

ENROLLED HOUSE
BILL NO. 1549

By: McCorkell, Hager and
Davis of the House

and

Williams (Penny) of the
Senate

An Act relating to schools; creating the Oklahoma Teacher Preparation Act; amending Section 1, Chapter 308, O.S.L. 1992, as amended by Section 1, Chapter 224, O.S.L. 1994 (70 O.S. Supp. 1994, Section 6-171), which relates to a new teacher preparation system; providing for a new teacher preparation system; stating legislative intent regarding interpretation of the act; making exceptions; providing definitions; amending Section 2, Chapter 308, O.S.L. 1992, as amended by Section 2, Chapter 224, O.S.L. 1994 (70 O.S. Supp. 1994, Section 6-172), which relates to powers and duties of the Oklahoma Commission for Teacher Preparation; modifying duties of the Oklahoma Commission for Teacher Preparation, State Board of Education and the Oklahoma State Regents for Higher Education; setting teacher education program application dates; granting the Oklahoma Commission for Teacher Preparation authority for approval of teacher education programs and teacher assessment; providing procedure for adoption of certain rules by the Oklahoma Commission for Teacher Preparation and the State Board of Education; providing qualifications and criteria for teacher education programs; stating legislative intent regarding the Oklahoma State Regents for Higher Education's responsibilities for teacher education; providing for institution plans; stating legislative intent regarding higher education faculty professional development; requiring competency examinations; amending Section 5, Chapter 308, O.S.L. 1992 (70 O.S. Supp. 1994, Section 6-175), which relates to teacher assessment; providing for transition from curriculum examinations to new competency-based assessment system; providing for development and administration of new assessment system; providing for application of assessment system to certification; requiring requests for proposals; providing bidding procedure; providing qualifications for rules pertaining to teacher certification; setting qualifications for teacher employment, licensure and certification; amending 70 O.S. 1991, Section 6-160, which relates to the Teachers' Curriculum Examination Revolving Fund; creating the Teachers' Competency Examination Revolving Fund; providing for administration of fund; stating legislative intent regarding

professional development of teachers; requiring funding for professional development; providing for disposition of funds; providing for operation of professional development programs; providing for compliance with professional development requirements; providing for residency program; providing for application of residency to employment and certain employment benefits; requiring State Board of Education to review contracts with professional development centers and report on such centers; providing for application of new teacher preparation system to teachers and teacher candidates; requiring the State Board of Education to review certain rules for certain purposes; amending Section 8, Chapter 308, O.S.L. 1992, as last amended by Section 6, Chapter 224, O.S.L. 1994 (70 O.S. Supp. 1994, Section 6-178), which relates to the Oklahoma Commission for Teacher Preparation; modifying the membership of the Oklahoma Commission for Teacher Preparation; modifying appointments; providing for terms of office; providing for reimbursement of expenses; providing for selection of officers and rules of operation; providing for promulgation of rules and setting of fees by the Oklahoma Commission for Teacher Preparation; providing for duties; providing for residency committee training and professional development institutes; requiring certain joint budget from the State Board of Education, Oklahoma State Regents for Higher Education, Oklahoma State Board of Vocational and Technical Education and the Oklahoma Commission for Teacher Preparation; amending 70 O.S. 1991, Section 3-104, as last amended by Section 1 of Enrolled Senate Bill No. 479 of the 1st Session of the 45th Oklahoma Legislature, which relates to powers and duties of the State Board of Education; modifying duties of the Board; altering use of certain funds; amending 70 O.S. 1991, Section 3-116, as amended by Section 1, Chapter 232, O.S.L. 1994 (70 O.S. Supp. 1994, Section 3-116), which relates to the Education Oversight Board; adding to the duties of the Education Oversight Board; creating Teacher Competency Review Panel; setting duties; providing for Teacher Competency Review Panel membership and funding; amending 70 O.S. 1991, Section 5-113.1, as last amended by Section 9, Chapter 360, O.S.L. 1994 (70 O.S. Supp. 1994, Section 5-113.1), which relates to employment of relatives; providing exception from prohibition for certain board members; amending 70 O.S. 1991, Section 6-130, as amended by Section 9, Chapter 324, O.S.L. 1992 (70 O.S. Supp. 1994, Section 6-130), which relates to the Minority Teacher Recruitment Advisory Committee; authorizing the Oklahoma State Regents for Higher Education to administer the Minority Teacher Recruitment Center and work with the Committee; requiring the transfer of certain appropriated funds; providing for the transfer of certain Minority Teacher Recruitment Center

employees; allowing certain employees to transfer upon acceptance of certain appointment; amending Section 3, Chapter 353, O.S.L. 1992, as amended by Section 2, Chapter 153, O.S.L. 1994 and Section 5, Chapter 353, O.S.L. 1992, as amended by Section 4, Chapter 153, O.S.L. 1994 (70 O.S. Supp. 1994, Sections 2603 and 2605), which relate to the Oklahoma Higher Learning Access Act; modifying eligibility requirements; modifying administration and management of the Oklahoma Higher Learning Access Program; amending Section 16, Chapter 308, O.S.L. 1992, which relates to the effective date of a certain section of law; modifying effective date; repealing 70 O.S. 1991, Section 6-159, which relates to teacher register; repealing Section 3, Chapter 308, O.S.L. 1992, as amended by Section 3, Chapter 224, O.S.L. 1994, which relates to the development of a new teacher preparation system; repealing Section 4, Chapter 308, O.S.L. 1992, as amended by Section 4, Chapter 224, O.S.L. 1994, which relates to incorporation of certain competencies; repealing Section 6, Chapter 308, O.S.L. 1992, which relates to modification of certification categories; and repealing Section 7, Chapter 308, O.S.L. 1992, as amended by Section 5, Chapter 224, O.S.L. 1994, which relates to a timetable for development of a teacher preparation system (70 O.S. Supp. 1994, Sections 6-173, 6-174, 6-176 and 6-177); providing for noncodification; providing for codification; providing for recodification; providing an effective date; and declaring an emergency.

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 6-180 of Title 70, unless there is created a duplication in numbering, reads as follows:

This act shall be known and may be cited as the "Oklahoma Teacher Preparation Act".

SECTION 2. AMENDATORY Section 1, Chapter 308, O.S.L. 1992, as amended by Section 1, Chapter 224, O.S.L. 1994 (70 O.S. Supp. 1994, Section 6-171), is amended to read as follows:

Section 6-171. The Legislature, recognizing its obligation to the children of this state to ensure their opportunity to receive an excellent education, and recognizing that the single most important factor affecting the quality of education is the quality of the individual teacher in the classroom, hereby calls for the development, implementation and administration of a new competency-based teacher preparation system in Oklahoma, ~~to be established within three (3) years from the effective date of this act.~~

The developmental process and recommendations of the Legislature for the new teacher preparation system are set forth in Sections 6-172 through 6-177 of this title. It is the intent of the Legislature that this act shall be in addition to existing laws governing teachers, and nothing herein shall be construed as repealing or amending any protection to teachers prescribed, or as removing or diminishing any existing power, authority or

responsibility of the local boards of education and the State Board of Education not in conflict with the provisions of this act. Nondegreed vocational teachers and school nurses certified under rules promulgated by the State Board of Education shall be exempt from the provisions of this act, except for those provisions concerning professional development programs.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-182 of Title 70, unless there is created a duplication in numbering, reads as follows:

As used in the Oklahoma Teacher Preparation Act:

1. "Board" means the State Board of Education;
2. "Commission" means the Oklahoma Commission for Teacher Preparation;
3. "State Regents" means the Oklahoma State Regents for Higher Education;
4. "Licensed teacher" means any person who holds a valid license to teach, issued by the Board in accordance with the Oklahoma Teacher Preparation Act and the rules of the Board;
5. "Professional development program" means the program mandated by the Oklahoma Teacher Preparation Act for the continuous improvement and enrichment of the certified and licensed teachers of this state;
6. "Teacher education professional development committee" means the committee created in Section 7 of this act for the continuous improvement and enrichment of higher education faculty in teacher education programs in institutions of higher education;
7. "Department" means the State Department of Education;
8. "Residency committee" means a committee in a local school district for the purpose of reviewing the teaching performance of a resident teacher and making recommendations to the Board and the preparing institution of higher education regarding certification of the resident teacher. A residency committee shall consist of a mentor teacher, the principal or an assistant principal of the employing school or an administrator designated by the local board and a teacher educator in a college or school of education of an institution of higher education, or an educator in a department or school outside the institution's teacher education unit. Provided that, if available, qualified mentor teachers shall have expertise in the teaching field of the resident teacher and, if possible, the higher education members of the residency committee shall have expertise and experience in the teaching field of the resident teacher. However, in all cases, at least one member of the residency committee shall have expertise and experience in the teaching field of the resident teacher;
9. "Resident teacher" means any licensed teacher who is employed in an accredited school to serve as a teacher under the guidance and assistance of a mentor teacher and residency committee. Any such person shall have completed the program of the college or school of education of the accredited institution of higher education from which the person has been graduated, and shall have successfully completed the competency examination in areas of approval in which the resident teacher seeks certification;
10. "Certified teacher" means any teacher who has been issued a certificate by the Board in accordance with the Oklahoma Teacher Preparation Act and the rules of the Board;
11. "Mentor teacher" means any teacher holding a standard certificate who is employed in a school district to serve as a teacher and who has been appointed to provide guidance and assistance to a resident teacher employed by the school district. A mentor teacher shall be a classroom teacher and have a minimum of

two (2) years of classroom teaching experience as a certified teacher.

A mentor teacher shall be selected by the principal from a list submitted by the bargaining unit where one exists. In the absence of a bargaining agent, the teachers shall elect the names to be submitted. No teacher may serve as a mentor teacher for more than one resident teacher at a time;

12. "Higher education faculty" means any individual who is employed in a teaching capacity in an institution of higher education, approved or accredited by the Commission for the preparation of education personnel; and

13. "Competency examination" means the assessment required in the Oklahoma Teacher Preparation Act for licensure and certification as a teacher and shall consist of tests over general education, professional education and subject areas as defined by the Oklahoma Commission for Teacher Preparation.

SECTION 4. AMENDATORY Section 2, Chapter 308, O.S.L. 1992, as amended by Section 2, Chapter 224, O.S.L. 1994 (70 O.S. Supp. 1994, Section 6-172), is amended to read as follows:

Section 6-172. A. ~~The A new teacher preparation system shall be developed by the Oklahoma Commission for Teacher Preparation created in Section 6-178 of this title with the assistance and recommendations from the State Board of Education and the Oklahoma State Regents for Higher Education and shall include fundamental changes in the current system of teacher preparation and certification standards as was established in Sections 6-150 through 6-158.1 and 6-161 through 6-170 of this title and shall be developed, implemented and administered by the State Board of Education, the Oklahoma State Regents for Higher Education and the Oklahoma Commission for Teacher Preparation pursuant to the provisions of the Oklahoma Teacher Preparation Act. It is hereby declared the intent of the Legislature that the~~ The new teacher preparation system shall be a competency-based to include an assessment system designed to measure the competencies desired in the system for teachers. The roles and responsibilities of those involved in the professional development of teachers shall be redefined.

B. ~~The Commission is authorized to adopt necessary rules to establish a system of licensure, certification and professional development of public school teachers and administrators as defined in Section 6-101.3 of this title. The Commission shall comply with the Oklahoma Administrative Procedures Act, Section 250.1 et seq. of Title 75 of the Oklahoma Statutes, in adoption of rules.~~

C. ~~By September 1, 1996, the~~ Except as otherwise provided by law, the new teacher preparation system shall be fully integrated, and implemented by July 1, 1997, and shall be applied for students entering admitted to a teacher education program after that date and the present system of teacher preparation and certification established in Sections 6-150 through 6-158 and 6-162 through 6-170 of this title shall become ineffective, provided those students enrolled in on or after September 1, 1997. Students admitted to a teacher education program prior to September 1, 1996 1997, shall be allowed to continue in the present system until September 1, 1998 1999.

D. ~~It is the intent of the Legislature that during the developmental process of the new teacher preparation system the Oklahoma State Regents for Higher Education and the State Board of Education shall promote the training of teachers and students enrolled in teacher education programs in competency-based education.~~

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-184 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Beginning July 1, 1997, the Oklahoma Commission for Teacher Preparation shall have authority for approval and accreditation of teacher education programs and for assessment of candidates for licensure and certification according to the provisions of the Oklahoma Teacher Preparation Act. As part of this duty the Oklahoma Commission for Teacher Preparation shall:

1. Include the State Board of Education in the process;
2. Review and assess approved, accredited and new programs of teacher education; and
3. Encourage studies and research designed to improve teacher education.

From July 1, 1995, to July 1, 1997, the State Board of Education shall have the authority to approve and accredit teacher education programs. During such time the Oklahoma Commission for Teacher Preparation shall be included in the process. Before adopting any rule pertaining to approval or accreditation of teacher education programs or assessment of candidates for licensure and certification, the Oklahoma Commission for Teacher Preparation shall solicit comments from the State Board of Education, the Oklahoma State Regents for Higher Education and the State Board of Vocational and Technical Education on the proposed rule. Within forty-five (45) days of the receipt of the proposed rule from the Oklahoma Commission for Teacher Preparation, the State Board of Education, the State Regents and the State Board of Vocational and Technical Education shall separately review the proposed rule and return their recommendations to the Commission on the proposed adoption. Each recommendation shall include the rationale for the recommendation. The Oklahoma Commission for Teacher Preparation shall accord the recommendations due deliberation in its subsequent consideration of the adoption of each proposed rule. If the action of the Commission on a proposed rule is not consistent with the recommendation made by any of the reviewing entities, within ten (10) days of the Oklahoma Commission for Teacher Preparation's formal action on the rule, the Commission shall submit a report providing justification for its actions to the Education Oversight Board.

B. The State Board of Education, the Oklahoma State Regents for Higher Education and the State Board of Vocational and Technical Education shall also have authority to recommend to the Oklahoma Commission for Teacher Preparation rules for teacher education program approval and accreditation and rules for teacher assessment. Any such rule recommended shall be considered by the Commission within sixty (60) days of receipt of the rule by the same process provided in subsection A of this section for rules proposed by the Oklahoma Commission for Teacher Preparation.

C. Before adopting any rule pertaining to teacher licensure and certification, residency or professional development, the State Board of Education shall solicit comments from the Oklahoma Commission for Teacher Preparation, the Oklahoma State Regents for Higher Education and the State Board of Vocational and Technical Education on the proposed rule. Within forty-five (45) days of the receipt of a proposed rule from the State Board of Education, the Oklahoma Commission for Teacher Preparation, the State Regents and the State Board of Vocational and Technical Education shall separately review the proposed rule and return their recommendations to the Board on the proposed adoption. Each recommendation shall include the rationale for the recommendation. The State Board of Education shall accord the recommendations due deliberation in its

subsequent consideration of the adoption of each rule. If the action of the State Board of Education on a proposed rule is not consistent with the recommendation made by any of the reviewing entities, within ten (10) days of the State Board of Education's formal action on the rule, the State Board of Education shall submit a report providing justification for its action to the Education Oversight Board.

D. The Oklahoma Commission for Teacher Preparation, the Oklahoma State Regents for Higher Education and the State Board of Vocational and Technical Education shall have authority to recommend to the State Board of Education rules for adoption in the areas of teacher licensure and certification, residency and professional development. Any such rule recommended shall be considered by the State Board of Education within sixty (60) days of the receipt of the rule by the same process provided in subsection C of this section for rules proposed by the State Board of Education.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-185 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The following competencies and methods shall be incorporated into the programs approved by the Oklahoma Commission for Teacher Preparation for the competency-based teacher preparation system provided for the Oklahoma Teacher Preparation Act:

1. The teacher preparation system shall include, but not be limited to, the following competencies:

- a. excellence in the arts and sciences,
- b. an in-depth knowledge of the subject matter to be taught,
- c. the ability to identify and cultivate talent and potential in students,
- d. an understanding of child and human development,
- e. teaching skills developed through a variety of learning experiences,
- f. the ability to interact effectively with all students,
- g. skills necessary for working with parents, guardians and custodians of students in the education process,
- h. skills necessary to involve the community in education, and
- i. skills to foster teamwork within and among schools;

2. The preservice program shall include the following methods to achieve the competencies listed in paragraph 1 of this subsection:

- a. require teacher candidates to study arts and sciences at the undergraduate level,
- b. require secondary and elementary/secondary teacher candidates to have undergraduate majors, or their equivalents, in a subject area, and require teacher candidates in early childhood, elementary, and special education to have subject area concentrations which allow qualification as a generalist,
- c. require teacher candidates to study the individuality of students, the capacity of students to learn and the process of learning,
- d. integrate curriculum from other disciplines with the education curriculum,
- e. require teacher candidates to have training experiences and personal contact with parents, guardians or custodians of school-age children,
- f. require teacher candidates to have community involvement experience, and

g. structure courses so as to require teamwork activities;

3. Prior to July 1, 1997, the State Board of Education, and on and after July 1, 1997, the Oklahoma Commission for Teacher Preparation shall not require more than a four-year program of one hundred twenty-four (124) semester hours to complete a teacher education degree. Provided, any program approved by the State Board of Education prior to July 1, 1995, which requires more hours may continue to require such hours. Any program approved prior to July 1, 1995, which requires more than one hundred twenty-four (124) semester hours for a teacher education degree shall implement requirements for this program without additional hours.

B. It is the intent of the Legislature that institutions of higher education which offer teacher education programs hold such programs accountable for meeting the licensure and certification competencies approved by the State Board of Education. It is the intent of the Legislature that the teacher education programs incorporate a curriculum to achieve the competency-based system and include integration of the teacher preparation curricula with the arts and sciences departments curricula. Each institution of higher education which seeks accreditation or approval for its teacher education program shall develop an institution plan which follows the State Board of Education competencies for licensure and certification. In developing such institution plans, the higher education institution shall establish a process which seeks information and input from teacher preparation faculty, faculty from arts and sciences and other programs and disciplines which are appropriate, students within the teacher education program, teachers, administrators, parents, guardians or custodians of students and business and community leaders. Each institution shall hold an annual public forum subject to the provisions of the Oklahoma Open Meeting Act regarding the content of the institution plan at which public comment on either the institution's teacher preparation plan or program is solicited. The institution's plan shall be accessible to any interested party under the Oklahoma Open Records Act. No institution of higher education's teacher education program shall be approved by the Commission unless the institution plan has been approved by that institution's governing board. Initial institution plans shall be filed with the Oklahoma Commission for Teacher Preparation by January 1, 1997, and as required by the Commission thereafter. The Oklahoma State Regents for Higher Education may facilitate the development of institution plans to assist institutions of higher education.

SECTION 7. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-186 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Criteria for the approval and accreditation of teacher education programs in Oklahoma institutions of higher education shall include, but not be limited to, substantial evidence that persons who enter teacher education programs demonstrate:

1. Competency in the oral and written use of the English language;
2. A minimum grade point average as established by the Oklahoma Commission for Teacher Preparation; and
3. The ability to meet criteria established pursuant to the Oklahoma Teacher Preparation Act at the completion of the teacher education program and provide evidence of having worked with children or youth in a variety of situations.

Criteria shall also include a greater emphasis upon field work in accredited schools by prospective teachers under the supervision of higher education faculty.

B. It is hereby declared to be the intent of the Legislature that the Oklahoma Commission for Teacher Preparation work with the Oklahoma State Regents for Higher Education and the various institutions of higher education in establishing a procedure whereby full-time teacher education faculty continue their professional development during their tenure at an institution of higher education to ensure that the future teachers of this state are taught by professional educators fully trained in their area of expertise. Each approved or accredited program of teacher education shall have a teacher education professional development committee that shall include at least one public school classroom teacher as a member. The committee shall write and review professional development plans for each full-time faculty member directly involved in the teacher education process. Individual professional development plans shall be submitted to the Commission as a normal part of the five-year process of teacher education program review.

It is further declared to be the intent of the Legislature that such professional development plans provide alternative means of education including, but not limited to:

1. Professional development programs;
2. Higher education courses;
3. Exchange programs with public school classroom teachers, administrators, and other school personnel; and
4. Programs whereby all full-time teacher education faculty members directly involved in the teacher education process, including all administrators of the teacher education program, are required to serve in a state accredited public school for at least ten (10) clock hours per school year in responsibilities related to their respective teacher education teaching fields.

All public school systems shall participate in the programs provided for in this subsection when needed.

C. The Oklahoma Commission for Teacher Preparation shall adopt rules requiring specific improvements to strengthen the screening of student applicants and field activity and placement as set out in subsection A of this section. Such rules shall be reviewed and amended or readopted by the Commission at least once every five (5) years.

D. To assist the Commission in setting specific requirements as set out in subsections A and C of this section, the Commission shall annually prepare a statistical report showing the percentage of students from each of the Oklahoma institutions of higher education who have successfully completed or who have failed the competency examination for licensure and certification. The annual report shall show the percentages for each institution of higher education and each assessment area separately by student degree status and shall be distributed annually to each member of the Oklahoma Commission for Teacher Preparation, the Oklahoma State Regents for Higher Education, the governing board of each institution which has an approved or state accredited teacher education program, the State Board of Education, the State Board of Vocational and Technical Education and the Legislature.

SECTION 8. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-187 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. A competency examination shall be adopted by the Oklahoma Commission for Teacher Preparation 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 such person is seeking licensure or certification to teach, 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. Following completion of the junior year or after having completed ninety (90) college credit hours, each teacher candidate shall be eligible to take the examination. No teacher candidate shall be eligible for licensing until successfully completing the competency examination. Certification shall be limited to areas of approval in which the licensed or certified teacher has successfully completed the examination. 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. 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.

D. The Commission shall offer the first competency examination beginning July 1, 1997, but no later than October 1, 1997. Thereafter, the examination shall be offered 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 local 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 9. AMENDATORY Section 5, Chapter 308, O.S.L. 1992 (70 O.S. Supp. 1994, Section 6-175), is amended to read as follows:

Section 6-175. ~~It is the intent of the Legislature that the teacher assessment system~~ The curriculum examination which was required by Section 6-156 of Title 70 of the Oklahoma Statutes shall be restructured into a competency examination by the Oklahoma Commission for Teacher Preparation with the assistance of the State Board of Education and, the Oklahoma State Regents for Higher Education and the State Board of Vocational and Technical Education in accordance with the provisions of Section 5 of this act concurrently with the development of the new teacher preparation system. ~~The Oklahoma Commission for Teacher Preparation shall delineate responsibility for restructuring to the State Board of Education who shall have the responsibility of designing and implementing a performance-based~~ The competency-based teacher assessment system for the in-service component and to the Oklahoma State Regents for Higher Education who shall have the responsibility of designing and implementing a performance-based teacher assessment

~~system for the preservice component, which will examination shall~~
~~replace the current teacher assessment system curriculum examination~~
~~which was established in Sections 6-150 through 6-158 and 6-162~~
~~through 6-170 of this title. The new teacher assessment system~~
~~competency examination shall be fully implemented by September 1,~~
~~1995 ready for implementation and administered by the Commission~~
~~beginning July 1, 1997. The system competency examination shall~~
~~have the following objectives:~~

- ~~1. To serve as a threshold for entry into the profession; and~~
- ~~2. To serve as a diagnostic and developmental tool for~~
~~enhancing teacher skills.~~

By September 1, 1995, the Oklahoma Commission for Teacher Preparation shall develop and release a request for proposals for the state teacher competency examination which assesses candidates for licensure and certification for demonstrated competency in subject matter, professional education, and state core knowledge and skills assessment, which includes critical thinking, communication and computation. The Oklahoma Commission for Teacher Preparation shall accept bids in an open, competitive bidding process until January 1, 1996. The Commission shall review all bids and proposals and make recommendations to the Governor and Legislature by March 1, 1996. In evaluating the bids and proposals the Commission shall take into consideration the cost of developing, administering and scoring the competency examination, the cost to each individual tested and to the state, and shall factor in the cost of periodically updating the state competency examination. The curriculum examination as was required by Section 6-156 of Title 70 of the Oklahoma Statutes and in effect July 1, 1994, shall continue to be offered by the State Board of Education until July 1, 1997. Beginning July 1, 1997, the Oklahoma Commission for Teacher Preparation shall have authority to continue to offer that examination as needed and to determine whether a student should take that test in lieu of the competency examination.

SECTION 10. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-189 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The licensure and certification system required by the Oklahoma Teacher Preparation Act as part of the new teacher preparation system shall be competency-based. The competencies for licensure and certification shall be integrated with competencies specified in Section 6 of this act. By July 1, 1996, the State Board of Education shall adopt general competencies for licensure and certification, and by January 1, 1997, the Board shall have adopted full competencies and implemented the licensure and certification systems as required in this act. No higher education courses or credit hours may be specified by the State Board of Education in rules for licensure or certification. Nothing in the State Board of Education's licensure and certification rules shall prohibit the Oklahoma State Regents for Higher Education from adopting policies and procedures it deems appropriate for coursework, grade point average, or credit hours for teacher preparation at institutions in The Oklahoma State System of Higher Education.

B. The requirements for a certificate for superintendent of schools and principal shall include not less than a standard master's degree, such other professional education and requirements as may be fixed by the State Board of Education, and a minimum of two (2) years' successful teaching, supervisory or administrative experience in public schools.

C. Certificates may be revoked by the State Board of Education for willful violation of any rule of the State Board of Education or of any federal or state law or other proper cause but only after sufficient hearing has been given before the State Board of Education.

D. Teaching in a Head Start program or programs shall be used for renewal of a standard teaching certificate.

SECTION 11. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-190 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The board of education of each school district shall employ and contract in writing, as required in Section 6-101 of Title 70 of the Oklahoma Statutes, only with persons certified or licensed to teach by the State Board of Education in accordance with the Oklahoma Teacher Preparation Act, except as otherwise provided by law.

B. The Board shall issue a license to teach to any person who:

1. Has successfully completed the teacher education program required by the State Board of Education prior to July 1, 1997, and the Oklahoma Commission for Teacher Preparation beginning July 1, 1997;

2. Has graduated from an accredited institution of higher education that has approval or accreditation for teacher education;

3. Has met all other requirements as may be established by the Board;

4. Has made the necessary application and paid the curriculum examination fee as prescribed by the State Board of Education prior to July 1, 1997, and beginning July 1, 1997, paid the competency examination fee in an amount prescribed by the Commission. Such examination fee shall be paid to the Board or Commission as required and be deposited to the Revolving Fund provided for in Section 6-160 of Title 70 of the Oklahoma Statutes; and

5. Has successfully completed the examination in accordance with the Oklahoma Teacher Preparation Act.

C. The Board shall issue a certificate to teach to any person who:

1. Holds a license to teach in accordance with the Oklahoma Teacher Preparation Act;

2. Has served a minimum of one (1) school year as a resident teacher;

3. Has made the necessary application and paid the certification fee as prescribed by the Board; and

4. Has been recommended for certification by the residency committee; or

5. Holds an out-of-state certificate and meets standards set by the Board.

D. If a resident teacher is a graduate of an out-of-state institution of higher education, the recommendation of the residency committee shall be made to the State Board of Education.

E. Any person holding a valid certificate, issued prior to January 1, 1997, shall be a certified teacher for purposes of the Oklahoma Teacher Preparation Act, subject to any professional development requirements prescribed by this act or by the State Board of Education.

SECTION 12. AMENDATORY 70 O.S. 1991, Section 6-160, is amended to read as follows:

Section 6-160. ~~There~~ Until July 1, 1998, there is hereby created in the State Treasury a revolving fund for the State Board of Education, to be designated the "Teachers' Curriculum Examination Revolving Fund". The fund shall consist of curriculum examination

fees paid to the Board pursuant to statutory authority. The revolving fund shall be a continuing fund not subject to fiscal year limitations and shall be under the control and management of the administrative authority of the State Board of Education. Expenditures from said fund shall be made to maintain the curriculum examination process as set out in ~~Section 9~~ of this act ~~and without legislative appropriation~~. Warrants for expenditure shall be drawn by the State Treasurer on claims signed by an authorized employee or employees of the State Board of Education and approved by the Director of State Finance.

On July 1, 1997, the State Board of Education shall transfer any unencumbered funds in the Teachers' Curriculum Examination Revolving Fund to the Teachers' Competency Examination Revolving Fund. Any funds which are unexpended on January 1, 1998, shall be transferred to the Teachers' Competency Examination Revolving Fund. On July 1, 1997, there shall be created in the State Treasury a revolving fund for the Oklahoma Commission for Teacher Preparation, to be designated the "Teachers' Competency Examination Revolving Fund". The fund shall consist of curriculum examination fees paid to the Commission pursuant to statutory authority. The revolving fund shall be a continuing fund not subject to fiscal year limitations and shall be under the control and management of the administrative authority of the Oklahoma Commission for Teacher Preparation. Expenditures from said fund shall be made to maintain the competency examination process set out in the Oklahoma Teacher Preparation Act. Warrants for expenditure shall be drawn by the State Treasurer on claims signed by an authorized employee or employees of the Oklahoma Commission for Teacher Preparation and approved by the Director of State Finance.

SECTION 13. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-192 of Title 70, unless there is created a duplication in numbering, reads as follows:

It is hereby declared to be the intent of the Legislature to establish a professional development procedure whereby all teachers in the state continue their education beyond initial licensing and certification by the state to ensure that the children of the state are taught by professional educators, fully prepared in their areas of expertise. Furthermore, such professional development procedure shall provide alternative means of education, including one or more of the following: In-service programs, higher education courses, or other alternative means of education designed to help teachers enrich their professional abilities.

SECTION 14. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-193 of Title 70, unless there is created a duplication in numbering, reads as follows:

Each school district shall receive an appropriate amount of funds for the exclusive purpose of professional development. These funds shall be expended for professional development programs within guidelines adopted by the State Board of Education. All funds provided to local school districts shall be provided by and subject to the approval of plans submitted to the State Board of Education by each local school district no later than May 10 of each year. Such funds shall be deposited in a special account within the general fund of the local school district. A list of all expenditures made from such account shall be provided to the professional development committee upon request of the committee chairperson.

SECTION 15. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-194 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The local boards of education of this state shall establish professional development programs for the certified and licensed teachers and administrators of the district. Such programs shall be adopted by each local board of education based upon recommendations of a professional development committee appointed by the board of education for the district. By September 1, 1995, the State Board of Education shall disseminate to each local professional development committee a copy of the in-service professional development competencies included in the Report on Educator Preparation and Professional Development issued in December 1994 by the Oklahoma Commission for Teacher Preparation for review and consideration and, if approved by the local professional development committee, to be included in part or in whole in the local professional development plan of the school district. The professional development centers funded through the State Board of Education shall provide technical assistance to any local school district which desires to incorporate any such competencies into its local professional development plan. Each local professional development committee shall include classroom teachers, administrators and parents, guardians or custodians of children in the local school district and shall consult with a higher education faculty. A majority of the members of the professional development committee shall be composed of classroom teachers. The teacher members shall be selected from a list of names submitted by the bargaining agent, where one exists. In the absence of a bargaining agent, the teachers will elect a list of names to be submitted to the local board of education. The programs adopted may include, but not be limited to:

1. In-service training programs; and
2. Higher education courses.

Each adopted program shall include a component on outreach to parents, guardians or custodians of students and multicultural education, which all personnel defined as teachers in Section 1-116 of Title 70 of the Oklahoma Statutes shall be required to complete on a periodic basis. Such programs shall be submitted for approval to the Board. Teachers and administrators who have completed professional development courses in their field of instruction or in courses related to obtaining additional professional qualifications and who complete such courses and receive a grade which is equivalent to at least a 3.0 on a 4.0 grading scale may be reimbursed by the school district for one-half (1/2) of the general enrollment fees incurred at any institution within The Oklahoma State System for Higher Education. If the teacher or administrator incurs costs pursuant to this section at a private institution of higher education, the person may be reimbursed by the school district for an amount equal to one-half (1/2) of the general enrollment fees incurred at an institution of The Oklahoma State System of Higher Education of comparable type. No school district shall receive state funds for professional development until such time as the local board of education's program has been approved by the Board.

B. Each licensed or certified teacher in this state shall be required by the local board of education to meet the professional development requirements established by the board, or established through the negotiation process. Failure of any teacher to meet local board of education professional development requirements may be grounds for nonrenewal of such teacher's contract by the local board of education. Such failure may also be grounds for nonconsideration of salary increments affecting the teacher.

C. The professional development plan shall be submitted to the State Board of Education as provided in Section 3-104.2 et seq. of Title 70 of the Oklahoma Statutes.

SECTION 16. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-195 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The State Department of Education shall administer a residency program which shall be approved by the State Board of Education. Such program shall be developed in consultation with the teacher education institutions, the Oklahoma Commission for Teacher Preparation and the local boards of education. Such program shall include, but not be limited to:

1. Guidelines and assignments for resident teacher positions in the local school districts;

2. Requirements and guidelines for selection and appointment of mentor teachers which must include any requirements specified in the Oklahoma Teacher Preparation Act;

3. Guidelines for the appointment and functions of a residency committee; and

4. An appropriate professional development program for the resident teacher.

B. Except as otherwise provided in the Oklahoma Teacher Preparation Act, no person shall be certified to teach in the accredited schools of this state, unless such person:

1. Has completed at least one (1) school year of teaching service as a resident teacher in the residency program as provided in the Oklahoma Teacher Preparation Act;

2. Has been recommended for certification by the appointed residency committee after completion of not less than one (1) or more than two (2) school years of resident teaching service; and

3. Has successfully completed the curriculum examination as prescribed by the Board prior to July 1, 1997, and the competency examination as prescribed by the Commission beginning July 1, 1997.

C. Any person who has been issued a license to teach by the Board may be employed in an accredited school as a resident teacher upon appointment by the local school board.

D. Upon placement of a licensed teacher in a resident teacher position, the local school board shall appoint the residency committee members, as prescribed in the Oklahoma Teacher Preparation Act, who shall have the following duties:

1. Meet with the resident teacher as may be required by the Board;

2. Work with the resident teacher to assist in all matters concerning classroom management and professional development for that teacher;

3. Provide for meaningful parental, guardian or custodian input as one criterion in evaluating the resident teacher's performance; and

4. Upon completion of one (1) school year of residency, make recommendations to the Board and the preparing institution of higher education as to whether the resident teacher should be issued a certificate or whether such resident teacher shall be required to serve as a resident teacher for one (1) additional school year. In the event a resident teacher serves a second year, the recommendation of the residency committee to the Board and the institution of higher education after the second year shall be for either certification or noncertification.

Upon recommendation from the residency committee for noncertification or an additional year in the residency program, such residency committee shall, upon request of the resident

teacher, supply a list to the resident teacher of the reasons for such recommendation. The list of reasons shall remain confidential, except as otherwise provided by the resident teacher.

In the event a resident teacher is required to serve an additional year in the residency program, the resident teacher shall not be required to be under the supervision of the same residency committee, or any member of the committee, which supervised the resident teacher during the initial year in the program; and

5. In the event the committee recommendation to the Board and the institution of higher education is for certification, a residency committee shall also recommend a professional development program for the resident teacher, designed to strengthen the resident teacher's teaching skills in any area identified by the committee.

All resident years shall count toward salary, fringe benefit adjustments, career status and retirement.

E. Nothing in this act shall be construed as requiring more than one (1) year of employment at the resident level before a standard certificate can be issued to a resident teacher.

The professional development program shall commence with the residency year and shall require continuing education throughout the career of a teacher.

SECTION 17. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-196 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. The State Board of Education shall review all contracts with the professional development centers used for professional development purposes prior to entering into any contracts with such centers. The State Board of Education shall examine:

1. The purpose of the contract;
2. The expenditure of funds provided for in the previous year by the state to each center provided for in this section;
3. The budgeted salaries of employees and administrators of such centers; and
4. Any other item the State Board of Education determines is necessary.

B. The State Board of Education shall submit an annual report to the Governor and Legislature by January 1 of each year, which gives the information specified in subsection A of this section for each individual center and which includes the following:

1. The purpose of the center;
2. The hours and days of operation of the center throughout the year;
3. The number of school districts actually served and the number of actual teachers by school district served;
4. The number and kinds of sponsored professional development activities and dates and any related performance evaluations;
5. All sources of funding and actual full-time-employees (FTE); and
6. Evidence of evaluation of services by users.

SECTION 18. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-197 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. All students graduating from an accredited institution of higher education approved or accredited by the Oklahoma Commission for Teacher Preparation for the preparation of educational personnel on or after September 1, 1999, and seeking to enter the public education system as a teacher shall be subject to the assessment, certification and licensing procedures established in the Oklahoma Teacher Preparation Act. Except as provided for in subsection B of

this section, all students graduating from an accredited institution of higher education prior to September 1, 1999, and seeking to enter the public education system as a teacher shall be subject to the assessment, licensing and certification requirements in effect before July 1, 1997.

B. Any person who graduates from an accredited institution of higher education prior to September 1, 1999, and seeks certification or endorsement subsequent to September 1, 1999, to teach a subject area which the teacher was not certified to teach prior to September 1, 1999, following completion of the required higher education shall be required to successfully complete the competency examination for such subject area prior to receiving such certification or endorsement.

SECTION 19. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-198 of Title 70, unless there is created a duplication in numbering, reads as follows:

On or before January 1, 1996, the State Board of Education shall review each of its rules pertaining to teacher education, testing, licensure and certification, entry-year and staff development for the purpose of repealing or modifying such rules or adopting new rules to be consistent with the provisions and purposes of the Oklahoma Teacher Preparation Act.

SECTION 20. AMENDATORY Section 8, Chapter 308, O.S.L. 1992, as last amended by Section 6, Chapter 224, O.S.L. 1994 (70 O.S. Supp. 1994, Section 6-178), is amended to read as follows:

Section 6-178. A. ~~There is hereby created, to continue until July 1, 1998, in accordance with the provisions of the Oklahoma Sunset Law, Section 3901 et seq. of Title 74 of the Oklahoma Statutes,~~ the Oklahoma Commission for Teacher Preparation. The Commission shall be composed of ~~thirty-three (33)~~ twenty (20) members, sixteen of whom shall be voting members and four of whom shall be ex officio, nonvoting members. The sixteen voting members shall serve staggered terms of three (3) years, except as otherwise provided, and shall be appointed as follows:

1. The Speaker of the House of Representatives shall appoint:
 - a. ~~four members from the Oklahoma House of Representatives,~~
 - b. ~~three~~ one public school ~~teachers~~ teacher who ~~are employees~~ is an employee of an Oklahoma public school district, who shall serve an initial term of two (2) years,
 - c. ~~one member from a private Oklahoma institution of higher education who is on the teacher education faculty,~~
 - d. ~~one member from an institution of higher education in The Oklahoma State System of Higher Education who is on the arts and sciences faculty,~~
 - e. b. two ~~one~~ lay ~~persons~~ person who ~~each have~~ has at least one child who is a student in an elementary or secondary public school in this state,
 - f. ~~one member with experience in services to children and youth,~~
 - g. ~~one member who is a superintendent of an area vocational-technical school district,~~
 - c. one member of the Oklahoma State Regents for Higher Education who shall serve an initial term of two (2) years, and
 - h. d. one member who is a principal of an Oklahoma elementary public school who shall serve an initial term of one (1) year;

2. The President Pro Tempore of the Senate shall appoint:
 - ~~a. four members from the Oklahoma State Senate,~~
 - ~~b. three one public school ~~teachers~~ teacher who are employees is an employee of an Oklahoma public school district to serve an initial term of one (1) year,~~
 - ~~c. b. — one member from an institution of higher education in The Oklahoma State System of Higher Education who is on the teacher education faculty~~
 - ~~d. one member of the State Board of Education who shall serve an initial term of one (1) year,~~
 - ~~e. d. — one member from a private Oklahoma institution of higher education who is on the arts and sciences faculty,~~
 - ~~e. c. one lay person who has at least one child who is a student in an elementary or secondary public school in this state had some educational employment experience, and~~
 - ~~f. one member who is a leader in business in the state,~~
 - ~~g. d. one member who is a public school superintendent of an Oklahoma public school, district to serve an initial term of two (2) years~~
 - ~~h. one member who is a principal of an Oklahoma secondary public school, and~~
 - ~~i. one member who is an undergraduate student;~~

3. The Governor shall appoint:
 - a. one member from a private Oklahoma institution of higher education who is the dean or director of an approved teacher education program who shall serve an initial term of one (1) year,
 - b. one member of the Oklahoma State Regents for Higher Education who shall serve an initial term of two (2) years,
 - c. one member of the State Board of Education,
 - d. one teacher from an area vocational-technical school district who shall serve an initial term of one (1) year,
 - e. one member from an institution of higher education in The Oklahoma State System of Higher Education who is on the arts and sciences faculty to serve an initial term of two (2) years,
 - f. one member from an institution of higher education in The Oklahoma System of Higher Education who is on the teacher education faculty, and
 - g. two public school teachers who are employees of an Oklahoma public school district;

~~Two members, one to be appointed by the Speaker of the House of Representatives and one to be appointed by the President Pro Tempore of the Senate;~~

4. The ex officio, nonvoting members shall include the State Superintendent of Public Instruction shall serve as a member of the Commission;

~~5. The, the Chancellor of Higher Education shall serve as a member of the Commission; and~~

~~6. The, the Director of the State Department of Vocational and Technical Education shall serve as a member of the Commission and the Secretary of Education or their designees.~~

~~B. Members of the Commission, except legislative members, shall be reimbursed for attendance at Commission meetings by the appointing agency pursuant to the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes, except~~

~~as otherwise provided by law. Legislative members shall be reimbursed in accordance with Section 456 of Title 74 of the Oklahoma Statutes.~~

1. The members of the Commission shall serve without compensation, but shall be allowed actual and necessary expenses incurred in the performance of their duties, as provided in the State Travel Reimbursement Act.

2. The Commission shall hold meetings as necessary at a place and time fixed by the Commission. The first meeting of the Commission, which shall be held on or after July 1, 1995, shall be called by the Executive Director of the Commission. At the first meeting, the Commission shall select one of the members to serve as chair and another member to serve as vice-chair. At the first ensuing meeting in each fiscal year thereafter, the chair and vice-chair for the ensuing year shall be elected. Special meetings may be called by the chair or by five members of the Commission by delivery of written notice to each member of the Commission. A majority of the voting members of the Commission shall be present at the meeting to constitute a quorum of the Commission.

3. The Commission may promulgate rules and set fees pursuant to the purposes of this act.

4. The Commission shall assist the State Board of Education and the Oklahoma State Regents for Higher Education in conducting necessary reviews and planning activities related to the purposes of this act. The Commission shall provide a public forum for receiving comments and disseminating information to the public and the education community regarding the purposes of this act. The Commission shall have the authority to make recommendations to and otherwise consult with the State Board of Education, the Oklahoma State Regents for Higher Education, the Oklahoma State Board of Vocational and Technical Education, the Education Oversight Board and the Legislature on matters which relate to the purposes of this act.

5. The terms of the members shall begin July 1 of the applicable year.

~~C. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall designate from among legislative members of the Commission a chairperson and vice-chairperson~~ Members serving on the Oklahoma Commission for Teacher Preparation on the effective date of this act shall cease to be members on the effective date of this act. If qualifications allow, all initial appointments shall be from among the membership of the Commission serving prior to January 1, 1995. Appointing authorities shall seek to provide a broad geographic representation of the members serving on the Commission.

D. The Oklahoma Commission for Teacher Preparation may contract for services or employ staff, as needed, to fulfill its duties and responsibilities. The Commission may enter into a contract which includes an agreement with a state agency, board or commission to provide administrative support to the Commission.

E. Members of the Commission shall be exempt from the provisions of Section 6 of Title 51 of the Oklahoma Statutes, which prohibits the holding of any other office during the member's term of office on the Commission.

~~F. Staff assistance shall be provided by the State Department of Education, the State Regents for Higher Education, the House of Representatives, the Senate, and the Legislative Service Bureau.~~

~~G. The Oklahoma Commission for Teacher Preparation shall develop the new teacher preparation system with assistance and~~

~~recommendations from the State Board of Education and the Oklahoma State Regents for Higher Education.~~

~~H. The Oklahoma Commission for Teacher Preparation shall appoint a subcommittee on administrator preparation. The integrated subcommittee on administrator preparation shall:~~

~~1. Study and summarize how administrators are currently being prepared for administrative responsibilities in Oklahoma and how administrators are prepared for administrative responsibilities in other states and nationwide, and make any recommendations on any other issues that the Oklahoma Commission for Teacher Preparation deems necessary to fulfill the directives and purposes of this act;~~

~~2. Study and summarize the current state of the art concerning administrator preparation;~~

~~3. Study the current Oklahoma administrator preparation curriculum;~~

~~4. Review recommendations of national and state organizations and accrediting associations that have issued reports on administrator preparation;~~

~~5. Interview the education faculties at public and private higher education institutions on recommendations for changes to the current administrator preparation curriculum;~~

~~6. Interview parents and legal guardians of school-age children on their recommendations for changes to the current administrator preparation curriculum;~~

~~7. Examine the methodology used by the State Department of Education in monitoring higher education schools and colleges of education in Oklahoma;~~

~~8. Make recommendations on the feasibility and practicality of requiring administrators to have teaching responsibilities in the classroom; and~~

~~9. Make recommendations on policies and programs for administrator preparation that need to be modified and changed and incorporated into the new teacher preparation system and on recommendations for changes in the administrator preparation curriculum that will improve the quality of administrator preparation and education in the State of Oklahoma.~~

SECTION 21. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-200 of Title 70, unless there is created a duplication in numbering, reads as follows:

Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall have authority to develop and administer training for residency committees and training for professional development through professional development institutes. Professional development institutes shall be subject to the approval of the State Board of Education for professional development purposes and shall be defined as continuing education experiences which consist of a minimum of thirty (30) clock hours. The institutes shall be competency-based, emphasize effective learning practices, require collaboration among participants, and require each participant to prepare a work product which can be utilized in the classroom by the participant. Any state professional development institutes administered by the Commission shall be chosen through a competitive bid process and if funds are available subject to peer review. The Commission, prior to offering any professional development institute, shall promulgate rules related to administering state professional development institutes.

SECTION 22. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-201 of Title 70, unless there is created a duplication in numbering, reads as follows:

Effective for the 1998 fiscal year, the State Board of Education, the Oklahoma State Regents for Higher Education, the Oklahoma State Board of Vocational and Technical Education and the Oklahoma Commission for Teacher Preparation shall annually prepare a joint funding plan for submission by September 1 of each year to the Office of State Finance and the Legislature which reflects the estimated state costs for the fiscal year of the entire teacher education, assessment, licensure and certification, residency and professional development system. The plan shall provide for the utilization of all financial resources from federal, state, local, and private sources and shall provide for the coordination of those resources to fund any related services. The individual components of the plan, as they relate to individual agencies, shall be incorporated annually into each affected agency's budget request in accordance with the provisions of Section 41.29 of Title 62 of the Oklahoma Statutes.

SECTION 23. AMENDATORY 70 O.S. 1991, Section 3-104, as last amended by Section 1 of Enrolled Senate Bill No. 479 of the 1st Session of the 45th Oklahoma Legislature, is amended to read as follows:

Section 3-104. The control of the State Department of Education and the supervision of the public school system of Oklahoma shall be vested in the State Board of Education and, subject to limitations otherwise provided by law, the State Board of Education shall:

1. Establish and prescribe the duties of an executive officer who shall be the State Superintendent of Public Instruction and whose duties shall include the responsibility to give advice and make recommendations to the Board on all matters pertaining to the policies and administration of the State Department of Education and the public school system;

2. Adopt policies and make rules for the operation of the State Department of Education and the public school system of the state;

3. Organize and have control of the administrative and supervisory agencies, divisions, personnel and their appointment and salaries and other operations necessary to carry out the powers, duties and functions of the Board and its executive officer;

4. Have authority to require the coordination of all divisions of the State Department of Education through its executive officer, delegate general supervision of all employees to its executive officer, require all recommendations to be presented through its executive officer, require its executive officer to be responsible for interpretation of the Board's policy, require any employee of the Board to present any specific matter directly to the Board;

5. Appoint, prescribe the duties and fix the compensation of a secretary, an attorney and all other personnel necessary for the proper performance of the functions of the State Board of Education. The secretary shall not be a member of the Board;

6. Submit to the Governor a departmental budget based upon major functions of the Department supported by detailed data on needs and proposed operations as partially determined by the budgetary needs of local school districts filed with the State Board of Education for the ensuing fiscal year. Appropriations therefor shall be made in lump-sum form for each major item in the budget as follows:

- a. State Aid to schools,
- b. the supervision of all other functions of general and special education including general control, free textbooks, school lunch, Indian education and all other functions of the Board and an amount sufficient to adequately staff and administer these services, and

- c. the Board shall determine the details by which the budget and the appropriations are administered. Annually, the Board shall make preparations to consolidate all of the functions of the Department in such a way that the budget can be based on two items, administration and aid to schools. A maximum amount for administration shall be designated as a part of the total appropriation;

7. On the first day of December preceding each regular session of the Legislature, prepare and deliver to the Governor and the Legislature a report for the year ending June 30 immediately preceding said regular session of the Legislature. Said report shall contain:

- a. detailed statistics and other information concerning enrollment, attendance, expenditures including State Aid, and other pertinent data for all public schools in this state,
- b. reports from each and every division, department, institution or other agency under the supervision of the Board,
- c. recommendations for the improvement of the public school system of the state,
- d. a statement of the receipts and expenditures of the State Board of Education for the past year, and
- e. a statement of plans and recommendations for the management and improvement of public schools and such other information relating to the educational interests of the state as may be deemed necessary and desirable;

8. Provide for the formulation and adoption of curricula, courses of study and other instructional aids necessary for the adequate instruction of pupils in the public schools;

9. Have ~~full and exclusive~~ authority in ~~all~~ matters pertaining to ~~standards of qualifications and the licensure and certification~~ of persons for instructional, supervisory and administrative positions and services in the public schools of the state subject to the provisions of Section 5 of this act, and shall formulate rules governing the issuance and revocation of certificates for superintendents of schools, principals, supervisors, librarians, clerical employees, school nurses, school bus drivers, visiting teachers, classroom teachers and for other personnel performing instructional, administrative and supervisory services, but not including members of boards of education and other employees who do not work directly with pupils, and may charge and collect reasonable fees for the issuance of such certificates. All funds collected by the State Department of Education for the issuance of certificates to instructional, supervisory and administrative personnel in the public schools of the state shall be deposited in the "Teachers' Certificate Fund" in the State Treasury and may be expended by the State Board of Education ~~to reimburse the activities of the Educational Professional Standards Board for actual and necessary travel expenses as provided in the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes, in attending meetings of the Board, its committees and subcommittees, to finance the activities of the State Department of Education necessary to administer the program,~~ for consultative services, publication costs, actual and necessary travel expenses as provided in the State Travel Reimbursement Act incurred by persons performing research work, and other expenses found necessary by the State Board of Education for the improvement of the preparation and

certification of teachers in Oklahoma. ~~Provided, that the requirements for a certificate for superintendent of schools and principal shall include not less than a standard master's degree, such other professional education and requirements as may be fixed by the State Board of Education and a minimum of two (2) years' successful teaching, supervisory or administrative experience in public schools. Provided, further, that certificates may be revoked by the State Board of Education for willful violation of any rule of the State Board of Education or of any federal or state law or other proper cause but only after sufficient hearing has been given before the State Board of Education, provided that teaching in a Head Start program or programs shall be used for renewal of a standard teaching certificate~~ any unobligated balance in the Teachers' Certificate Fund in excess of Ten Thousand Dollars (\$10,000.00) on June 30 of any fiscal year shall be transferred to the General Revenue Fund of the State of Oklahoma. Until July 1, 1997, the State Board of Education shall have authority for approval of teacher education programs. The State Board of Education shall also have authority for the administration of teacher residency and professional development, subject to the provisions of the Oklahoma Teacher Preparation Act;

10. Promulgate rules governing the classification, inspection, supervision and accrediting of all public nursery, kindergarten, elementary and secondary schools and on-site educational services provided by public school districts or state-accredited private schools in partial hospitalization programs, day treatment programs, and day hospital programs as defined in this act for persons between the ages of three (3) and twenty-one (21) years of age in the state. However, no school shall be denied accreditation solely on the basis of average daily attendance.

Any school district which maintains an elementary school and faces the necessity of relocating its school facilities because of construction of a lake, either by state or federal authority, which will inundate the school facilities, shall be entitled to receive probationary accreditation from the State Board of Education for a period of five (5) years after the effective date of this act and any school district, otherwise qualified, shall be entitled to receive probationary accreditation from the State Board of Education for a period of two (2) consecutive years to attain the minimum average daily attendance. The Head Start and public nurseries or kindergartens operated from Community Action Program funds shall not be subjected to the accrediting rules of the State Board of Education. Neither will the State Board of Education make rules affecting the operation of the public nurseries and kindergartens operated from federal funds secured through Community Action Programs even though they may be operating in the public schools of the state. However, any of the Head Start or public nurseries or kindergartens operated under federal regulations may make application for accrediting from the State Board of Education but will be accredited only if application for the approval of the programs is made. The status of no school district shall be changed which will reduce it to a lower classification until due notice has been given to the proper authorities thereof and an opportunity given to correct the conditions which otherwise would be the cause of such reduction.

Private and parochial schools may be accredited and classified in like manner as public schools or, if an accrediting association is approved by the State Board of Education, by procedures established by the State Board of Education to accept accreditation

by such accrediting association, if application is made to the State Board of Education for such accrediting;

11. Be the legal agent of the State of Oklahoma to accept, in its discretion, the provisions of any Act of Congress appropriating or apportioning funds which are now, or may hereafter be, provided for use in connection with any phase of the system of public education in Oklahoma. It shall prescribe such rules as it finds necessary to provide for the proper distribution of such funds in accordance with the state and federal laws;

12. Be and is specifically hereby designated as the agency of this state to cooperate and deal with any officer, board or authority of the United States Government under any law of the United States which may require or recommend cooperation with any state board having charge of the administration of public schools unless otherwise provided by law;

13. Be and is hereby designated as the "State Educational Agency" referred to in Public Law 396 of the 79th Congress of the United States, which law states that said act may be cited as the "National School Lunch Act", and said State Board of Education is hereby authorized and directed to accept the terms and provisions of said act and to enter into such agreements, not in conflict with the Constitution of Oklahoma or the Constitution and Statutes of the United States, as may be necessary or appropriate to secure for the State of Oklahoma the benefits of the school lunch program established and referred to in said act;

14. Have authority to secure and administer the benefits of the National School Lunch Act, Public Law 396 of the 79th Congress of the United States, in the State of Oklahoma and is hereby authorized to employ or appoint and fix the compensation of such additional officers or employees and to incur such expenses as may be necessary for the accomplishment of the above purpose, administer the distribution of any state funds appropriated by the Legislature required as federal matching to reimburse on children's meals;

15. Accept and provide for the administration of any land, money, buildings, gifts, donation or other things of value which may be offered or bequeathed to the schools under the supervision or control of said Board;

16. Have authority to require persons having administrative control of all school districts in Oklahoma to make such regular and special reports regarding the activities of the schools in said districts as the Board may deem needful for the proper exercise of its duties and functions. Such authority shall include the right of the State Board of Education to withhold all state funds under its control, to withhold official recognition, including accrediting, until such required reports have been filed and accepted in the office of said Board and to revoke the certificates of persons failing or refusing to make such reports;

17. Have general supervision of the school lunch program. The State Board of Education may sponsor workshops for personnel and participants in the school lunch program and may develop, print and distribute free of charge or sell any materials, books and bulletins to be used in such school lunch programs. There is hereby created in the State Treasury a revolving fund for the Board, to be designated the School Lunch Workshop Revolving Fund. The fund shall consist of all fees derived from or on behalf of any participant in any such workshop sponsored by the State Board of Education, or from the sale of any materials, books and bulletins, and such funds shall be disbursed for expenses of such workshops and for developing, printing and distributing of such materials, books and bulletins

relating to the school lunch program. The fund shall be administered in accordance with the Revolving Fund Procedures Act;

18. Prescribe all forms for school district and county officers to report to the State Board of Education where required. The State Board of Education shall also prescribe a list of appropriation accounts by which the funds of school districts shall be budgeted, accounted for and expended; and it shall be the duty of the State Auditor and Inspector in prescribing all budgeting, accounting and reporting forms for school funds to conform to such lists;

19. Provide for the establishment of a uniform system of pupil and personnel accounting, records and reports;

20. Have authority to provide for the health and safety of school children and school personnel while under the jurisdiction of school authorities;

21. Provide for the supervision of the transportation of pupils;

22. Have authority, upon request of the local school board, to act in behalf of the public schools of the state in the purchase of transportation equipment;

23. Have authority and is hereby required to perform all duties necessary to the administration of the public school system in Oklahoma as specified in the Oklahoma School Code; and, in addition thereto, those duties not specifically mentioned herein if not delegated by law to any other agency or official;

24. Administer the State Public Common School Building Equalization Fund established by Section 32 of Article X of the Oklahoma Constitution. Any royalties, bonuses, rentals or other monies derived from oil and gas and all other mineral leases on lands that have been or may be granted by the United States to the state for the use and benefit of the common schools, or lands that are or may be held by the Commissioners of the Land Office for the use and benefit of the common schools, the proceeds of the sale of easements, improvements and sand and gravel on any such lands, the proceeds of all property that shall fall to the state by escheat, penalties for unlawful holding of real estate by corporations, and capital gains on assets of the permanent school funds, shall be deposited in such State Public Common School Building Equalization Fund, which shall be used to aid school districts in acquiring buildings under rules prescribed by the State Board of Education, as the administering agency, subject to the limitations fixed by Section 32 of Article X of the Oklahoma Constitution. The State Board of Education shall prescribe rules for making grants of aid from, and for otherwise administering, such fund, and may employ and fix the duties and compensation of technicians, aides, clerks, stenographers, attorneys and other personnel deemed necessary to perform its duties; and the cost of administering such fund shall be paid from funds currently available for the operation of the State Department of Education. It shall be the duty of the State Board of Education, the Commissioners of the Land Office and all other public agencies, officers and employees to observe and comply with the provisions of this paragraph, in all respects; and they shall not be held liable for any amount, penalty or punishment for having done so, unless and until they are directed to do otherwise by a court of competent jurisdiction;

25. Recognize that the Director of the Oklahoma Department of Corrections shall be the administrative authority for the schools which are maintained in the state reformatories and shall appoint the principals and teachers in such schools. Provided, that rules of the State Board of Education for the classification, inspection and accreditation of public schools shall be applicable to such

schools; and such schools shall comply with standards set by the State Board of Education;

26. Have authority to administer a revolving fund which is hereby created in the State Treasury, to be designated the Statistical Services Revolving Fund. The fund shall consist of all monies received from the various school districts of the state, the United States Government, and other sources for the purpose of furnishing or financing statistical services and for any other purpose as designated by the Legislature. The State Board of Education is hereby authorized to enter into agreements with school districts, municipalities, the United States Government, foundations and other agencies or individuals for services, programs or research projects. The Statistical Services Revolving Fund shall be administered in accordance with the Revolving Fund Procedures Act, Section 155 et seq. of Title 62 of the Oklahoma Statutes; and

27. Have authority to review preliminary plans for new construction and major alteration of public school buildings where structural changes are proposed. No bids shall be let for the construction or major alteration of any public school building until preliminary plans and specifications for such construction or alteration have been submitted to and reviewed by the State Department of Education. The period of time during which such review is conducted by the State Department of Education shall not exceed thirty (30) days. The State Department of Education shall advise each local school district regarding said review of preliminary plans and specifications. Provided, nothing in this subsection shall be construed as repealing any ordinance or building code of any city, town or county.

SECTION 24. AMENDATORY 70 O.S. 1991, Section 3-116, as amended by Section 1, Chapter 232, O.S.L. 1994 (70 O.S. Supp. 1994, Section 3-116), is amended to read as follows:

Section 3-116. A. There is hereby created the Education Oversight Board. The membership of the Education Oversight Board shall consist of:

1. The Chairperson of the Education Committee of the Oklahoma House of Representatives;
2. The Chairperson of the Education Committee of the Senate;
3. One member, who is not a legislator, appointed by the Governor;
4. One member, who is not a legislator, appointed by the Speaker of the Oklahoma House of Representatives; and
5. One member, who is not a legislator, appointed by the President Pro Tempore of the Senate.

The two Education Committee Chairpersons shall serve as members of the Board as long as each holds that position in such chairperson's respective house. The terms of the appointed members shall be staggered. The initial term of the member appointed by the Governor shall expire on June 30, 1996. The initial term of the member appointed by the President Pro Tempore of the Senate shall expire on June 30, 1995. The initial term of the member appointed by the Speaker of the House of Representatives shall expire on June 30, 1994. After expiration of the initial terms, the terms of the three appointed members shall be three (3) years and shall begin on July 1 of the year the preceding term expires. No more than one appointed member may reside in any one Congressional District, county, city or town. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as the office was previously filled.

B. A chairperson and vice-chairperson shall be elected annually from the membership of the Board. A quorum which shall consist of

three members must be present for the transaction of any business. Members shall be reimbursed for travel in the performance of their official duties in accordance with the State Travel Reimbursement Act.

C. The Education Oversight Board shall have oversight over implementation of ~~this act and:~~

1. The provisions of Enrolled House Bill No. 1017 of the 1st Extraordinary Session of the 42nd Oklahoma Legislature; and

2. The provisions of the Oklahoma Teacher Preparation Act.

D. The Education Oversight Board shall govern the operation of the Office of Accountability created in Section ~~3-118~~ 3-117 of this title. The Secretary of Education shall be the chief executive officer of the Office of Accountability.

SECTION 25. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-202 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Beginning July 1, 1997, there shall be created a "Teacher Competency Review Panel" to make recommendations to the State Board of Education for the licensure and certification of people who have not graduated from an approved teacher education program in this state, or who have never held a standard teaching certificate in this state, or who are not currently certified to teach in another state. No person shall be certified to teach pursuant to the provisions of this section unless the person holds at least a baccalaureate degree from an accredited institution of higher education, has successfully completed the required competency examination, and has been assessed by and received a favorable recommendation from the Teacher Competency Review Panel.

B. The members of the Teacher Competency Review Panel shall be selected by the State Board of Education from a list of candidates supplied by the Oklahoma Commission for Teacher Preparation. The Teacher Competency Review Panel shall consist of seven (7) members.

C. The State Board of Education shall assess candidates seeking certification to teach through the recommendation of the Teacher Competency Review Panel fees for the service in an amount sufficient to fully fund the duties of the Teacher Competency Review Panel.

SECTION 26. AMENDATORY 70 O.S. 1991, Section 5-113.1, as last amended by Section 9, Chapter 360, O.S.L. 1994 (70 O.S. Supp. 1994, Section 5-113.1), is amended to read as follows:

Section 5-113.1 A. Except as otherwise provided herein, no person may be employed or put under contract by a school district if that person is related to a member of the board of education of that school district within the second degree of consanguinity or affinity. A teacher or employee already under contract to or otherwise employed by the school district at the time the relationship is established may continue in said employment. Except as otherwise provided, a board member already serving at the time the relationship is established may serve out the term for which the member was elected but shall not be eligible to be a candidate for or serve successive terms of office for which the member may be elected. This provision shall not prevent a board member from serving successive terms of office if otherwise eligible under the provision of Section 5-113 of this title. No member of the board of education who has resigned from the board before his or her term has expired may be reappointed to the board to complete the remainder of his or her term if a teacher or employee related to the resigned member of the board within the second degree of consanguinity or affinity was put under contract or otherwise employed by the school district after the board member resigned.

Any member of a board of education who is related to a teacher or other employee of the district within the second degree of consanguinity or affinity shall not attend or participate in any regular or executive session of the board held to consider any personnel matter or litigation relating to said teacher or employee; provided however, the member may vote on collective bargaining agreements or the renewal of contracts as a group if the vote is necessary to form a quorum of the board of education members. If more than one member of the board of education is related to a teacher or employee, only the minimum number of those members which is necessary to form a quorum shall be allowed to vote. Each board of education so affected shall adopt a written policy establishing procedures on when such a member may vote on the renewal of contracts or collective bargaining agreements.

B. Any member of a board of education who violates the provisions of this section shall be subject to the penalties prescribed by Sections 485 and 486 of Title 21 of the Oklahoma Statutes.

SECTION 27. AMENDATORY 70 O.S. 1991, Section 6-130, as amended by Section 9, Chapter 324, O.S.L. 1992 (70 O.S. Supp. 1994, Section 6-130), is amended to read as follows:

Section 6-130. A. The Oklahoma State Regents for Higher Education shall have authority to administer the Minority Teacher Recruitment Center. Upon recommendations and advice from the Minority Teacher Recruitment Advisory Committee created pursuant to subsection B of this section, ~~the State Board of Education is~~ Oklahoma State Regents for Higher Education are hereby directed to work with the ~~Oklahoma State Regents for Higher Education~~ State Board of Education in the interests of recruiting, retaining and placing minority teachers in the public schools of the State of Oklahoma. Such efforts shall include, but not be limited to:

1. The provision and coordination of support services to teacher training programs in the appropriate state institutions of higher education, including mentoring and financial assistance to minority students who intend to become teachers;

2. The development and implementation of standards for effective multicultural teacher training, as required in Section ~~54~~ 15 of this act;

3. The establishment of a recruiting program for potential minority teachers complete with focus on specific audiences, including high school juniors and seniors who qualify for loans and scholarships;

4. The hosting of conferences designed to improve professional practices that effect minority teacher recruitment and retention; and

5. The creation of activities in the public and private schools of Oklahoma which enhance the image of the teaching profession. Such activities shall include the encouragement of future teacher clubs and the creation of a program similar to the South Carolina Teacher Cadet Program, which seeks to offer students of good academic ability the opportunity to study the art and science of teaching.

B. There is hereby created until July 1, 1998, in accordance with the Oklahoma Sunset Law, a Minority Teacher Recruitment Advisory Committee which shall have oversight over implementation of the Minority Teacher Recruitment Center and shall advise the operation of such Center. The Advisory Committee shall be composed of twenty-four (24) members who shall serve for a term of two (2) years unless no longer eligible. Initial appointments shall be made within thirty (30) days from the effective date of this act.

Beginning in 1993, appointments shall be made by July 1 with members serving a term of two (2) years. Members shall serve for a term of two (2) years unless no longer eligible. The Advisory Committee members shall be appointed as follows:

1. The Speaker of the House of Representatives shall appoint:
 - a. two members from the Oklahoma House of Representatives,
 - b. two members from an institution of higher education in The Oklahoma State System of Higher Education,
 - c. one member who is an employee of an Oklahoma public school district,
 - d. two members representing the Teacher Cadet Program,
 - e. two members representing the Pro Team Program,
 - f. one member representing a multi-cultural service center, and
 - g. one member from a community with a high minority population;
2. The President Pro Tempore of the Senate shall appoint:
 - a. two members from the Oklahoma State Senate,
 - b. two members from an institution of higher education in The Oklahoma State System of Higher Education,
 - c. one member who is an employee of an Oklahoma public school district,
 - d. two members representing the Teacher Cadet Program,
 - e. two members representing the Pro Team Program,
 - f. one member representing a multi-cultural service center, and
 - g. one member from a community with a high minority population;
3. The State Superintendent of Public Instruction or a designee shall serve as a member of the Advisory Committee;
4. The Chancellor of Higher Education or a designee shall serve as a member of the Advisory Committee;
5. Members of the Advisory Committee shall be reimbursed for attendance at the Advisory Committee meeting by the appointing agency pursuant to the State Travel Reimbursement Act;
6. Members of the Advisory Committee shall designate from among the members a chairperson and vice-chairperson;
7. Staff assistance shall be provided by the Minority Teacher Recruitment Center; and
8. The Minority Teacher Recruitment Advisory Committee shall:
 - a. ~~approve~~ make recommendations on the annual operating budget of the Minority Teacher Recruitment Center and verify that the funds allocated to the Center through the ~~State Department of Education~~ Oklahoma State Regents for Higher Education are utilized exclusively by the Center by function,
 - b. advise the ~~State Board of Education~~ Oklahoma State Regents for Higher Education of unmet needs within the state in the implementation of the Center's activities,
 - c. annually comment publicly on the progress of the Center,
 - d. assist the ~~State Board of Education~~ Oklahoma State Regents for Higher Education in developing and reporting information about the Center when necessary,
 - e. meet as often as necessary to conduct business, and
 - f. keep official minutes of the Committee meetings which shall be made available to the public.

SECTION 28. A. Of the funds appropriated to the State Board of Education in Section 8 of Enrolled House Bill No. 1716 of the 1st Session of the 45th Oklahoma Legislature, the amount of Three Hundred Fifty Thousand Dollars (\$350,000.00) shall be transferred by the Office of State Finance to the Oklahoma State Regents for Higher Education.

B. Effective July 1, 1995, the positions in the Minority Teacher Recruitment Center within the State Department of Education shall be transferred to the Oklahoma State Regents for Higher Education. Any incumbent unclassified employees in the Center shall be transferred from the State Department of Education to the Oklahoma State Regents for Higher Education. Any employees in the Center who are subject to the Merit System of Personnel Administration at the time of the transfer also shall be transferred from the State Department of Education to the Oklahoma State Regents for Higher Education provided that the employee shall agree to accept an appointment in the unclassified service pursuant to paragraph 5 of subsection A of Section 840-5.5 of Title 74 of the Oklahoma Statutes.

SECTION 29. AMENDATORY Section 3, Chapter 353, O.S.L. 1992, as amended by Section 2, Chapter 153, O.S.L. 1994 (70 O.S. Supp. 1994, Section 2603), is amended to read as follows:

Section 2603. A. To be eligible to participate in the Oklahoma Higher Learning Access Program and to qualify for payment of general enrollment fees or tuition pursuant to Section 2604 of this title for the first semester or other academic unit of postsecondary enrollment, a student shall:

1. Be a resident of this state;
2. Have a record of satisfactory compliance with agreements executed pursuant to Section 2605 of this title;
3. Have graduated within the previous three (3) years from a high school accredited by the State Board of Education with a minimum 2.5 cumulative grade point average on a 4.0 scale, irrespective of honor points, for all work attempted in grades nine through twelve;
4. Have satisfied ~~a fifteen-unit~~ the high school core curriculum as curricular requirements adopted by the Oklahoma State Regents for Higher Education and required for students participating in the Oklahoma Higher Learning Access Program. Student shall also have attained a 2.5 grade point average in the core curriculum courses ~~if the student was in the ninth grade during the 1992-93 or 1993-94 school year; or have satisfied a seventeen-unit high school core curriculum to be prescribed by the Oklahoma State Regents for Higher Education and have attained a 2.5 grade point average in the core curriculum courses if the student was in the ninth grade during the 1994-95 or later school years;~~ provided that students who attended a high school which did not offer all the core curriculum courses shall be allowed to satisfy this requirement by participating in a program approved by the State Regents for remediation of high school curricular deficiencies;
5. Have satisfied admission standards as determined by the Oklahoma State Regents for Higher Education for first-time-entering students for the appropriate type of institution, or, if attending a private institution, have satisfied admission standards as determined by the private institution; provided, no student participating in the Oklahoma Higher Learning Access Program shall be admitted into an institution of higher education by special admission standards;
6. Have secured admission to, and enrolled in, an institution which is a member of The Oklahoma State System of Higher Education,

a postsecondary vocational-technical program offered pursuant to a duly approved cooperative agreement between an area vocational-technical school and an institution of The Oklahoma State System of Higher Education, or a private institution of higher learning located within this state and accredited pursuant to Section 4103 of Title 70 of the Oklahoma Statutes; and

7. Have established financial need during the ninth-grade year or tenth-grade year if enrolled during the tenth grade according to the standards and provisions promulgated by the ~~State Board of Education~~ Oklahoma State Regents for Higher Education; a student who satisfies the financial need criteria during the ninth- or tenth-grade when he or she begins participating in the Oklahoma Higher Learning Access Program shall not later be denied participation in the Oklahoma Higher Learning Access Program on grounds that the student does not meet the financial need criteria.

B. To retain eligibility while pursuing the program of higher learning in which enrolled, the student shall:

1. Maintain good academic standing and satisfactory academic progress according to standards of the Oklahoma State Regents for Higher Education; and

2. Comply with the standards related to maintenance of eligibility as promulgated by the Oklahoma State Regents for Higher Education.

C. The Oklahoma State Regents for Higher Education and the State Board of Vocational and Technical Education shall promulgate regulations relating to maintenance of eligibility under this act by a student.

D. It is the intent of the Legislature that students in the ninth grade for the 1992-93 school year who are determined to be eligible Oklahoma Higher Learning Access students pursuant to this act shall be the first students eligible for benefits from the Oklahoma Higher Learning Access Trust Fund.

SECTION 30. AMENDATORY Section 5, Chapter 353, O.S.L. 1992, as amended by Section 4, Chapter 153, O.S.L. 1994 (70 O.S. Supp. 1994, Section 2605), is amended to read as follows:

Section 2605. A. Each school year, every fifth- through ninth-grade student in the public schools of this state shall be apprised, together with the student's parent, custodial parent, or guardian, of the student's opportunity for access to higher learning under the Oklahoma Higher Learning Access Program. The Oklahoma State Regents for Higher Education and the State Board of Education shall develop, promote, and coordinate a public awareness program to be utilized in making students and parents aware of the Oklahoma Higher Learning Access Program.

B. The State Board of Education shall ensure that every public school district designates at least one Oklahoma Higher Learning Access Program contact person, who shall be a counselor or teacher, at each public school site in this state in which ninth- or tenth-grade classes are taught.

C. Ninth-grade students who qualify on the basis of financial need according to the standards and provisions promulgated by the ~~State Board of Education~~ Oklahoma State Regents for Higher Education shall be given the opportunity throughout the ninth-grade year to enter into participation in the program by agreeing to, throughout the remainder of their school years:

1. Attend school regularly and do homework regularly;
2. Refrain from substance abuse;
3. Refrain from commission of crimes or delinquent acts;
4. Have school work and school records reviewed by mentors designated pursuant to the program;

5. Provide information requested by the Oklahoma State Regents for Higher Education or the State Board of Education; and

6. Participate in program activities.

The contact person at the school shall maintain the agreements, which shall be executed on forms provided by the ~~State Board of Education~~ Oklahoma State Regents for Higher Education and managed according to regulations promulgated by the ~~State Board of Education~~ Oklahoma State Regents for Higher Education, and the contact person shall monitor the student's compliance with the terms of the agreement. Students failing to comply with the terms of the agreement shall not be eligible for the awards provided in Section 2604 of this title.

D. A student shall not be found to be in financial need for purposes of this act if the student's family income from taxable and nontaxable sources exceeds Twenty-four Thousand Dollars (\$24,000.00) per year. The student's financial qualification shall be certified by the contact person at the school on ~~a~~ the agreement form provided by the ~~State Board of Education~~ Oklahoma State Regents for Higher Education; the ~~certification~~ form shall be retained in the student's permanent record and a copy forwarded to the Oklahoma State Regents for Higher Education ~~upon the student's enrollment in a postsecondary program.~~

E. Agreements shall be witnessed by the student's parent, custodial parent, or guardian, who shall further agree to:

1. Assist the student in achieving compliance with the agreements;

2. Confer, when requested to do so, with the school contact person, other school personnel, and program mentors;

3. Provide information requested by the Oklahoma State Regents for Higher Education or the State Board of Education; and

4. Assist the student in completing forms and reports required for program participation, making applications to institutions and schools of higher learning, and filing applications for student grants and scholarships.

F. Tenth-grade students who failed to enter into participation in the program during their ninth-grade year shall be allowed to enter into participation in the program by entering into agreements as set forth in subsections C and D of this section. Students who are in the tenth grade during the 1993-94 school year and who begin participating in the program during the 1993-94 school year shall be eligible for benefits from the Oklahoma Higher Learning Access Trust Fund as though they had begun participating during their ninth-grade year. Beginning with the 1994-95 school year, students who begin participating in the program during their tenth-grade year shall be eligible for benefits from the Oklahoma Higher Learning Access Trust Fund as provided in Section 2601 et seq. of this title only under the following conditions:

1. An Oklahoma Higher Learning Access Program student who began participation during the ninth-grade year becomes ineligible for benefits from the trust fund; and

2. The trust fund balance, excluding any amounts set aside for full commitments to Higher Learning Access Program students pursuant to Section 2604 of this title, exceeds the amount necessary to satisfy awards due on behalf of Higher Learning Access Program students who began participation during the ninth-grade year or who have priority as provided in Section 2604 of this title.

G. Beginning with the 1994-95 school year, eligibility of students who begin participating in the program during their tenth-grade year shall be determined by the date of their enrollment, with priority given to students whose enrollment dates are earliest.

Students who begin participating in the program during their tenth-grade year and who receive trust fund benefits pursuant to subsection E of this section shall be given priority for continued financial support as provided in Section 2604 of this title.

H. ~~The State Board of Education~~ Oklahoma State Regents for Higher Education shall promulgate regulations for the determination of student compliance with agreements made pursuant to this section.

I. ~~The State Board of Education~~ Oklahoma State Regents for Higher Education shall designate personnel ~~of the State Department of Education~~ to coordinate tracking of program records for the years when students participating in the program are still in the public schools, provide staff development for contact persons in the public schools, and provide liaison with the ~~Oklahoma State Regents for Higher Education~~ State Board of Education and local organizations and individuals participating in the program.

J. The local school district where an Oklahoma Higher Learning Access Program student is attending when the student begins participation in the program and any subsequent school district where the student attends shall forward information regarding the student's participation in the program to a school to which the student transfers upon the school's request for the student's records.

SECTION 31. AMENDATORY Section 16, Chapter 308, O.S.L. 1992, is amended to read as follows:

Section 16. Section 15 of this act shall become effective ~~September~~ July 1, 1995.

SECTION 32. The provisions of Section 28 of this act shall not be codified in the Oklahoma Statutes.

SECTION 33. REPEALER 70 O.S. 1991, Section 6-159, Section 3, Chapter 308, O.S.L. 1992, as amended by Section 3, Chapter 224, O.S.L. 1994, Section 4, Chapter 308, O.S.L. 1992, as amended by Section 4, Chapter 224, O.S.L. 1994, Section 6, Chapter 308, O.S.L. 1992 and Section 7, Chapter 308, O.S.L. 1992, as amended by Section 5, Chapter 224, O.S.L. 1994 (70 O.S. Supp. 1994, Sections 6-173, 6-174, 6-176 and 6-177), are hereby repealed.

SECTION 34. RECODIFICATION Section 1, Chapter 308, O.S.L. 1992 (70 O.S. Supp. 1994, Section 6-171), as last amended by Section 2 of this act, shall be recodified as Section 6-181 of Title 70 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 2, Chapter 308, O.S.L. 1992 (70 O.S. Supp. 1994, Section 6-172), as last amended by Section 4 of this act, shall be recodified as Section 6-183 of Title 70 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 5, Chapter 308, O.S.L. 1992 (70 O.S. Supp. 1994, Section 6-175), as amended by Section 9 of this act, shall be recodified as Section 6-188 of Title 70 of the Oklahoma Statutes, unless there is created a duplication in numbering. 70 O.S. 1991, Section 6-160, as amended by Section 12 of this act, shall be recodified as Section 6-191 of Title 70 of the Oklahoma Statutes, unless there is created a duplication in numbering. Section 8, Chapter 308, O.S.L. 1992 (70 O.S. Supp. 1994, Section 6-178), as last amended by Section 20 of this act, shall be recodified as Section 6-199 of Title 70 of the Oklahoma Statutes, unless there is created a duplication in numbering.

SECTION 35. This act shall become effective July 1, 1995.

SECTION 36. 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 26th day of May, 1995.

Speaker of the House of
Representatives

Passed the Senate the 26th day of May, 1995.

President of the Senate