

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 HOUSE BILL 4106

By: Ranson

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Sections 6-187, as last amended by Section 1, Chapter
9 50, O.S.L. 2017 and Section 6-194, as last amended by
10 Section 1, Chapter 16, O.S.L. 2019 (70 O.S. Supp.
11 2019, Sections 6-187 and 6-194), which relate to the
12 Oklahoma Teacher Preparation Act; requiring violence
13 de-escalation training for certified teachers;
14 requiring violence de-escalation training for
15 emergency teachers; and providing an effective date.

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

17 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-187, as
18 last amended by Section 1, Chapter 50, O.S.L. 2017 (70 O.S. Supp.
19 2019, Section 6-187), is amended to read as follows:

20 Section 6-187. A. Prior to July 1, 2014, a competency
21 examination shall be adopted by the Oklahoma Commission for Teacher
22 Preparation and beginning July 1, 2014, a competency examination
23 shall be adopted by the Commission for Educational Quality and
24 Accountability for the general education, professional education and
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. 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 G. Beginning in the 2021-2022 school year, the State Board of
18 Education shall require that for each year an individual holds a
19 provisional or emergency certificate, a violence de-escalation
20 program shall be offered. At a minimum, the program shall include:

21 1. Training in evidence-based, trauma-informed teaching
22 involving brain research including trauma's impact on development
23 and triggers;

- 1 2. Procedures for setting up and maintaining a safe environment
2 through self-regulation practices for both students and staff; and
3 3. Establishing and reviewing trauma-informed response protocol
4 for the classroom and school to address behavior with positive and
5 compassionate approaches.

6 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-194, as
7 last amended by Section 1, Chapter 16, O.S.L. 2019 (70 O.S. Supp.
8 2019, Section 6-194), is amended to read as follows:

9 Section 6-194. A. The district boards of education of this
10 state shall establish professional development programs for the
11 certified teachers and administrators of the district. Programs
12 shall be adopted by each board based upon recommendations of a
13 professional development committee appointed by the board of
14 education for the district. For the fiscal years ending June 30,
15 2011, and June 30, 2012, a school district board of education may
16 elect not to adopt and offer a professional development program for
17 certified teachers and administrators of the district. If a school
18 district elects not to adopt and offer a professional development
19 program, the district may expend any monies allocated for
20 professional development for any purpose related to the support and
21 maintenance of the school district as determined by the board of
22 education of the school district.

23 B. Each professional development committee shall include
24 classroom teachers, administrators, school counselors or licensed

1 mental health providers, and parents, guardians or custodians of
2 children in the school district and shall consult with a higher
3 education faculty. A majority of the members of the professional
4 development committee shall be composed of classroom teachers. The
5 teacher members shall be selected by a designated administrator of
6 the school district from a list of names submitted by the teachers
7 in the school district. The members selected shall be subject to
8 the approval of a majority vote of the teachers in the district.

9 C. In developing program recommendations, each professional
10 development committee shall annually utilize a data-driven approach
11 to analyze student data and determine district and school
12 professional development needs. The professional development
13 programs adopted shall be directed toward development of
14 competencies and instructional strategies in the core curriculum
15 areas for the following goals:

- 16 1. Increasing the academic performance data scores for the
17 district and each school site;
- 18 2. Closing achievement gaps among student subgroups;
- 19 3. Increasing student achievement as demonstrated on state-
20 mandated tests and the ACT;
- 21 4. Increasing high school graduation rates; and
- 22 5. Decreasing college remediation rates.

23 Each program may also include components on classroom management
24 and student discipline strategies, outreach to parents, guardians or

1 custodians of students, special education, and racial and ethnic
2 education, which all personnel defined as teachers in Section 1-116
3 of this title shall be required to complete on a periodic basis.
4 The State Board of Education shall provide guidelines to assist
5 school districts in developing and implementing racial and ethnic
6 education components into professional development programs.

7 D. At a minimum of once an academic year a program shall be
8 offered which includes the following:

- 9 1. Training on recognition of child abuse and neglect;
- 10 2. Recognition of child sexual abuse;
- 11 3. Proper reporting of suspected abuse; and
- 12 4. Available resources.

13 E. One time per year, beginning in the 2009-2010 school year,
14 training in the area of autism shall be offered and all resident
15 teachers of students in early childhood programs through grade three
16 shall be required to complete the autism training during the
17 resident year and at least one time every three (3) years
18 thereafter. All other teachers and education support professionals
19 of students in early childhood programs through grade three shall be
20 required to complete the autism training at least one time every
21 three (3) years. The autism training shall include a minimum
22 awareness of the characteristics of autistic children, resources
23 available and an introduction to positive behavior supports to
24 challenging behavior. Each adopted program shall allow school

1 counselors to receive at least one-third (1/3) of the hours or
2 credit required each year through programs or courses specifically
3 designed for school counselors.

4 Districts are authorized to utilize any means for professional
5 development that is not prohibited by law including, but not limited
6 to, professional development provided by the district, any state
7 agency, institution of higher education, or any private entity.

8 F. One time per year, beginning in the 2020-2021 school year, a
9 dyslexia awareness program shall be offered. At a minimum, the
10 program shall include:

11 1. Training in awareness of dyslexia characteristics in
12 students;

13 2. Training in effective classroom instruction to meet the
14 needs of students with dyslexia; and

15 3. Available dyslexia resources for teachers, students and
16 parents.

17 G. Beginning in the 2021-2022 school year, a violence de-
18 escalation program shall be offered. At a minimum, the program
19 shall include:

20 1. Training in evidence-based, trauma-informed teaching
21 involving brain research including trauma's impact on development
22 and triggers;

23 2. Procedures for setting up and maintaining a safe environment
24 through self-regulation practices for both students and staff; and

1 3. Establishing and reviewing trauma-informed response protocol
2 for the classroom and school to address behavior with positive and
3 compassionate approaches.

4 H. Except as otherwise provided for in this subsection, each
5 certified teacher in this state shall be required by the district
6 board of education to meet the professional development requirements
7 established by the board, or established through the negotiation
8 process. Except as otherwise provided for in this subsection, the
9 professional development requirements established by each board of
10 education shall require every teacher to annually complete a minimum
11 number of the total number of points required to maintain
12 employment. Failure of any teacher to meet district board of
13 education professional development requirements may be grounds for
14 nonrenewal of such teacher's contract by the board. Such failure
15 may also be grounds for nonconsideration of salary increments
16 affecting the teacher. For the fiscal years ending June 30, 2011,
17 and June 30, 2012, a certified teacher shall not be required to
18 complete any points of the total number of professional development
19 points required. Provided, a teacher may elect to complete some or
20 all of the minimum number of points required for the two (2) fiscal
21 years and any points completed shall be counted toward the total
22 number of points required to maintain employment. If a teacher does
23 not complete some or all of the minimum number of points required
24 for one (1) or both fiscal years, the total number of points

1 required to maintain employment shall be adjusted and reduced by the
2 number of points not completed.

3 ~~H.~~ I. Each district shall annually submit a report to the State
4 Department of Education on the district level professional
5 development needs, activities completed, expenditures, and results
6 achieved for each school year by each goal as provided in subsection
7 C of this section. If a school district elects not to adopt and
8 offer a professional development program as provided for in
9 subsection A of this section, the district shall not be required to
10 submit an annual report as required pursuant to this subsection but
11 shall report to the State Department of Education its election not
12 to offer a program and all professional development activities
13 completed by teachers and administrators of the school district.

14 ~~I.~~ J. Subject to the availability of funds, the Department
15 shall develop an online system for reporting as required in
16 subsection ~~H~~ I of this section. The Department shall also make such
17 information available on its website.

18 SECTION 3. This act shall become effective November 1, 2020.

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