

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

HOUSE BILL NO. 1559

By: Hager of the House

and

Williams of the Senate

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 1991, Section 6-130, as last amended by Section 27, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Section 6-130), which relates to Minority Teacher Recruitment Center; adding member to the Minority Teacher Recruitment Advisory Committee; amending Sections 3, 6, 8 and 11, Chapter 322, O.S.L. 1995, Section 6-191, as amended by Section 12, Chapter 322, O.S.L. 1995, and as renumbered by Section 34, Chapter 322, O.S.L. 1995, Section 8, Chapter 308, O.S.L. 1992, as last amended by Section 20, Chapter 322, O.S.L. 1995, and as renumbered by Section 34, Chapter 322, O.S.L. 1995, and Section 21, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Sections 6-182, 6-185, 6-187, 6-190, 6-191, 6-199 and 6-200), which relate to the Oklahoma Teacher Preparation Act; adding definition; adding competency for administrators; requiring competency examination to include testing for administrators; modifying acceptance of monies from examination fees; modifying fees in the Teacher Competency Examination Revolving Fund; authorizing the Commission to accept certain federal monies; requiring professional development institutes be accepted by the State Board of Education; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 6-130, as last amended by Section 27, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, 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 Oklahoma State Regents for

Higher Education are hereby directed to work with the 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 ~~15~~ 6-194 of this ~~act~~ title;

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)~~ twenty-five (25) 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. The Executive Director of the Oklahoma Commission for Teacher Preparation or a designee shall serve as a member of the Advisory Committee;

6. 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.~~ 7. Members of the Advisory Committee shall designate from among the members a chairperson and vice-chairperson;

~~7.~~ 8. Staff assistance shall be provided by the Minority Teacher Recruitment Center; and

~~8.~~ 9. The Minority Teacher Recruitment Advisory Committee shall:

- a. make recommendations on the annual operating budget of the Minority Teacher Recruitment Center and verify that the funds allocated to the Center through the Oklahoma State Regents for Higher Education are utilized exclusively by the Center by function,
- b. advise the 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 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 2. AMENDATORY Section 3, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Section 6-182), is amended to read as follows:

Section 6-182. 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 6-186 of this ~~act~~ title 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. "Teacher" means a person defined as a teacher in Section 1-116 of this title;

10. "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.~~ 11. "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.~~ 12. "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.~~ 13. "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.~~ 14. "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 3. AMENDATORY Section 6, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Section 6-185), is amended to read as follows:

Section 6-185. 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, and
- j. for administrators, skills necessary to be an effective leader of a school or school district;

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 4. AMENDATORY Section 8, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Section 6-187), is amended to read as follows:

Section 6-187. 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~~ the person is seeking licensure or certification to teach which shall also include licensure or certification as an administrator, as prescribed by the State Board of Education.

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

B. 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 5. AMENDATORY Section 11, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Section 6-190), is amended to read as follows:

Section 6-190. 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 and as prescribed by the Commission. ~~Such examination fee shall be paid to~~ All monies received by the Board or Commission ~~as required and from examination fees shall~~ be deposited to the appropriate Revolving Fund ~~provided for created~~ in Section ~~6-160~~ 6-191 of ~~Title 70 of the Oklahoma Statutes~~ this title; 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 6. AMENDATORY 70 O.S. 1991, Section 6-191, as amended by Section 12, Chapter 322, O.S.L. 1995, and as renumbered by Section 34, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Section 6-191), is amended to read as follows:

Section 6-191. Until July 1, 1998, there is 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 this act. 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

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Preparation, to be designated the "Teachers' Competency Examination Revolving Fund". The fund shall consist of ~~curriculum examination fees paid to~~ all monies received by the Commission from competency examination fees paid 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 7. AMENDATORY Section 8, Chapter 308, O.S.L. 1992, as last amended by Section 20, Chapter 322, O.S.L. 1995, and as renumbered by Section 34, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Section 6-199), is amended to read as follows:

Section 6-199. A. There is hereby created the Oklahoma Commission for Teacher Preparation. The Commission shall be composed of 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. one public school teacher who is an employee of an Oklahoma public school district, who shall serve an initial term of two (2) years,
 - b. one lay person who has at least one child who is a student in an elementary or secondary public school in this state,
 - c. one member of the Oklahoma State Regents for Higher Education who shall serve an initial term of two (2) years, and

- d. one member who is a principal of an Oklahoma public school who shall serve an initial term of one (1) year;
2. The President Pro Tempore of the Senate shall appoint:
- a. one public school teacher who is an employee of an Oklahoma public school district to serve an initial term of one (1) year,
 - b. one member of the State Board of Education who shall serve an initial term of one (1) year,
 - c. one lay person who has had some educational employment experience, and
 - d. one member who is a public school superintendent of an Oklahoma public school district to serve an initial term of two (2) years;
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;

4. The ex officio, nonvoting members shall include the State Superintendent of Public Instruction, the Chancellor of Higher Education, the Director of the State Department of Vocational and Technical Education and the Secretary of Education or their designees.

B. 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. Members serving on the Oklahoma Commission for Teacher Preparation on ~~the effective date of this act~~ July 1, 1995, shall cease to be members on ~~the effective date of this act~~ that date. 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. The Commission may accept federal grants and other federal funds to carry out the purposes of 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.

SECTION 8. AMENDATORY Section 21, Chapter 322, O.S.L. 1995 (70 O.S. Supp. 1996, Section 6-200), is amended to read as follows:

Section 6-200. 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~~ accepted by 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 9. 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.

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