

STATE OF OKLAHOMA

1st Session of the 50th Legislature (2005)

HOUSE BILL 1479

By: Staggs

AS INTRODUCED

An Act relating to schools; transferring the powers and duties of the Oklahoma Commission for Teacher Preparation to the State Board of Education; providing for the transfer of assets and liabilities; providing for the transfer of employees; transferring monies; amending 70 O.S. 2001, Sections 6-129.1, as amended by Section 1, Chapter 24, O.S.L. 2004 and 6-130 (70 O.S. Supp. 2004, Section 6-129.1), which relate to minority teacher recruitment; deleting the Oklahoma Commission for Teacher Preparation; amending 70 O.S. 2001, Sections 6-182, 6-183, 6-184, 6-185, as amended by Section 1, Chapter 295, O.S.L. 2003, 6-186, 6-187, as amended by Section 2, Chapter 236, O.S.L. 2002, 6-189.1, as amended by Section 1, Chapter 291, O.S.L. 2002, 6-190, as last amended by Section 1, Chapter 438, O.S.L. 2004, 6-191, 6-194, as amended by Section 2, Chapter 295, O.S.L. 2003, 6-195, as amended by Section 11, Chapter 434, O.S.L. 2003, 6-197, 6-200, 6-202, 6-204.1, as amended by Section 22, Chapter 434, O.S.L. 2003, 6-204.2, as last amended by Section 23, Chapter 434, O.S.L. 2003, 6-204.3 and 6-204.5 (70 O.S. Supp. 2004, Sections 6-185, 6-187, 6-189.1, 6-190, 6-194, 6-195, 6-204.1 and 6-204.2), which relate to the Oklahoma Teacher Preparation Act; transferring the powers, duties, and responsibilities of the Oklahoma Commission for Teacher Preparation to the State Board of Education; deleting references to the Oklahoma Commission for Teacher Preparation; deleting obsolete language; amending 70 O.S. 2001, Sections 1210.508C, as amended by Section 2, Chapter 197, O.S.L. 2004 and 1210.508D (70 O.S. Supp. 2004, Section 1210.508C), which relate to the Reading Sufficiency Act; deleting references to the Oklahoma Commission for Teacher Preparation; amending 70 O.S. 2001, Section 1210.567, as amended by Section 6, Chapter 453, O.S.L. 2002 (70 O.S. Supp. 2002, Section 1210.567), which relates to alternative school or education programs; deleting references to the Oklahoma Commission for Teacher Preparation; repealing 70 O.S. 2001, Sections 6-188, 6-198, 6-199 and 6-201, which relate to the Oklahoma Teacher Preparation Act; repealing Section 2, Chapter 291, O.S.L. 2002 (70 O.S. Supp. 2002, Section 6-205), which relates to a joint study of school psychologists and speech pathologists; providing for codification; 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 6-199.1 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Effective July 1, 2005, all powers, duties, functions, and responsibilities of the Oklahoma Commission for Teacher Preparation shall be transferred to the State Board of Education. The transfer shall include all real property, buildings, furniture, equipment, supplies, records, personnel, assets, current and future liabilities, fund balances, encumbrances, obligations, and indebtedness associated with the Oklahoma Commission for Teacher Preparation.

B. All employees of the Oklahoma Commission for Teacher Preparation on the effective date of this act shall be transferred to the State Board of Education with retention of pay and benefits, as much as possible, including longevity, dependent insurance benefits, seniority, rights, and other privileges or benefits.

C. All monies remaining in any funds or accounts in the name of the Oklahoma Commission for Teacher Preparation or maintained for the benefit of the Commission are transferred to the State Board of Education.

SECTION 2. AMENDATORY 70 O.S. 2001, Section 6-129.1, as amended by Section 1, Chapter 24, O.S.L. 2004 (70 O.S. Supp. 2004, Section 6-129.1), is amended to read as follows:

Section 6-129.1 A. There is hereby re-created until July 1, 2010, 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 ~~nineteen (19)~~ eighteen (18) members. The presence of ten Advisory Committee members or their designees shall constitute a quorum. Appointments shall be made by July 1 with members serving 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. One appointee shall be from a comprehensive university. One appointee shall be from a two-year college,
 - c. one member who is a public school teacher who is a minority,
 - d. one member who is a superintendent or designee of a public school district, and
 - e. two members representing a community with a high minority population. One appointee shall be African-American. One appointee shall be Hispanic;
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 with a teacher preparation program. One appointee shall be from a regional university,
 - c. one member who is a public school teacher who is a minority,
 - d. one member who is a principal of a public high school, and
 - e. two members representing a community with a high minority population. One appointee shall be American Indian. One appointee shall be Asian-American;
3. The State Superintendent of Public Instruction or a designee shall serve as a member of the Advisory Committee; and

4. The Chancellor of Higher Education or a designee shall serve as a member of the Advisory Committee; ~~and~~

~~5. The Executive Director of the Oklahoma Commission for Teacher Preparation or a designee shall serve as a member of the Advisory Committee.~~

B. Members of the Advisory Committee shall be reimbursed for attendance at the Advisory Committee meetings by the appointing agency pursuant to the State Travel Reimbursement Act or Section 456 of Title 74 of the Oklahoma Statutes. Members of the Advisory Committee shall designate from among the members a chairperson and vice-chairperson. Staff assistance shall be provided by the Minority Teacher Recruitment Center.

C. Persons who are members on the effective date of this act shall retain their membership until their terms are completed.

D. The Minority Teacher Recruitment Advisory Committee shall:

1. 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;

2. Advise the Oklahoma State Regents for Higher Education of unmet needs within the state in the implementation of the Center's activities;

3. Annually comment publicly on the progress of the Center;

4. Assist the Oklahoma State Regents for Higher Education in developing and reporting information about the Center when necessary;

5. Meet as often as necessary to conduct business; and

6. Keep official minutes of the Committee meetings which shall be made available to the public upon request.

E. As used in this section and Section 6-130 of this title, "minority" means a person who is a lawful resident of the State of Oklahoma and who is:

1. African-American, a person having origins in any of the black racial groups of Africa;

2. Hispanic, a person of Mexican, Puerto Rican, Cuban, Central or South American descent;

3. Asian-American, a person having origins in any of the original peoples of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands; or

4. American Indian and Alaskan Native, a person having origins in any of the original peoples of North America.

SECTION 3. AMENDATORY 70 O.S. 2001, Section 6-130, is amended to read as follows:

Section 6-130. Recognizing the future significance and challenge of educating a growing and highly diverse student population in Oklahoma common schools and acknowledging the underrepresentation of minority teachers among the state's professional education staff, the Oklahoma State Regents for Higher Education shall have authority to establish the Minority Teacher Recruitment Center and staff and administer its work. Upon recommendations and advice from the Minority Teacher Recruitment Advisory Committee re-created pursuant to Section ~~4~~ 6-129.1 of this ~~act~~ title, the Oklahoma State Regents for Higher Education are hereby directed to work with the State Board of Education, ~~the Oklahoma Commission for Teacher Preparation~~ and other agencies, boards and education organizations 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 state institutions of higher education, including the funding of grants for campus-based recruitment, retention and placement programs that assist minority students who intend to become teachers;

2. The establishment and development of recruiting programs for potential minority teachers, including pre-collegiate curricular courses that emphasize school success and the opportunity to investigate teaching as a career choice, future teacher clubs and collegiate programs designed to recruit students making transitions from other careers and other areas of study;

3. The hosting of conferences dealing with issues that ~~effect~~ affect minority teacher recruitment, retention, and placement;

4. The creation of activities in the public and private schools of Oklahoma which enhance the image of the teaching profession; and

5. The creation and development of placement services providing assistance to both minority educators and school districts seeking to hire qualified minority teachers.

SECTION 4. 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. 3. "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.~~ 4. "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.~~ 5. "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.~~ 6. "Department" means the State Department of Education;

~~8.~~ 7. "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.~~ 8. "Teacher" means a person defined as a teacher in Section 1-116 of this title;

~~10.~~ 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;

~~11.~~ 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;

~~12.~~ 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;

~~13.~~ 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

~~14.~~ 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~~ State Board of Education.

SECTION 5. AMENDATORY 70 O.S. 2001, Section 6-183, is amended to read as follows:

Section 6-183. ~~A.~~ A new teacher preparation system 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, and the Oklahoma State Regents for Higher Education ~~and the Oklahoma Commission for Teacher Preparation~~ pursuant to the provisions of the Oklahoma Teacher Preparation Act.

The new teacher preparation system shall be competency-based to include an assessment system designed to measure the competencies desired for teachers.

~~B. 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 admitted to a teacher education program on or after September 1, 1997. Students admitted to a teacher education program prior to September 1, 1997, shall be allowed to continue in the present system until September 1, 1999.~~

SECTION 6. AMENDATORY 70 O.S. 2001, Section 6-184, is amended to read as follows:

Section 6-184. A. Beginning July 1, ~~1997~~ 2003, the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education 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~~ Board 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.~~ 2. 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 Career and~~

~~Technology 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 Career and Technology 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 Career and Technology Education shall ~~also~~ have authority to recommend to the ~~Oklahoma Commission for Teacher Preparation~~ Board rules for teacher education program approval and accreditation and rules for teacher assessment. Any such rule recommended shall be considered by the ~~Commission~~ Board 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 Career and Technology 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 Career and Technology 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 Career and Technology 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 7. AMENDATORY 70 O.S. 2001, Section 6-185, as amended by Section 1, Chapter 295, O.S.L. 2003 (70 O.S. Supp. 2004, 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~~ State Board of Education 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,
- i. skills to foster teamwork within and among schools,
- j. for administrators, skills necessary to be an effective leader of a school or school district, and
- k. skills in effective classroom management and student discipline;

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,
- g. structure courses so as to require teamwork activities, and
- h. require teacher candidates to study, in existing coursework, substance abuse symptoms identification and prevention, classroom management skills, and classroom safety and discipline techniques;

3. ~~The Oklahoma Commission for Teacher Preparation~~ State Board of Education 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~~ Board 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 8. AMENDATORY 70 O.S. 2001, Section 6-186, is amended to read as follows:

Section 6-186. 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~~ State Board of Education; 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~~ State Board of Education 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~~ Board 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~~ State Board of Education 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 Board~~ Board at least once every five (5) years.

D. To assist the ~~Commission Board~~ Board in setting specific requirements as set out in subsections A and C of this section, the ~~Commission Board~~ Board 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 Career and Technology Education and the Legislature.

SECTION 9. AMENDATORY 70 O.S. 2001, Section 6-187, as amended by Section 2, Chapter 236, O.S.L. 2002 (70 O.S. Supp. 2002, 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~~ State Board of Education for the general education, professional education and various subject areas and grade levels for purposes of ensuring academic achievement and competency of each teacher candidate or teacher in the subject area the person is seeking licensure or certification to teach which shall also include licensure or certification as an administrator, as prescribed by the ~~State Board of Education~~.

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

B. No teacher candidate shall be eligible for licensing until successfully completing the competency examination except those candidates who make application to the ~~State Board~~ and meet the criteria for the Alternative Placement Program pursuant to Section 6-122.3 of this title. Certification shall be limited to areas of approval in which the licensed or certified teacher has successfully completed the examination. 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~~ Board.

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

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 10. AMENDATORY 70 O.S. 2001, Section 6-189.1, as amended by Section 1, Chapter 291, O.S.L. 2002 (70 O.S. Supp. 2002, Section 6-189.1), is amended to read as follows:

Section 6-189.1 A. Beginning July 1, 2000, no school district shall employ any teacher to teach mathematics in grades seven or eight, unless the teacher is licensed or certified to teach middle or secondary level mathematics or has received middle level endorsement pursuant to subsection B of this section. A school district may employ a teacher without such a license, certificate, or endorsement until September 1, 2003, if the teacher became licensed or certified to teach prior to September 1, 1999.

B. Any teacher who became licensed or certified to teach prior to September 1, 1999, does not have middle or secondary level certification in mathematics, and is serving in a school as a mathematics teacher for grades seven or eight shall be required to obtain middle level certification or middle level endorsement before September 1, 2003. For such teachers, middle level certification or middle level endorsement may be obtained as follows:

1. Middle level mathematics certification - A teacher may obtain middle level certification by successfully completing the appropriate Oklahoma Subject Area Test for middle level mathematics administered by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education. The teacher shall not be required to take the Oklahoma Professional Teacher Examination for secondary students administered by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education. A teacher granted middle level certification pursuant to this paragraph shall be entitled to teach mathematics in grades seven and eight for high school graduation credit; and

2. Middle level endorsement - A teacher may obtain a middle level endorsement by successfully completing a professional development institute in middle level mathematics developed and administered by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education. Any professional development institute developed pursuant to this paragraph shall meet the criteria as established in subsection G H of this section. A teacher granted middle level endorsement pursuant to this paragraph shall not be entitled to teach mathematics for high school graduation credit.

C. Any teacher serving in a school as a mathematics teacher for grade six may obtain middle level endorsement by successfully completing a professional development institute in middle level mathematics developed pursuant to this section. Such teacher shall be eligible to participate in a professional development institute in middle level mathematics developed and administered by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education one time free of charge.

D. Any teacher seeking middle level certification or middle level endorsement pursuant to subsection B of this section shall be eligible to take the Oklahoma Subject Area Test in middle level mathematics one time free of charge after July 1, 2000, or

participate in a professional development institute in middle level mathematics developed and administered by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education one time free of charge after July 1, 2000.

E. A teacher who is granted middle level certification in mathematics, pursuant to subsection B of this section, may teach grade nine only if the teacher successfully completes the Oklahoma Professional Teacher Examination for secondary students.

F. A teacher who is granted middle level endorsement pursuant to subsection B or C of this section may teach mathematics courses in grades seven or eight for high school credit only if the teacher has completed a minimum of twenty-four college credit semester hours of mathematics as specified by the State Department of Education.

G. Any teacher who became licensed or certified to teach prior to September 1, 1999, did not have middle or secondary level certification in mathematics and successfully completed the appropriate Oklahoma Subject Area Test for middle level mathematics between July 1, 1999, and July 1, 2000, shall be granted a middle level certificate pursuant to subsection B of this section.

H. 1. Any professional development institute in middle level mathematics developed pursuant to this section and administered by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education shall:

- a. consist of a minimum of thirty (30) clock hours,
- b. be competency based,
- c. emphasize effective learning practices,
- d. require collaboration among participants, and
- e. require each participant to prepare a work product which can be utilized in the classroom by the participant~~s~~.

2. Any professional development institute in middle level mathematics developed pursuant to this section and administered by

the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education shall be chosen through a competitive bid process, be reviewed by a professional development committee and other constituencies, and be subject to peer review. Invitations to bid for a professional development institute shall be open to any public or private entity.

SECTION 11. AMENDATORY 70 O.S. 2001, Section 6-190, as last amended by Section 1, Chapter 438, O.S.L. 2004 (70 O.S. Supp. 2004, 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 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 competency examination fee in an amount and as prescribed by the ~~Commission~~ Board;

5. Has successfully completed the competency examination required in Section 6-187 of this title; and

6. ~~Beginning November 1, 2001, has~~ Has on file with the Board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national criminal history

record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary license which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a license shall be responsible for the cost of the criminal history records.

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

1. a. holds a license to teach in accordance with the Oklahoma Teacher Preparation Act,
 - b. has served a minimum of one (1) school year as a resident teacher,
 - c. has made the necessary application and paid the certification fee as prescribed by the Board, and
 - d. has been recommended for certification by the residency committee;

2. Holds an out-of-state certificate and meets standards set by the Board; or

3. Holds certification from the National Board for Professional Teaching Standards.

D. Beginning July 1, 2004, any person applying for initial Oklahoma certification who has not applied for and received an Oklahoma teacher license shall have on file with the Board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary certificate which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a certificate shall be responsible for the cost of the criminal history records.

E. 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.

F. 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 the Oklahoma Teacher Preparation Act or by the State Board of Education.

SECTION 12. AMENDATORY 70 O.S. 2001, Section 6-191, is amended to read as follows:

Section 6-191. ~~Until July 1, 1998, there~~ 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~~ 2003, ~~the State Board of Education shall transfer~~ any unencumbered funds in the Teachers' ~~Curriculum Competency~~ Curriculum Examination Revolving Fund shall be transferred to the Teachers' ~~Competency~~ Curriculum Examination Revolving Fund. Any funds which are unexpended on January 1, ~~1998~~ 2004, shall be transferred to the Teachers' ~~Competency~~ Curriculum 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 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 13. AMENDATORY 70 O.S. 2001, Section 6-194, as amended by Section 2, Chapter 295, O.S.L. 2003 (70 O.S. Supp. 2004, Section 6-194), is amended to read as follows:

Section 6-194. 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. 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. 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.

B. 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. At a minimum, once every four (4) years the committee shall include at least one school counselor in its membership.

C. The professional development programs adopted may include, but not be limited to:

1. In-service training programs;
2. Higher education courses; and
3. Professional development programs approved by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education.

Programs shall emphasize development of competencies in the core curriculum areas. Each program shall include components on classroom management and student discipline strategies, outreach to parents, guardians or custodians of students, and multicultural education, which all personnel defined as teachers in Section 1-116 of this title shall be required to complete on a periodic basis. Each adopted program shall allow school counselors to receive at least one-third (1/3) of the hours or credit required each year through programs or courses specifically designed for school counselors. Programs shall be submitted for approval to the Board. No school district shall receive state funds for professional development until the program adopted by the local board of education has been approved by the Board.

D. 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.

E. If funds are made available specifically for such purpose, teachers who have completed professional development programs approved by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education shall receive a stipend based on the amount of funds allocated. No school district shall receive state funds for teacher stipends until such time as proof of the teacher's attendance and completion of the program has been determined by the State Department of Education.

F. 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.

G. The professional development plan shall be submitted to the State Board of Education as provided in Section 3-104.2 et seq. of this title.

SECTION 14. AMENDATORY 70 O.S. 2001, Section 6-195, as amended by Section 11, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2004, Section 6-195), is amended to read as follows:

Section 6-195. 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 district boards of education. Such program shall include, but not be limited to:

1. Guidelines and assignments for resident teacher positions in the 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 as a resident teacher by an accredited school

upon appointment by the district board of education or by a private or public provider of early childhood education programs as authorized in Section 11-103.7 of this title.

D. Upon placement of a licensed teacher in a resident teacher position at a public school, the district board of education 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. Upon employment of a licensed teacher in a resident teacher position by a private or public provider of early childhood education programs pursuant to a contract as authorized in Section 11-103.7 of this title, the district board of education shall appoint the residency committee members, as prescribed in the Oklahoma Teacher Preparation Act. The residency committee members shall have the same duties as prescribed in subsection D of this section.

F. 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.

G. For the 2003-04 school year, if the district board of education is unable to find a teacher willing to serve as a mentor teacher, the district may leave the position of mentor teacher on the residency committee unfilled. If the district leaves the

position unfilled, the remaining members of the residency committee may carry out the duties of the committee.

SECTION 15. AMENDATORY 70 O.S. 2001, Section 6-197, is amended to read as follows:

Section 6-197. A. All students graduating from an accredited institution of higher education approved or accredited by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education 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 16. 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~~ State Board of Education 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~~ Board shall be chosen through a competitive bid process and if funds are available subject to peer review. The ~~Commission~~ Board, prior to offering any professional development institute, shall promulgate rules related to administering state professional development institutes.

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~~ The State Board of Education 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 Board. ~~Working in conjunction with the State Department of Education, the Commission~~ The Board 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~~ Board 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~~ State Board of Education 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.~~ 2. Contract for an independent evaluation of the elementary school reading professional development institute; and

~~4.~~ 3. 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 17. AMENDATORY 70 O.S. 2001, Section 6-202, is amended to read as follows:

Section 6-202. A. ~~Beginning July 1, 1997, there~~ 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 and has been assessed by and received a favorable recommendation from the Teacher Competency Review Panel.

B. The Panel shall evaluate the applicant's qualifications and career accomplishments and shall recommend to the State Board of Education whether the applicant should be licensed. No person shall be licensed to teach pursuant to this section unless the person has successfully completed the general education and subject area portions of the competency examination required in Section 6-187 of this title. Applicants who are licensed pursuant to this section shall receive certification upon successful completion of the professional education portion of the competency examination required in Section 6-187 of this title and upon satisfaction of other requirements as set by the State Board of Education.

C. Applicants for licensure or certification who do not receive a favorable recommendation from the Panel may appeal to the State Board of Education.

D. The State Board of Education shall adopt rules setting out the procedures for operation of the Panel and appeal to the State Board.

E. 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.

F. 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 18. AMENDATORY 70 O.S. 2001, Section 6-204.1, as amended by Section 22, Chapter 434, O.S.L. 2003 (70 O.S. Supp. 2004, Section 6-204.1), is amended to read as follows:

Section 6-204.1 For purposes of the Education Leadership Oklahoma Act:

1. "Salary bonus" means additional monies granted to teachers maintaining National Board certification subject to the availability of funds specifically appropriated by the Legislature to the State Board of Education for that purpose;

2. "Board" means the State Board of Education;

3. "Certification" means National Board certification;

~~3. "Commission" means the Oklahoma Commission for Teacher Preparation;~~

4. "National Board" means the National Board for Professional Teaching Standards;

5. "National Board certification" means National Board certification as provided by the National Board for Professional Teaching Standards; and

6. "Teacher" means a classroom teacher, counselor, or librarian employed by a public school district on a full-time basis.

SECTION 19. 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. 2004, 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~~ is 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~~ State Board of Education shall:

1. Inform teachers of the Education Leadership Oklahoma program and the scholarships and services it provides to teachers seeking 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~~ State Board of Education, 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~~ State Superintendent of Public Instruction 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, 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~~ Board.

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~~ Board, 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~~ State Board of Education 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~~ State Board of Education shall promulgate 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 who attain 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 teaching in the classroom full-time in an Oklahoma public school. 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 Oklahoma Teachers' Retirement System contributions or benefits.

L. The State Board of Education shall promulgate 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.

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. 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.

SECTION 20. AMENDATORY 70 O.S. 2001, Section 6-204.3, is amended to read as follows:

Section 6-204.3 There is hereby created in the State Treasury a revolving fund for the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education to be designated the "Education Leadership Oklahoma Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies appropriated or transferred to the fund by the Legislature. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education to provide assistance

and scholarships for candidates seeking National Board certification. Expenditures from the fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 21. AMENDATORY 70 O.S. 2001, Section 6-204.5, is amended to read as follows:

Section 6-204.5 There is hereby created in the State Treasury a revolving fund for the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education to be designated the "Professional Development Institutes Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies appropriated or transferred to the fund by the Legislature. All monies accruing to the credit of the fund are hereby appropriated and may be budgeted and expended by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education to develop and administer professional development programs for teachers and administrators and training for residency committee members. Expenditures shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 22. AMENDATORY 70 O.S. 2001, Section 1210.508C, as amended by Section 2, Chapter 197, O.S.L. 2004 (70 O.S. Supp. 2004, Section 1210.508C), is amended to read as follows:

Section 1210.508C A. ~~Beginning with the 2001-2002 school year,~~ ~~each~~ Each student enrolled in kindergarten in a public school in this state shall be screened for reading skills including, but not limited to, phoneme awareness, letter recognition, and oral language skills. Classroom assistants, which may include parents, grandparents, or other volunteers, shall be provided in kindergarten classes to assist with the screening of students if a teacher aide is not already employed to assist in a kindergarten classroom.

B. Students enrolled in first, second and third grade of the public schools of this state shall be assessed at the beginning of each school year and throughout the school year by multiple ongoing assessments for the acquisition of reading skills including, but not limited to, phonemic awareness, phonics, spelling, reading fluency, vocabulary, and comprehension. Except for students who are on an individualized education program in an area related to reading, have limited English proficiency or for whom English is a second language, any student who is assessed and found not to be reading at the appropriate grade level shall be provided a program of reading instruction designed to enable the student to acquire the appropriate grade level reading skills.

C. The State Department of Education shall provide to each school district a list of approved comparable reading assessments, ~~which also shall include any such assessments recommended by the Oklahoma Commission for Teacher Preparation~~ and may include any assessments developed and approved by the State Department of Education, to be used for initial identification of students at risk of reading failure and for periodic and post assessments. The sum of the assessments shall measure student acquisition of reading skills including, but not limited to, phonemic awareness, phonics, spelling, reading fluency, vocabulary, and comprehension and shall reflect the required reading competencies adopted by the Board pursuant to subsection A of Section 11-103.6 of this title.

D. The program of reading instruction required in subsection A of this section shall include, but not be limited to:

1. Sufficient additional in-school instructional time for the acquisition of phonemic awareness, phonics, spelling, reading fluency, vocabulary, and comprehension;

2. If necessary, tutorial instruction after regular school hours, on Saturdays and during summer; however, such instruction may

not be counted toward the one-hundred-eighty-day school year required in Section 1-109 of this title; and

3. Periodic reassessments to measure the acquisition of reading skills including, but not limited to, phonemic awareness, phonics, spelling, reading fluency, vocabulary, and comprehension, as identified in the student's program of reading instruction.

E. The program of reading instruction shall continue until the student is determined by the results of approved reading assessments to be reading on grade level.

F. 1. Every school district shall adopt and annually update a district reading sufficiency plan which has had input from school administrators, teachers, and parents and if possible a reading specialist, and which shall be submitted to and approved by the State Board of Education as a part of each district's Comprehensive Local Education Plan. The district reading sufficiency plan shall include a plan for each site which includes an analysis of the data provided by the Oklahoma School Testing Program and other reading assessments utilized as required in this section, and which outlines how each school site will comply with the provisions of the Reading Sufficiency Act.

2. Each school site shall establish a committee, composed of educators, which if possible shall include a certified reading specialist, to develop the required programs of reading instruction. A parent or guardian of the student shall be included in the development of the program of reading instruction for that student.

3. The State Board of Education shall promulgate rules for the implementation and evaluation of the provisions of the Reading Sufficiency Act. The evaluation shall include, but not be limited to, an analysis of the data required in subsection H of this section.

G. For any third-grade student found not to be reading at grade level as determined by reading assessments administered pursuant to

this section, a new program of reading instruction shall be developed and implemented as specified in this section. If possible, a fourth-grade teacher shall be involved in the development of the program of reading instruction. In addition to other requirements of this act, the plan shall include specialized tutoring and may include a recommendation as to whether the student should be retained in the third grade at the close of that year. The parent or guardian of the student shall be included in the retention consideration.

H. On or before October 15 of each year, the State Department of Education shall issue to the Governor and members of the Senate and House of Representatives Education Committees a Reading Report Card for each elementary site which shall include, but is not limited to:

1. The number of students in need of remediation in reading in first, second and third grades;

2. The number of students provided with a program of reading instruction pursuant to this section;

3. The number of students who have successfully completed their program of reading instruction; and

4. An evaluation and narrative interpretation of the report data prepared by the State Department of Education.

I. Copies of the results of the assessments administered shall be made a part of the permanent record of each student.

SECTION 23. AMENDATORY 70 O.S. 2001, Section 1210.508D, is amended to read as follows:

Section 1210.508D A. Contingent on the provision of appropriated funds designated for the Reading Sufficiency Act, school districts may be reimbursed in the amount of up to One Hundred Fifty Dollars (\$150.00) for each enrolled first-, second- and third-grade student of the current school year who is found to be in need of remediation in reading. The reimbursement shall be

for expenses incurred in reading assessment and remediation at those grade levels pursuant to the provisions of the Reading Sufficiency Act.

B. In order to be reimbursed, school districts shall file a claim with the State Department of Education at the end of each school semester or prior to the end of the fiscal year in which the remediation is provided. Claims from summer remediation provided in July or August shall be filed with the first semester claim of the subsequent school year. Claims shall be reimbursed in a timely manner. The State Board of Education shall promulgate rules for the administration of reimbursements.

C. If a teacher attends and completes a professional development institute in elementary reading approved by the ~~Oklahoma Commission for Teacher Preparation~~ State Board of Education during the summer or when school is not in session, the teacher shall receive a stipend equal to the amount of the cost for a substitute teacher, based on the amount of funds allocated.

SECTION 24. AMENDATORY 70 O.S. 2001, Section 1210.567, as amended by Section 6, Chapter 453, O.S.L. 2002 (70 O.S. Supp. 2002, Section 1210.567), is amended to read as follows:

Section 1210.567 A. Upon application of a district board of education, the State Board of Education shall authorize an abbreviated day schedule for an alternative school or alternative education program that is or will be administered by the district pursuant to the provisions of this act or for the education provided for students in a residential or treatment facility located within the district. A student assigned to the alternative school, an alternative education program or receiving educational services in a residential or treatment facility within the district who attends for a full abbreviated day shall be counted in attendance for purposes of computing average daily attendance and average daily membership for the district.

B. A district board of education may authorize enrollment on a part-time basis utilizing Internet-based courses for students who have dropped out of school or are or have been suspended from school. State Aid shall be calculated for such students based upon the percentage of the total school day in which the student is enrolled multiplied by the appropriate grade level weight pursuant to Section 18-201.1 of this title, provided such student was enrolled at any time in a public school in this state during the previous three (3) school years.

C. A district board of education shall hire only licensed or certified teachers to teach in an alternative education program or alternative education school offered by the district or to teach students who are in a residential or treatment facility.

D. ~~No later than August 1, 1994, the~~ The State Board of Education ~~in consultation with the Oklahoma Commission for Teacher Preparation~~ shall promulgate rules by which a certified teacher who is qualified to teach in an alternative education program or alternative school as determined by the district board of education offering the alternative education program or alternative school or who teaches students in a residential or treatment facility may be certified to teach subjects in which the teacher does not hold certification. The rules shall provide:

1. The certification may be granted only upon application of a district board of education offering an alternative education program or alternative school pursuant to the provisions of this act or upon application of a district board of education offering a residential or treatment facility; and

2. The teacher's certification in subjects in which the teacher does not otherwise hold certification pursuant to the provisions of this section shall be valid only for purposes of teaching in the alternative education program or alternative school offered by the

district board or in a residential or treatment facility located within the district making application.

SECTION 25. REPEALER 70 O.S. 2001, Sections 6-188, 6-198, 6-199 and 6-201, are hereby repealed.

SECTION 26. REPEALER Section 2, Chapter 291, O.S.L. 2002 (70 O.S. Supp. 2002, Section 6-205), is hereby repealed.

SECTION 27. This act shall become effective July 1, 2005.

SECTION 28. 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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