

1 **SENATE FLOOR VERSION**

2 April 3, 2013

3 **AS AMENDED**

4 ENGROSSED HOUSE  
5 BILL NO. 1233

6 By: Coody, Virgin, Nollan and  
7 Pittman of the House

8 and

9 Halligan and Ivester of the  
10 Senate

11 [ schools - certification and pay for teachers in  
12 certain special education areas - effective date -  
13 emergency ]

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

15 SECTION 1. NEW LAW A new section of law to be codified  
16 in the Oklahoma Statutes as Section 6-122.7 of Title 70, unless  
17 there is created a duplication in numbering, reads as follows:

18 A. Notwithstanding any other provision of the law, the State  
19 Board of Education shall issue a one-year provisional certificate to  
20 teach in the area of mild-moderate or severe-profound disabilities  
21 to any qualified candidate who has:

22 1. Been recommended for a certificate by a school district  
23 board of education or an accredited institution of higher education;

24 2. Satisfactorily completed a 150-clock-hour special education  
program prescribed by the Board; and

1           3. On file with the Board a national criminal history record  
2 check as required pursuant to Section 5-142 of Title 70 of the  
3 Oklahoma Statutes. The individual applying for a provisional  
4 certificate shall be responsible for the cost of the national  
5 criminal history record check.

6           B. The one-year provisional certificate issued pursuant to this  
7 section may be renewed for two (2) additional periods of one-year  
8 each upon proof from an accredited institution of higher education  
9 that the individual has successfully completed at least six (6)  
10 credit hours of prescribed coursework during the previous year in an  
11 alternative route to certification program in either mild-moderate  
12 or severe-profound disabilities or toward a master's degree in  
13 special education.

14           C. Notwithstanding any other provision of law, the State Board  
15 of Education shall issue a standard certificate in the area of mild-  
16 moderate or severe-profound disabilities to any individual who has:

17           1. Been issued one or more provisional certificates pursuant to  
18 this section;

19           2. Successfully completed the prescribed coursework and any  
20 required examinations of an alternative route to certification  
21 program in either mild-moderate or severe-profound disabilities or a  
22 master's degree in special education from an accredited institution  
23 of higher education within three (3) years of issuance of the  
24 original provisional certificate;

1           3. Successfully completed the appropriate subject area  
2 competency examination as required pursuant to Section 6-187 of  
3 Title 70 of the Oklahoma Statutes; and

4           4. Submitted an application and payment of the required  
5 certification fee.

6           D. The State Board of Education shall adopt rules to implement  
7 the provisions of this section.

8           SECTION 2.       NEW LAW       A new section of law to be codified  
9 in the Oklahoma Statutes as Section 6-122.8 of Title 70, unless  
10 there is created a duplication in numbering, reads as follows:

11           Notwithstanding any other provision of law, the State Board of  
12 Education shall issue a standard certificate in the area of mild-  
13 moderate or severe-profound disabilities to any individual who has:

14           1. Successfully completed the prescribed coursework and any  
15 examination that may be required for a master's degree in special  
16 education from an accredited institution of higher education;

17           2. Successfully completed the appropriate subject area  
18 competency examination as required pursuant to Section 6-187 of  
19 Title 70 of the Oklahoma Statutes;

20           3. On file with the State Board of Education a national  
21 criminal history record check as required pursuant to Section 5-142  
22 of Title 70 of the Oklahoma Statutes; and

23           4. Submitted an application and payment of the required  
24 certification fee.

1 SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-187, as  
2 last amended by Section 11, Chapter 223, O.S.L. 2012 (70 O.S. Supp.  
3 2012, Section 6-187), is amended to read as follows:

4 Section 6-187. A. Prior to July 1, 2014, a competency  
5 examination shall be adopted by the Oklahoma Commission for Teacher  
6 Preparation and beginning July 1, 2014, a competency examination  
7 shall be adopted by the Commission for Educational Quality and  
8 Accountability for the general education, professional education and  
9 various subject areas and grade levels for purposes of ensuring  
10 academic achievement and competency of each teacher candidate or  
11 teacher in the subject area the person is seeking licensure or  
12 certification to teach which shall also include licensure or  
13 certification as an administrator, as prescribed by the State Board  
14 of Education.

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

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

1 Subject to the provisions of subsection C of this section, testing  
2 for certification for subjects in which a teacher candidate or  
3 teacher is seeking a minor teaching assignment or an endorsement to  
4 teach shall be limited to the specific subject area test.

5 A teacher candidate or teacher may take the general education,  
6 professional education or subject area portions of the examination  
7 subject to any limit imposed by the Commission.

8 C. 1. Except as otherwise provided for in this subsection, a  
9 teacher may be certified in as many areas as the teacher meets the  
10 necessary requirements provided by law and has successfully  
11 completed the subject area portion of the examination.

12 ~~Certification~~ 2. Except as otherwise provided for in this  
13 paragraph, certification in early childhood, elementary, or special  
14 education shall require completion of an appropriate teacher  
15 education program approved by the Commission.

16 ~~2.~~ Any teacher who is certified to teach elementary education  
17 may be certified in early childhood education upon meeting the  
18 requirements provided in law and successful completion of the  
19 appropriate subject area portion of the examination ~~by July 1, 2014.~~  
20 Any teacher who is certified to teach early childhood education may  
21 be certified in elementary education upon meeting the requirements  
22 provided in law and successful completion of the appropriate subject  
23 area portion of the examination ~~by July 1, 2014.~~ Any special  
24 education teacher who becomes certified to teach through completion

1 of an accredited teacher preparation program may be certified in  
2 early childhood or elementary education upon meeting the  
3 requirements provided in law and successful completion of the  
4 appropriate subject portion of the examination ~~prior to July 1,~~  
5 ~~2014.~~ Any teacher who becomes certified to teach through completion  
6 of an accredited teacher preparation program or becomes  
7 alternatively certified to teach through the Troops to Teachers  
8 program may be certified in special education upon meeting the  
9 requirements provided in law and successful completion of the  
10 appropriate subject area portion of the examination ~~by July 1, 2014.~~

11 D. The Commission shall offer the competency examination at  
12 least four times per calendar year on dates to be established by the  
13 Commission.

14 E. Nothing in the Oklahoma Teacher Preparation Act shall  
15 restrict the right of the State Board of Education to issue an  
16 emergency or provisional certificate, as needed. Provided, however,  
17 prior to the issuance of an emergency certificate, the district  
18 shall document substantial efforts to employ a teacher who holds a  
19 provisional or standard certificate or who is licensed in the  
20 teaching profession. In the event a district is unable to hire an  
21 individual meeting this criteria, the district shall document  
22 efforts to employ an individual with a provisional or standard  
23 certificate or with a license in another curricular area with  
24 academic preparation in the field of need. Only after these

1 alternatives have been exhausted shall the district be allowed to  
2 employ an individual meeting minimum standards as established by the  
3 State Board of Education for the issuance of emergency certificates.

4 SECTION 4. AMENDATORY 70 O.S. 2011, Section 13-110, is  
5 amended to read as follows:

6 Section 13-110. A. Qualified and properly certified teachers  
7 of special education shall be paid a minimum of five percent (5%)  
8 above the prevailing wage paid teachers of children who are  
9 nondisabled in the same school district.

10 B. Qualified and properly certified teachers of special  
11 education assigned to teach students with disabilities in the  
12 severe-profound range of functioning or assigned to teach students  
13 identified as having emotional disturbance or autism who receive  
14 special education services in a special education setting for eighty  
15 percent (80%) or more of the school day, shall be paid a minimum of  
16 ten percent (10%) above the prevailing wage paid teachers of  
17 children who are nondisabled in the same school district.

18 C. Qualified and properly certified teachers of special  
19 education who serve as special education teachers for five (5) or  
20 more consecutive school years in the same school district shall be  
21 paid a minimum of five percent (5%) above the prevailing wage paid  
22 teachers of children who are nondisabled in the same school district  
23 which shall be in addition to the teacher pay provision set out in  
24 subsection A or B of this section.

1 SECTION 5. This act shall become effective July 1, 2013.

2 SECTION 6. It being immediately necessary for the preservation  
3 of the public peace, health and safety, an emergency is hereby  
4 declared to exist, by reason whereof this act shall take effect and  
5 be in full force from and after its passage and approval.

6 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS  
7 April 3, 2013 - DO PASS AS AMENDED  
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