

STATE OF OKLAHOMA

2nd Session of the 56th Legislature (2018)

SENATE BILL 899

By: Sharp

AS INTRODUCED

An Act relating to school employees; amending 70 O.S. 2011, Section 6-122.3, as last amended by Section 1, Chapter 63, O.S.L. 2017 (70 O.S. Supp. 2017, Section 6-122.3), which relates to alternative placement teaching certificates; requiring those seeking alternative certification after certain date to complete certain training; amending 70 O.S. 2011, Section 6-186, as last amended by Section 1, Chapter 5, O.S.L. 2017 (70 O.S. Supp. 2017, Section 6-186), which relates to criteria for approval and accreditation of teacher education programs; requiring the Commission for Educational Quality and Accountability to adopt rules relating to training on appropriate behavior between students and school employees by certain date; amending 70 O.S. 2011, Section 6-190, as last amended by Section 1, Chapter 322, O.S.L. 2016 (70 O.S. Supp. 2017, Section 6-190), which relates to teacher certification and licensure; requiring those seeking initial or renewal certificates after certain date to complete certain training; requiring school district employees to complete certain training with certain frequency; requiring the training to include certain information regarding certain penalties; allowing the training to be completed by certain methods; requiring school districts to submit certain report verifying completion of certain training; directing the State Department of Education to develop certain materials; providing for codification; providing an effective date; and declaring an emergency.

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

2 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-122.3, as
3 last amended by Section 1, Chapter 63, O.S.L. 2017 (70 O.S. Supp.
4 2017, Section 6-122.3), is amended to read as follows:

5 Section 6-122.3. A. The State Board of Education shall grant
6 an alternative placement teaching certificate to a person who makes
7 application to the Board and meets the following criteria:

8 1. a. holds at least a baccalaureate degree from an
9 institution whose accreditation is recognized by the
10 Oklahoma State Regents for Higher Education and has
11 attained a retention grade point average of not less
12 than 2.50 on a 4.0 scale, or

13 b. has successfully completed a terminal degree, such as
14 a doctorate of philosophy, a doctorate in education,
15 professional doctorates, a master of fine arts degree
16 or a master of library science degree, from an
17 institution accredited by a national or regional
18 accrediting agency which is recognized by the
19 Secretary of the United States Department of
20 Education. The Oklahoma State Regents for Higher
21 Education shall be consulted to verify other terminal
22 degrees, or

23 c. holds at least a baccalaureate degree from an
24 institution whose accreditation is recognized by the

Oklahoma State Regents for Higher Education and has qualified work experience in a field that corresponds to an area of certification as determined by the State Board of Education, and

d. in addition to the requirements of subparagraphs a, b and c of this paragraph, has demonstrated competency or completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary Certificate or a Secondary Certificate as determined by the State Board of Education or a vocational-technical certificate as recommended by the Oklahoma Department of Career and Technology Education;

2. Declares the intention to earn standard certification by means of an alternative placement program in not more than three (3) years. The State Board of Education shall determine the subject matter and the number of clock or semester hours required for the professional education component for each person making application for an alternative placement teaching certificate based on the criteria of paragraph 1 of this subsection.

The State Board of Education shall establish a core minimum of six (6) semester hours or ninety (90) clock hours and a maximum of eighteen (18) semester hours or two hundred seventy (270) clock hours for the professional education component.

1 The requirements set forth in this subsection shall exclude all
2 student teaching requirements pursuant to the provisions of
3 subsection E of this section;

4 3. Has passed the general education and subject area portions
5 of the competency examination required in Section 6-187 of this
6 title in the area of specialization for which certification is
7 sought; ~~and~~

8 4. Either presents a document from an accredited public school
9 district in this state offering employment in the area of
10 specialization for which certification is sought on condition that
11 the person enroll in an alternative placement program approved by
12 the State Board of Education or declares the intention to seek
13 employment as a teacher at an accredited public school district in
14 this state. The certificate granted pursuant to this subsection
15 shall be considered a "valid certificate of qualification" for the
16 purposes of Sections 6-107 and 6-108 of this title, and the holder
17 of the certificate shall be considered a resident teacher for the
18 purposes of Section 6-195 of this title; and

19 5. Beginning November 1, 2020, has completed the training on
20 appropriate behavior between students and school employees in
21 accordance with the provisions of Section 4 of this act. Proof of
22 completion shall be an affidavit filed with the State Board of
23 Education attesting that the person has completed the training
24 within the previous twelve (12) months.

1 B. An alternative placement teaching certificate shall be
2 renewed for not more than a maximum of three (3) years upon
3 presentation of a document from an accredited public school district
4 in this state offering renewed employment in the same area of
5 specialization and a document from a teacher education institution
6 verifying satisfactory progress in an appropriate alternative
7 placement program.

8 C. Persons enrolled in an alternative placement program shall:

9 1. Have never been denied admittance to a teacher education
10 program approved by the Oklahoma State Regents for Higher Education,
11 the North Central Association of Colleges and Schools and by the
12 Oklahoma Commission for Teacher Preparation to offer teacher
13 education programs, nor have enrolled in and subsequently failed
14 courses necessary to successfully meet the minimum requirements of
15 the program, except those persons who hold a certificate;

16 2. Have on file with the director of teacher education at an
17 Oklahoma institution of higher education a plan for meeting standard
18 certification requirements within three (3) years; and

19 3. Participate in the Residency Program established in Section
20 6-195 of this title and have the same duties and responsibilities as
21 other resident teachers, except those persons who hold a
22 certificate.

23 D. The State Board of Education may grant an exception to the
24 requirements for certification and, upon demonstration by an

1 individual of specific competency in the subject area of
2 specialization, may grant a certificate to the individual. The
3 State Board may establish other requirements necessary to grant
4 exceptions.

5 E. Student teaching and a prestudent teaching field experience
6 shall not be required of alternative placement program participants
7 for standard certification.

8 F. The State Board of Education shall promulgate rules
9 authorizing adjunct teachers who shall be persons with distinguished
10 qualifications in their field. Adjunct teachers shall not be
11 required to meet standard certification. Adjunct teachers shall be
12 limited to two hundred seventy (270) clock hours of classroom
13 teaching per semester.

14 G. Each teacher education institution shall provide the
15 Oklahoma Commission for Teacher Preparation an annual report of
16 information as specified by the Commission regarding participation
17 in the alternative placement programs offered by the institution.

18 H. The Oklahoma Commission for Teacher Preparation shall not
19 accredit, renew the accreditation of, or otherwise approve any
20 teacher education program of any institution of higher education in
21 this state that has not implemented alternative placement programs
22 in at least four areas of specialization, including mathematics,
23 science and a foreign language. Each institution shall allow
24

1 individuals who meet the criteria of subsections A and C of this
2 section to be:

3 1. Admitted to an alternative placement program without further
4 qualification; and

5 2. Offered the opportunity to complete the requirements for
6 standard certification set forth in subsection A of this section
7 during the summer preceding and the summer following the first year
8 of teaching with an alternative placement teaching certificate. Any
9 person seeking standard certification through an alternative
10 placement program shall be permitted to take necessary courses
11 during regular semesters if offered.

12 I. The criteria specified in subsection H of this section can
13 be met through a cooperative arrangement entered into by two or more
14 institutions of higher education.

15 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-186, as
16 last amended by Section 1, Chapter 5, O.S.L. 2017 (70 O.S. Supp.
17 2017, Section 6-186), is amended to read as follows:

18 Section 6-186. A. Criteria for the approval and accreditation
19 of teacher education programs in Oklahoma institutions of higher
20 education shall include, but not be limited to, substantial evidence
21 that persons who enter teacher education programs demonstrate:

22 1. Competency in the oral and written use of the English
23 language;

1 2. A minimum grade point average as established by the
2 Commission for Educational Quality and Accountability; and

3 3. The ability to meet criteria established pursuant to the
4 Oklahoma Teacher Preparation Act at the completion of the teacher
5 education program and provide evidence of having worked with
6 children or youth in a variety of situations.

7 Criteria shall also include a greater emphasis upon field work
8 in accredited schools by prospective teachers under the supervision
9 of higher education faculty.

10 B. The Commission for Educational Quality and Accountability
11 shall work with the Oklahoma State Regents for Higher Education and
12 the various institutions of higher education in developing
13 guidelines for a paid teacher internship program which may be
14 offered at each institution for prospective teachers. The purpose
15 of each program shall be to provide mentorship and support for
16 prospective teachers. Students enrolled in a teacher education
17 program shall be eligible to participate in the program. Only
18 students who have completed the minimum nonsalaried teacher
19 internship requirement as established by the institution shall be
20 eligible to participate in the paid teacher internship program.

21 C. It is hereby declared to be the intent of the Legislature
22 that the Commission for Educational Quality and Accountability work
23 with the Oklahoma State Regents for Higher Education and the various
24 institutions of higher education in establishing a procedure whereby

1 full-time teacher education faculty continue their professional
2 development during their tenure at an institution of higher
3 education to ensure that the future teachers of this state are
4 taught by professional educators fully trained in their area of
5 expertise. Each approved or accredited program of teacher education
6 shall have a system for documenting and reporting the annual
7 professional development activities of all teacher education faculty
8 members. Faculty professional development reports shall be reviewed
9 by the Commission along with professional development activities as
10 a normal part of the accreditation process.

11 It is further declared to be the intent of the Legislature that
12 such professional development plans provide alternative means of
13 education including, but not limited to:

- 14 1. Professional development programs;
- 15 2. Higher education courses;
- 16 3. Exchange programs with public school classroom teachers,
17 administrators, and other school personnel; and
- 18 4. Programs whereby all full-time teacher education faculty
19 members directly involved in the teacher education process,
20 including all administrators of the teacher education program, are
21 required to serve in a state accredited public school for at least
22 ten (10) clock hours per school year in responsibilities related to
23 their respective teacher education teaching fields.

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1 All public school systems shall participate in the programs
2 provided for in this subsection when needed.

3 D. The Commission for Educational Quality and Accountability
4 shall adopt rules requiring specific improvements to strengthen the
5 screening of student applicants and field activity and placement as
6 set out in subsection A of this section. Such rules shall be
7 reviewed and amended or readopted by the Commission at least once
8 every five (5) years.

9 E. To assist the Commission in setting specific requirements as
10 set out in subsections A and D of this section, the Commission shall
11 annually prepare a statistical report showing the percentage of
12 students from each of the Oklahoma institutions of higher education
13 who have successfully completed or who have failed the competency
14 examination for certification. The annual report shall show the
15 percentages for each institution of higher education and each
16 assessment area separately by student degree status and shall be
17 distributed annually to each member of the Commission for
18 Educational Quality and Accountability, the Oklahoma State Regents
19 for Higher Education, the governing board of each institution which
20 has an approved or state accredited teacher education program, the
21 State Board of Education, the State Board of Career and Technology
22 Education and the Legislature.

1 F. By November 1, 2017, the Commission shall adopt rules
2 requiring coursework or training in the use of digital and other
3 instructional technologies as a requisite for program accreditation.

4 G. By November 1, 2018, the Commission shall adopt rules
5 requiring coursework or training on appropriate behavior between
6 students and school employees as a requisite for program
7 accreditation. The coursework or training shall include information
8 about the potential penalties associated with being convicted,
9 whether upon a verdict or plea of guilty or upon a plea of nolo
10 contendere, or receiving a suspended sentence or any probationary
11 term for a crime or an attempt to commit a crime provided for in
12 Section 843.5 of Title 21 of the Oklahoma Statutes if the offense
13 involved sexual abuse or sexual exploitation as those terms are
14 defined in Section 1-1-105 of Title 10A of the Oklahoma Statutes,
15 Sections 741, 843.1, if the offense included sexual abuse or sexual
16 exploitation, 865 et seq., 885, 888, 891, 1021, 1021.2, 1021.3,
17 1040.13a, 1087, 1088, 1111.1, 1114 or 1123 of Title 21 of the
18 Oklahoma Statutes.

19 SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-190, as
20 last amended by Section 1, Chapter 322, O.S.L. 2016 (70 O.S. Supp.
21 2017, Section 6-190), is amended to read as follows:

22 Section 6-190. A. The board of education of each school
23 district shall employ and contract in writing, as required in
24 Section 6-101 of this title, only with persons certified to teach by

1 the State Board of Education in accordance with the Oklahoma Teacher
2 Preparation Act, except as otherwise provided for by Section 6-101
3 of this title and by other law.

4 B. The Board shall issue a certificate to teach to any person
5 who:

6 1. Has successfully completed the teacher education program
7 required by the Oklahoma Commission for Teacher Preparation;

8 2. Has graduated from an accredited institution of higher
9 education that has approval or accreditation for teacher education;

10 3. Has met all other requirements as may be established by the
11 Board;

12 4. Has made the necessary application and paid the competency
13 examination fee in an amount and as prescribed by the Commission;

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

16 6. Beginning November 1, 2001, has on file with the Board a
17 current Oklahoma criminal history record from the Oklahoma State
18 Bureau of Investigation as well as a national criminal history
19 record check as defined in Section 150.9 of Title 74 of the Oklahoma
20 Statutes. Upon receipt of the Oklahoma criminal history record, the
21 Board may issue a temporary certificate which shall be effective
22 until receipt of the national fingerprint-based criminal history
23 record. The person applying for a certificate shall be responsible
24 for the cost of the criminal history records; and

1 7. Beginning November 1, 2020, has completed the training on
2 appropriate behavior between students and school employees in
3 accordance with the provisions of Sections 2 and 4 of this act. For
4 issuance of an initial certificate to teach, proof of completion
5 shall be an affidavit filed with the State Board of Education
6 attesting that the person has completed the training as provided in
7 Section 2 of this act. For issuance of a renewal certificate to
8 teach, the State Board of Education shall verify completion of the
9 training in the reports required by subsection C of Section 4 of
10 this act. For issuance of a certificate to teach to a person who
11 has entered postretirement employment with a public school pursuant
12 to the provisions of Section 17-116.10 of this title, proof of
13 completion shall be an affidavit filed with the State Board of
14 Education attesting that the person has completed the training as
15 provided in Section 4 of this act.

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

18 1. Holds an out-of-state certificate and meets the requirements
19 set forth in subsection F of this section;

20 2. Holds certification from the National Board for Professional
21 Teaching Standards;

22 3. Holds an out-of-country certificate and meets the
23 requirements set forth in subsection F of this section; or
24

1 4. Has successfully completed a competency examination used in
2 the majority of other states or comparable customized exam and meets
3 the requirements set forth in subsection G of this section.

4 D. Beginning July 1, 2004, any person applying for initial
5 Oklahoma certification shall have on file with the Board a current
6 Oklahoma criminal history record from the Oklahoma State Bureau of
7 Investigation as well as a national criminal history record check as
8 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon
9 receipt of the Oklahoma criminal history record, the Board may issue
10 a temporary certificate which shall be effective until receipt of
11 the national fingerprint-based criminal history record. The person
12 applying for a certificate shall be responsible for the cost of the
13 criminal history records.

14 E. Any person holding a valid certificate, issued prior to
15 January 1, 1997, shall be a certified teacher for purposes of the
16 Oklahoma Teacher Preparation Act, subject to any professional
17 development requirements prescribed by the Oklahoma Teacher
18 Preparation Act or by the State Board of Education.

19 F. 1. The Board shall issue a certificate to teach to a person
20 who holds a valid out-of-state certificate or to a person who holds
21 a valid out-of-country certificate and meets any requirements
22 established by the Board. The certificate to teach shall only be
23 for those subject areas and grade levels most closely aligned to the
24

1 subject areas and grade levels recognized on the out-of-state or
2 out-of-country certificate.

3 2. A person who meets the requirements of paragraph 1 of this
4 subsection shall not be required to take any competency examinations
5 in those subject areas and grade levels most closely aligned to the
6 subject areas and grade levels recognized on the out-of-state or
7 out-of-country certificate.

8 3. A person who meets the requirements of paragraph 1 of this
9 subsection shall have on file with the Board a current Oklahoma
10 criminal history record check from the Oklahoma State Bureau of
11 Investigation as well as a national criminal history record check as
12 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon
13 receipt of the Oklahoma criminal history record check, the Board may
14 issue a temporary certificate which shall be effective until receipt
15 of the national fingerprint-based criminal history record check.
16 The person applying for a certificate shall be responsible for the
17 cost of the criminal history record checks.

18 4. The Board shall promulgate rules establishing a process by
19 which out-of-country certificates will be reviewed and evaluated for
20 purposes of awarding a certificate to teach pursuant to this
21 subsection.

22 G. 1. The Board shall issue a certificate to teach to a person
23 who has successfully completed a competency exam used in a majority
24 of the other states. The certificate to teach shall only be for

1 those subject areas and grade levels that correspond with a
2 certification area used in Oklahoma.

3 2. A person who meets the requirements of paragraph 1 of this
4 subsection shall have on file with the Board a current Oklahoma
5 criminal history record check from the Oklahoma State Bureau of
6 Investigation as well as a national criminal history record check as
7 defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon
8 receipt of the Oklahoma criminal history record check, the Board may
9 issue a temporary certificate which shall be effective until receipt
10 of the national fingerprint-based criminal history record check.
11 The person applying for a certificate shall be responsible for the
12 cost of the criminal history record checks.

13 SECTION 4. NEW LAW A new section of law to be codified
14 in the Oklahoma Statutes as Section 6-195.3 of Title 70, unless
15 there is created a duplication in numbering, reads as follows:

16 A. Beginning with the 2018-2019 school year, each school
17 district employee shall be required by the district board of
18 education to complete at a minimum of once each semester each school
19 year a program that includes training on appropriate behavior
20 between students and school employees. The program shall include
21 information about the potential penalties associated with being
22 convicted, whether upon a verdict or plea of guilty or upon a plea
23 of nolo contendere, or receiving a suspended sentence or any
24 probationary term for a crime or an attempt to commit a crime

1 provided for in Section 843.5 of Title 21 of the Oklahoma Statutes
2 if the offense involved sexual abuse or sexual exploitation as those
3 terms are defined in Section 1-1-105 of Title 10A of the Oklahoma
4 Statutes, Sections 741, 843.1, if the offense included sexual abuse
5 or sexual exploitation, 865 et seq., 885, 888, 891, 1021, 1021.2,
6 1021.3, 1040.13a, 1087, 1088, 1111.1, 1114 or 1123 of Title 21 of
7 the Oklahoma Statutes.

8 B. The training required by this section may be completed in
9 person or online.

10 C. Each school district board of education shall submit a
11 report to the State Department of Education by June 30, 2019, and
12 each June 30 thereafter verifying that each school district employee
13 completed the training required by this section.

14 D. The State Department of Education shall develop materials
15 that can be used in the training required by this section and make
16 them available to school districts.

17 SECTION 5. This act shall become effective July 1, 2018.

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

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