

STATE OF OKLAHOMA

2nd Session of the 49th Legislature (2004)

CONFERENCE COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL 1534

By: Wilcoxson of the Senate

and

Peterson (Pam) of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2001, Section 6-182, which relates to the Oklahoma Teacher Preparation Act; modifying selection process for mentor teachers; amending 70 O.S. 2001, Section 6-200, which relates to professional development institutes; requiring selection of professional development institute instructors to be based on criteria adopted by the Oklahoma Commission for Teacher Preparation; specifying certain criteria to be excluded; amending 70 O.S. 2001, Section 6-204.2, as last amended by Section 23, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2003, Section 6-204.2), which relates to the Education Leadership Oklahoma program; requiring Oklahoma Commission for Teacher Preparation to emphasize certain recruiting efforts for certain program; specifying preference for certain scholarship recipients; requiring State Department of Education to provide certain bonus to certain teachers on certain conditions; requiring State Department of Education to provide certain notification; modifying criteria for eligibility of certain teachers for certain bonus; requiring State Board of Education to contract for certain independent evaluation; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2001, 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 6-186 of this 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;

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;

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 applications submitted by qualified teachers. No teacher may serve as a mentor teacher for more than one resident teacher at a time;

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

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 2. AMENDATORY 70 O.S. 2001, Section 6-200, is amended to read as follows:

Section 6-200. A. 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. Included in the professional development institutes training shall be technology training. Professional development institutes shall be 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~~ adopt rules related to administering state professional development institutes. Selection of professional development institute instructors shall be based on a set of criteria adopted by the Commission. This criteria shall not include any professional organization affiliation but shall focus on the qualifications of the instructor.

B. With the funds appropriated in House Bill No. 1872 of the 1st Session of the 46th Oklahoma Legislature specifically for the purpose of funding professional development institutes in intensive elementary reading, the Oklahoma Commission for Teacher Preparation

shall develop, offer and administer professional development institutes to train elementary school teachers in reading education. The funds shall be used for the cost of developing, administering and contracting for the professional development institutes. When possible, certified reading specialists shall be included as consultants. All costs of the institutes shall be included in the contract price and no tuition or registration fee shall be collected from teachers attending the institutes. The institutes shall be offered by or through the Commission. Working in conjunction with the State Department of Education, the Commission shall develop a state plan for administration of such institutes and shall report to the Governor and the Legislature on the format of and participation in the institutes. The State Department of Education shall cooperate with and provide any information requested to the Oklahoma Commission for Teacher Preparation as is necessary to carry out the provisions of this subsection. As additional funds become available for such purpose, the Commission shall develop and offer professional development institutes in mathematics for teachers in grades five through nine, the use of technology in the classroom, training of residency committee members in teacher mentoring and in hands-on inquiry-based science for elementary teachers.

C. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall:

1. Make available in Fiscal Year 1999, a three-day follow-up professional development institute for teachers who participated in an elementary school reading professional development institute during Fiscal Year 1998;

2. Provide five-day initial professional development institutes in elementary school reading for elementary school teachers and instructional leaders;

3. Contract for an independent evaluation of the elementary school reading professional development institute; and

4. Provide continued support of the elementary school reading professional development institutes through ongoing teacher development at individual school sites. Funds may be used for the cost of mentor training, payment for substitute teachers, on-site facilitation, and any other costs necessary to ensure improved reading by students.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 6-204.2, as last amended by Section 23, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2003, Section 6-204.2), is amended to read as follows:

Section 6-204.2 A. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation and the State Board of Education are authorized to establish the Education Leadership Oklahoma program.

B. The purposes of the Education Leadership Oklahoma program are:

1. Provide teachers throughout the state information about National Board certification and the Education Leadership Oklahoma program scholarships and services;

2. Provide technical assistance and National Board certified mentors to all teachers seeking National Board certification upon request;

3. Provide scholarships, pursuant to the Education Leadership Oklahoma Act and Oklahoma Commission for Teacher Preparation rules, for teachers seeking National Board certification;

4. Provide a bonus to teachers who achieve National Board certification pursuant to the Education Leadership Oklahoma Act and State Board of Education rules;

5. Reward teachers who achieve National Board certification without the financial support of the Education Leadership Oklahoma program by awarding them the application fee and the amount of the scholarship given to Education Leadership Oklahoma participants pursuant to this section and commission rules; and

6. Provide recognition to National Board certified teachers.

C. To fulfill the objectives of the Education Leadership

Oklahoma Act, the Oklahoma Commission for Teacher Preparation shall:

1. Inform teachers of the Education Leadership Oklahoma program and the scholarships and services it provides to teachers seeking National Board certification, emphasizing recruiting efforts toward teachers at schools on the school improvement list as determined by the State Department of Education pursuant to the No Child Left Behind Act, at schools where more than fifty percent (50%) of students qualify for the free and reduced price lunch program, and in districts with the lowest percentage of teachers who have achieved National Board certification;

2. Collect and review applications to the scholarship program from interested teachers;

3. Establish an applicant review committee for the purpose of identifying scholarship recipients pursuant to the Education Leadership Oklahoma Act for the Education Leadership Oklahoma program; and

4. Ensure that all scholarship recipients, alternates, and teachers seeking National Board certification independently receive adequate information regarding the level of commitment required to acquire National Board certification.

D. The applicant review committee shall:

1. Consist of:

a. five classroom teachers appointed by the State Board of Education, at least one of whom shall be a National Board certified teacher, if available,

b. five classroom teachers appointed by the Oklahoma Commission for Teacher Preparation, at least one of whom shall be a National Board certified teacher, if available,

- c. three classroom teachers appointed by the Oklahoma State Regents for Higher Education, at least one of whom shall be a National Board certified teacher, if available, and
- d. a chair to be designated by the Executive Director of the Oklahoma Commission for Teacher Preparation from among the appointed members; and

2. Select up to ~~two hundred teachers for the 1999-00 class, up to~~ four hundred teachers ~~beginning with the 2000-01 class and every year thereafter.~~ The Committee shall give preference to teachers at schools on the school improvement list as determined by the State Department of Education pursuant to the No Child Left Behind Act, at schools where more than fifty percent (50%) of students qualify for the free and reduced price lunch program, and in districts with the lowest percentage of teachers who have achieved National Board certification, and the appropriate number of alternates, who:

- a. have demonstrated a commitment to excellence in teaching,
- b. meet all eligibility requirements for potential certification as established by the National Board for Professional Teaching Standards,
- c. are employed in an Oklahoma public school, and
- d. meet other requirements of the Commission.

E. Subject to the availability of funds appropriated by the Legislature for the purposes of this subsection, the application fee for National Board certification shall be paid for scholarship recipients by the Commission, and scholarship recipients shall be provided a scholarship in the amount of Five Hundred Dollars (\$500.00) to cover other expenses associated with obtaining National Board certification.

F. It is the intent of the Legislature that the Oklahoma Commission for Teacher Preparation contract with Southeastern

Oklahoma State University to establish Education Leadership Oklahoma program training in higher education teacher preparation programs in the state to assist teachers in meeting the requirements to obtain National Board certification.

G. All teachers seeking National Board certification shall be eligible to participate in Education Leadership Oklahoma program training to assist them in meeting the requirements of the National Board certification process, free of charge.

H. The Oklahoma Commission for Teacher Preparation shall ~~promulgate~~ adopt rules for the selection of scholarship recipients, the selection and utilization of alternates, the payment and reimbursement of application fees, and the issuance of scholarships.

I. Subject to district board of education policy or collective bargaining agreement, additional professional leave days may be granted to teachers seeking National Board certification for National Board certification portfolio development. During the two (2) days of the additional professional days granted to teachers for National Board certification portfolio development, a substitute teacher shall be provided by the school district at no cost to the teacher.

J. The State Board of Education shall provide ~~all teachers~~ each teacher who ~~attain~~ initially attains National Board certification a bonus in the amount of Five Thousand Dollars (\$5,000.00) ~~annually~~ no later than January 31 ~~for as long as they maintain their National Board certification and are~~ following receipt of the certification if the teacher is teaching in the classroom full-time in ~~an Oklahoma~~ a public school in this state. Each year thereafter, the State Board of Education shall provide a bonus in the amount of Five Thousand Dollars (\$5,000.00) no later than January 31 if the teacher fulfills the requirements set forth in subsection L of this section. The Department shall notify each teacher who has attained National Board certification of the requirements of subsection L of this

section on or before September 1 of each year. No school or school district shall be liable for payment of bonuses pursuant to this section.

K. The bonus shall not be included in the calculation of the teacher's salary for purposes of meeting the district or statutory minimum salary schedule or for purposes of ~~compensating~~ calculating Oklahoma Teachers' Retirement System contributions or benefits.

L. The State Board of Education shall ~~promulgate~~ adopt rules for the provision of the bonus pursuant to this section to include, but not be limited to, a process by which a National Board certified teacher will verify that:

1. The National Board certification has not lapsed; ~~and~~
2. The teacher is still a full-time teacher; and
3. The teacher is serving as a mentor for the purposes of

improving classroom instruction and student achievement to:

- a. a teacher on an improvement plan, pursuant to Section 6-101.24 of this title,
- b. a teacher who requested mentoring, upon approval of the principal,
- c. a teacher or teachers, upon assignment by the principal, or
- d. a resident teacher, pursuant to Section 6-195 of this title.

M. It is the intent of the Legislature that the Oklahoma State Regents for Higher Education incorporate the National Board certification portfolio development into all programs in education leading to a master's level degree.

N. Upon implementation of this subsection as provided for in subsections O and P of this section, the State Board of Education shall provide all teachers who attain National Board certification a bonus in the amount of Seven Thousand Dollars (\$7,000.00) annually no later than January 31 ~~for as long as they maintain their National~~

~~Board certification and are full-time teachers in an Oklahoma public school~~ if the teacher fulfills the requirements set forth in subsection L of this section. No school or school district shall be liable for payment of bonuses pursuant to this section. Upon implementation, the bonus provided for in this subsection shall replace the bonus provided for in subsection J of this section.

O. Implementation of subsection N of this section shall be contingent upon the appropriation by the Legislature of state funds for the specific purpose of implementing subsection N of this section. Nothing in this section shall prevent the State Board of Education or a school district board of education from utilizing private, local, or federal funds to implement subsection N of this section.

P. Implementation of subsection N of this section shall be delayed until the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for the 1998-99 school year or any school year thereafter for Oklahoma, as reported by the National Center for Education Statistics annually in the Digest of Education Statistics, reaches at least ninety percent (90%) of the regional average expenditure for that same year, and funds are provided. For purposes of this subsection, the regional average expenditure shall consist of the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for each of the following states: Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and Texas, averaged together. By January 1 of each year, the State Board of Education shall report whether or not the ninety-percent expenditure level has been reached based on information reported annually in the Digest of Education Statistics by the National Center for Education Statistics. Subsection N of this section shall be implemented on July 1 after the first January 1 report verifies that the ninety-percent expenditure level has been

reached and funds have been provided for the specific purposes of the section.

Q. The State Board of Education shall contract for an independent evaluation of the impact of National Board certification on measured student achievement. The evaluation shall also include a review of the report prepared pursuant to Section 6-205 of this title to determine whether the purposes and requirements of each certification is for standards of professional preparation or standards for highly accomplished practice within the profession, and recommendations on whether the Education Leadership Oklahoma program should be expanded to include national specialty boards in addition to the National Board for Professional Teaching Standards.

SECTION 4. This act shall become effective July 1, 2004.

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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