

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

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

4 HOUSE BILL 2329

By: Lawson of the House

5 and

6 **Simpson** of the Senate

7  
8  
9 AS INTRODUCED

10 An Act relating to teacher certification; amending 70  
11 O.S. 2011, Section 6-187, as last amended by Section  
12 1, Chapter 139, O.S.L. 2020 (70 O.S. Supp. 2020,  
13 Section 6-187), which relates to competency  
14 examinations for teacher certification; allowing the  
15 State Board of Education to grant exceptions to the  
16 certification examinations for certain teacher  
17 candidates who are deaf; providing definition;  
18 providing criteria for exceptions; providing for  
19 promulgation of rules; providing for applicable  
20 teaching environments; providing an effective date;  
21 and declaring an emergency.

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

23 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-187, as  
24 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

1 shall be adopted by the Commission for Educational Quality and  
2 Accountability for the general education, professional education and  
3 various subject areas and grade levels for purposes of ensuring  
4 academic achievement and competency of each teacher candidate or  
5 teacher in the subject area the person is seeking certification to  
6 teach which shall also include certification as an administrator, as  
7 prescribed by the State Board of Education.

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

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

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

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

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

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

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

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

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

1 Board of Education shall issue a restricted license or certificate  
2 to any teacher who has completed a subject area competency  
3 examination in the native language of the teacher as provided for in  
4 this subsection restricting the teacher to teaching only in a  
5 foreign language immersion program.

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

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

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

21 G. The State Board of Education may grant an exception to the  
22 requirements for all certification examinations for teacher  
23 candidates who are "deaf", which for the purposes of this section  
24 shall mean having a hearing loss so severe that the person cannot

1 process auditory linguistic information with or without  
2 accommodation and whose primary language and teaching environment is  
3 American Sign Language. The Board may grant an exception upon:

4 1. Verification by a licensed audiologist of a hearing loss so  
5 severe that the teacher candidate cannot process auditory linguistic  
6 information with or without accommodation;

7 2. Demonstration of fluency in American Sign Language;

8 3. Demonstration of competency in the subject area of  
9 specialization as approved by the Board in lieu of certification  
10 examinations; and

11 4. Sponsorship by a certified deaf education teacher for a  
12 mentorship program.

13 The Board may promulgate rules and other requirements as  
14 necessary to grant the exceptions described in this subsection.

15 Applicable teaching environments may include American Sign Language  
16 immersion programs, the Oklahoma School for the Deaf, programs for  
17 the deaf or other classroom settings in which American Sign Language  
18 is the language of instruction.

19 SECTION 2. This act shall become effective July 1, 2021.

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

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4 COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/25/2021 - DO PASS,  
5 As Coauthored.

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