

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 58th Legislature (2021)

4 HOUSE BILL 1796

 By: Miller and **Sterling**

7 AS INTRODUCED

8 An Act relating to teachers; amending 70 O.S. 2011,
9 Section 6-187, as last amended by Section 1, Chapter
10 139, O.S.L. 2020 (70 O.S. Supp. 2020, Section 6-187),
11 which relates to the Oklahoma Teacher Preparation
12 Act; authorizing exception to required subject area
13 examination for candidates with advanced degrees;
14 specifying conditions for exception; and declaring an
15 emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-187, as
16 last amended by Section 1, Chapter 139, O.S.L. 2020 (70 O.S. Supp.
17 2020, Section 6-187), is amended to read as follows:

18 Section 6-187. A. Prior to July 1, 2014, a competency
19 examination shall be adopted by the Oklahoma Commission for Teacher
20 Preparation and beginning July 1, 2014, a competency examination
21 shall be adopted by the Commission for Educational Quality and
22 Accountability for the general education, professional education and
23 various subject areas and grade levels for purposes of ensuring
24 academic achievement and competency of each teacher candidate or

1 teacher in the subject area the person is seeking certification to
2 teach which shall also include certification as an administrator, as
3 prescribed by the State Board of Education.

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

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

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

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

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

5 Any teacher who is certified to teach elementary education may
6 be certified in early childhood education upon meeting the
7 requirements provided in law and successful completion of the
8 appropriate subject area portion of the examination. Any teacher
9 who is certified to teach early childhood education may be certified
10 in elementary education upon meeting the requirements provided in
11 law and successful completion of the appropriate subject area
12 portion of the examination. Any special education teacher who
13 becomes certified to teach through completion of an accredited
14 teacher preparation program may be certified in early childhood or
15 elementary education upon meeting the requirements provided in law
16 and successful completion of the appropriate subject portion of the
17 examination. Any teacher who becomes certified to teach through
18 completion of an accredited teacher preparation program or becomes
19 alternatively certified to teach through the Troops to Teachers
20 program may be certified in special education upon meeting the
21 requirements provided in law and successful completion of the
22 appropriate subject area portion of the examination. Any special
23 education teacher who has not completed a Commission-approved
24 teacher education program in elementary education or early childhood

1 education but who has successfully completed the subject area
2 portion of the examination may be certified in elementary education
3 or early childhood education for the purpose of providing direct
4 instruction and serving as the teacher of record for grading
5 purposes in special education settings only.

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

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

3 F. The State Board of Education, in consultation with the
4 Commission for Educational Quality and Accountability, may grant an
5 exception to the requirement to complete a subject area examination
6 for initial certification in a field which does not require an
7 advanced degree if the candidate has an advanced degree in a subject
8 that is substantially comparable to the content assessed on a
9 subject area examination. The advanced degree shall be from an
10 institution accredited by a national or regional accrediting agency
11 which is recognized by the Secretary of the United States Department
12 of Education. The Commission shall provide the Board with the
13 necessary information to determine comparability.

14 G. 1. Nothing in the Oklahoma Teacher Preparation Act shall
15 restrict the right of the State Board of Education to issue an
16 emergency or provisional certificate, as needed. Provided, however,
17 prior to the issuance of an emergency certificate, the district
18 shall document substantial efforts to employ a teacher who holds a
19 provisional or standard certificate. In the event a district is
20 unable to hire an individual meeting this criteria, the district
21 shall document efforts to employ an individual with a provisional or
22 standard certificate in another curricular area with academic
23 preparation in the field of need. Only after these alternatives
24 have been exhausted shall the district be allowed to employ an

1 individual meeting minimum standards as established by the State
2 Board of Education for the issuance of emergency certificates.

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

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

23 3. Individuals employed by a school district under an emergency
24 or provisional certificate shall not be considered career teachers

1 and therefore not entitled to the protections of the Teacher Due
2 Process Act of 1990.

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

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8 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/09/2021
9 - DO PASS, As Coauthored.

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