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March 30, 2021

ENGROSSED HOUSE
BILL NO. 2329

By: Lawson of the House

and

Simpson of the Senate

An Act relating to teacher certification; amending 70 O.S. 2011, Section 6-187, as last amended by Section 1, Chapter 139, O.S.L. 2020 (70 O.S. Supp. 2020, Section 6-187), which relates to competency examinations for teacher certification; allowing the State Board of Education to grant exceptions to the certification examinations for certain teacher candidates who are deaf; providing definition; providing criteria for exceptions; providing for promulgation of rules; providing for applicable teaching environments; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-187, as last amended by Section 1, Chapter 139, O.S.L. 2020 (70 O.S. Supp. 2020, Section 6-187), is amended to read as follows:

Section 6-187. A. Prior to July 1, 2014, a competency examination shall be adopted by the Oklahoma Commission for Teacher Preparation and beginning July 1, 2014, a competency examination shall be adopted by the Commission for Educational Quality and Accountability for the general education, professional education and

1 various subject areas and grade levels for purposes of ensuring
2 academic achievement and competency of each teacher candidate or
3 teacher in the subject area the person is seeking certification to
4 teach which shall also include certification as an administrator, as
5 prescribed by the State Board of Education.

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

9 B. No teacher candidate shall be eligible for certification
10 until successfully completing the competency examination except
11 those candidates who make application to the State Board and meet
12 the criteria for the alternative placement program pursuant to
13 Section 6-122.3 of this title. Certification shall be limited to
14 areas of approval in which the certified teacher has successfully
15 completed the examination. Subject to the provisions of subsection
16 C of this section, testing for certification for subjects in which a
17 teacher candidate or teacher is seeking a minor teaching assignment
18 or an endorsement to teach shall be limited to the specific subject
19 area test.

20 A teacher candidate or teacher may take the general education,
21 professional education or subject area portions of the examination
22 subject to any limit imposed by the Commission.

23 C. 1. Except as otherwise provided for in this subsection, a
24 teacher may be certified in as many areas as the teacher meets the

1 necessary requirements provided by law and has successfully
2 completed the subject area portion of the examination.

3 2. Except as otherwise provided for in this paragraph,
4 certification in early childhood, elementary, or special education
5 shall require completion of an appropriate teacher education program
6 approved by the Commission.

7 Any teacher who is certified to teach elementary education may
8 be certified in early childhood education upon meeting the
9 requirements provided in law and successful completion of the
10 appropriate subject area portion of the examination. Any teacher
11 who is certified to teach early childhood education may be certified
12 in elementary education upon meeting the requirements provided in
13 law and successful completion of the appropriate subject area
14 portion of the examination. Any special education teacher who
15 becomes certified to teach through completion of an accredited
16 teacher preparation program may be certified in early childhood or
17 elementary education upon meeting the requirements provided in law
18 and successful completion of the appropriate subject portion of the
19 examination. Any teacher who becomes certified to teach through
20 completion of an accredited teacher preparation program or becomes
21 alternatively certified to teach through the Troops to Teachers
22 program may be certified in special education upon meeting the
23 requirements provided in law and successful completion of the
24 appropriate subject area portion of the examination. Any special

1 education teacher who has not completed a Commission-approved
2 teacher education program in elementary education or early childhood
3 education but who has successfully completed the subject area
4 portion of the examination may be certified in elementary education
5 or early childhood education for the purpose of providing direct
6 instruction and serving as the teacher of record for grading
7 purposes in special education settings only.

8 D. The Commission shall offer the competency examination at
9 least four times per calendar year on dates to be established by the
10 Commission.

11 E. If a teacher candidate or teacher is a non-native-English
12 speaker, the Commission shall offer the subject area competency
13 examination in the native language of the teacher candidate or
14 teacher only if the teacher candidate or teacher is employed or has
15 been offered employment by a school district as a teacher in a
16 foreign language immersion program offered by the school district.
17 If a non-native-English speaker who has received certification in a
18 subject area after taking the subject area competency examination in
19 the native language of the speaker seeks to add a certification area
20 in the future and that person is no longer employed as a teacher in
21 a foreign language immersion program, the examination for the
22 additional certification area shall be taken in English. The State
23 Board of Education shall issue a restricted license or certificate
24 to any teacher who has completed a subject area competency

1 examination in the native language of the teacher as provided for in
2 this subsection restricting the teacher to teaching only in a
3 foreign language immersion program.

4 F. 1. Nothing in the Oklahoma Teacher Preparation Act shall
5 restrict the right of the State Board of Education to issue an
6 emergency or provisional certificate, as needed. Provided, however,
7 prior to the issuance of an emergency certificate, the district
8 shall document substantial efforts to employ a teacher who holds a
9 provisional or standard certificate. In the event a district is
10 unable to hire an individual meeting this criteria, the district
11 shall document efforts to employ an individual with a provisional or
12 standard certificate in another curricular area with academic
13 preparation in the field of need. Only after these alternatives
14 have been exhausted shall the district be allowed to employ an
15 individual meeting minimum standards as established by the State
16 Board of Education for the issuance of emergency certificates.

17 2. The State Board of Education may renew the emergency or
18 provisional certificate of an individual who has been employed by a
19 school district board of education for at least two (2) years if the
20 following criteria are met:

- 21 a. the individual has been granted an emergency or
22 provisional certificate pursuant to paragraph 1 of
23 this subsection for two (2) years,
24

- 1 b. the individual has not successfully completed the
2 competency examinations required by this section,
3 c. the individual submits a portfolio of his or her work
4 to the State Board of Education, which shall include
5 evidence of progress toward standard certification,
6 d. the employing school district board of education
7 agrees to renew the individual's contract to teach for
8 the ensuing fiscal year, and
9 e. the superintendent of the employing school district
10 submits to the State Board of Education the reason the
11 emergency or provisional certificate should be renewed
12 and provides evidence of the district's inability to
13 hire a teacher who holds a standard certificate.

14 3. Individuals employed by a school district under an emergency
15 or provisional certificate shall not be considered career teachers
16 and therefore not entitled to the protections of the Teacher Due
17 Process Act of 1990.

18 G. The State Board of Education may grant an exception to the
19 requirements for all certification examinations for teacher
20 candidates who are "deaf", which for the purposes of this section
21 shall mean having a hearing loss so severe that the person cannot
22 process auditory linguistic information with or without
23 accommodation and whose primary language and teaching environment is
24 American Sign Language. The Board may grant an exception upon:

1 1. Verification by a licensed audiologist of a hearing loss so
2 severe that the teacher candidate cannot process auditory linguistic
3 information with or without accommodation;

4 2. Demonstration of fluency in American Sign Language;

5 3. Demonstration of competency in the subject area of
6 specialization as approved by the Board in lieu of certification
7 examinations; and

8 4. Sponsorship by a certified deaf education teacher for a
9 mentorship program.

10 The Board may promulgate rules and other requirements as
11 necessary to grant the exceptions described in this subsection.
12 Applicable teaching environments may include American Sign Language
13 immersion programs, the Oklahoma School for the Deaf, programs for
14 the deaf or other classroom settings in which American Sign Language
15 is the language of instruction.

16 SECTION 2. This act shall become effective July 1, 2021.

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

21 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
22 March 30, 2021 - DO PASS
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