An Act

ENROLLED HOUSE
BILL NO. 1233

By: Coody, Virgin, Nollan, Pittman, Nelson and Ownbey of the House

and

Halligan, Ivester and Simpson of the Senate

An Act relating to schools; directing the State Board of Education to issue a one-year provisional certificate in certain special education areas; listing candidate requirements; allowing renewal of the provisional certificate under circumstances; providing for the issuance of a standard certificate in certain special education areas to certain individuals; listing requirements for standard certification; directing the Board to adopt rules; directing the Board to issue a standard certificate in a certain special education area; specifying criteria for certification; amending 70 O.S. 2011, Section 6-187, as last amended by Section 11, Chapter 223, O.S.L. 2012 (70 O.S. Supp. 2012, Section 6-187), which relates to competency examinations; deleting examination dates for certain certification; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Teachers

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-122.7 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Notwithstanding any other provision of the law, the State Board of Education shall issue a one-year provisional certificate to teach in the area of mild-moderate or severe-profound disabilities to any qualified candidate who has:

1. Been recommended for a certificate by a school district board of education or an accredited institution of higher education;

2. Satisfactorily completed a one-hundred-fifty-clock-hour special education program prescribed by the Board; and

3. On file with the Board a national criminal history record check as required pursuant to Section 5-142 of Title 70 of the Oklahoma Statutes. The individual applying for a provisional certificate shall be responsible for the cost of the national criminal history record check.

B. The one-year provisional certificate issued pursuant to this section may be renewed for two (2) additional periods of one-year each upon proof from an accredited institution of higher education that the individual has successfully completed at least six (6) credit hours of prescribed coursework during the previous year in an alternative route to certification program in either mild-moderate or severe-profound disabilities or toward a master's degree in special education.

C. Notwithstanding any other provision of law, the State Board of Education shall issue a standard certificate in the area of mild-moderate or severe-profound disabilities to any individual who has:

1. Been issued one or more provisional certificates pursuant to this section;

2. Successfully completed the prescribed coursework and any required examinations of an alternative route to certification program in either mild-moderate or severe-profound disabilities or a master's degree in special education from an accredited institution of higher education within three (3) years of issuance of the original provisional certificate;

3. Successfully completed the appropriate subject area competency examination as required pursuant to Section 6-187 of Title 70 of the Oklahoma Statutes; and

4. Submitted an application and payment of the required certification fee.

D. The State Board of Education shall adopt rules to implement the provisions of this section.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-122.8 of Title 70, unless there is created a duplication in numbering, reads as follows:

Notwithstanding any other provision of law, the State Board of Education shall issue a standard certificate in the area of mild-moderate or severe-profound disabilities to any individual who has:

1. Successfully completed the prescribed coursework and any examination that may be required for a master's degree in special education from an accredited institution of higher education;

2. Successfully completed the appropriate subject area competency examination as required pursuant to Section 6-187 of Title 70 of the Oklahoma Statutes;

3. On file with the State Board of Education a national criminal history record check as required pursuant to Section 5-142 of Title 70 of the Oklahoma Statutes; and

4. Submitted an application and payment of the required certification fee.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-187, as last amended by Section 11, Chapter 223, O.S.L. 2012 (70 O.S. Supp. 2012, 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 licensure or certification to teach which shall also include licensure or 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 licensing 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~~ alternative placement program pursuant to Section 6-122.3 of this title. Certification shall be limited to areas of approval in which the licensed or 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.

~~Certification~~ 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.

~~2.~~ 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 ~~by July 1, 2014~~. 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 ~~by July 1, 2014~~. 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 ~~prior to July 1, 2014~~. 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 ~~by July 1, 2014~~.

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

E. 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 or who is licensed in the teaching profession. 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 or with a license 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.

SECTION 4. This act shall become effective July 1, 2013.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and 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 20th day of May, 2013.

Presiding Officer of the House
of Representatives

Passed the Senate the 22nd day of May, 2013.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 23rd

day of May, 20 13, at 11:42 o'clock A M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 29th

day of May, 20 13, at 3:29 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 29th

day of May, 20 13, at 5:25 o'clock P. M.

By: Chris Davis