

STATE OF OKLAHOMA

1st Session of the 48th Legislature (2001)

HOUSE BILL HB1253

By: Adair

AS INTRODUCED

An Act relating to schools; amending Section 33, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 2000, Section 5-144), which relates to the arrest of a student or school employee; changing notification requirements; changing responsibility for notification; amending Section 11, Chapter 322, O.S.L. 1995, as amended by Section 5, Chapter 344, O.S.L. 1997 (70 O.S. Supp. 2000, Section 6-190), which relates to qualifications for teacher employment, licensure and certification; requiring a criminal history record for licensure; establishing responsibility for payment of record; requiring the Oklahoma State Bureau of Investigation to notify schools of convictions of school employees; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 33, Chapter 320, O.S.L. 1999 (70 O.S. Supp. 2000, Section 5-144), is amended to read as follows:

Section 5-144. Upon ~~the arrest of a person on a felony warrant filing an information or indictment~~, if the ~~law enforcement officer making the arrest~~ district attorney is aware that the person arrested is a student or employee of a school district, the ~~arresting officer~~ district attorney shall notify the superintendent of the district of the ~~arrest of~~ charges filed against the student or employee.

SECTION 2. AMENDATORY Section 11, Chapter 322, O.S.L. 1995, as amended by Section 5, Chapter 344, O.S.L. 1997 (70 O.S. Supp. 2000, 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~~ this title, 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. All monies received by the Board or Commission from examination fees shall be deposited to the appropriate Revolving Fund created in Section 6-191 of this title; ~~and~~

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

6. Has on file with the Board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation. The person applying for a license shall be responsible for the cost of the record.

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 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 150.35 of Title 74, unless there is created a duplication in numbering, reads as follows:

Upon receiving information of a felony conviction by an Oklahoma court of a person who is an employee of a school district, the Oklahoma State Bureau of Investigation shall notify the superintendent of the school district of the conviction of the employee.

SECTION 4. This act shall become effective July 1, 2001.

SECTION 5. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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