ an  
15 individual meeting minimum standards as established by the State  
16 Board of Education for the issuance of emergency certificates.

17 2. The State Board of Education may renew the emergency or  
18 provisional certificate of an individual who has been employed by a  
19 school district board of education for at least two (2) years if the  
20 following criteria are met:

- 21 a. the individual has been granted an emergency or  
22 provisional certificate pursuant to paragraph 1 of  
23 this subsection for two (2) years,  
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- 1           b. the individual has not successfully completed the  
2           competency examinations required by this section,  
3           c. the individual submits a portfolio of his or her work  
4           to the State Board of Education, which shall include  
5           evidence of progress toward standard certification,  
6           d. the employing school district board of education  
7           agrees to renew the individual's contract to teach for  
8           the ensuing fiscal year, and  
9           e. the superintendent of the employing school district  
10          submits to the State Board of Education the reason the  
11          emergency or provisional certificate should be renewed  
12          and provides evidence of the district's inability to  
13          hire a teacher who holds a standard certificate.

14          3. The State Board of Education may renew for up to five (5)  
15 years the emergency or provisional certificate of an individual who  
16 meets the criteria of paragraph 2 of this subsection and who  
17 maintains a district evaluation rating of "effective" or higher  
18 pursuant to the provisions of Section 6-101.16 of this title.

19          4. Individuals employed by a school district under an emergency  
20 or provisional certificate shall not be considered career teachers  
21 and therefore not entitled to the protections of the Teacher Due  
22 Process Act of 1990.

23          SECTION 2. This act shall become effective July 1, 2021.  
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1           SECTION 3. It being immediately necessary for the preservation  
2 of the public peace, health or safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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