

# An Act

ENROLLED HOUSE  
BILL NO. 1796

By: Miller and Sterling of the  
House

and

Pugh of the Senate

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

SUBJECT: Teachers

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

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

Section 6-187. A. Prior to July 1, 2014, a competency examination shall be adopted by the Oklahoma Commission for Teacher Preparation and beginning July 1, 2014, a competency examination shall be adopted by the Commission for Educational Quality and Accountability for the general education, professional education and various subject areas and grade levels for purposes of ensuring academic achievement and competency of each teacher candidate or teacher in the subject area the person is seeking certification to teach which shall also include certification as an administrator, as prescribed by the State Board of Education.

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

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

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

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

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

Any teacher who is certified to teach elementary education may be certified in early childhood education upon meeting the requirements provided in law and successful completion of the appropriate subject area portion of the examination. Any teacher who is certified to teach early childhood education may be certified in elementary education upon meeting the requirements provided in law and successful completion of the appropriate subject area portion of the examination. Any special education teacher who becomes certified to teach through completion of an accredited teacher preparation program may be certified in early childhood or elementary education upon meeting the requirements provided in law and successful completion of the appropriate subject portion of the examination. Any teacher who becomes certified to teach through completion of an accredited teacher preparation program or becomes alternatively certified to teach through the Troops to Teachers

program may be certified in special education upon meeting the requirements provided in law and successful completion of the appropriate subject area portion of the examination. Any special education teacher who has not completed a Commission-approved teacher education program in elementary education or early childhood education but who has successfully completed the subject area portion of the examination may be certified in elementary education or early childhood education for the purpose of providing direct instruction and serving as the teacher of record for grading purposes in special education settings only.

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

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

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

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

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

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

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

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

Passed the House of Representatives the 1st day of March, 2021.

\_\_\_\_\_  
Presiding Officer of the House  
of Representatives

Passed the Senate the 21st day of April, 2021.

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Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_

Approved by the Governor of the State of Oklahoma this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this \_\_\_\_\_

day of \_\_\_\_\_, 20\_\_\_\_\_, at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

By: \_\_\_\_\_