

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 HOUSE BILL 1840

By: Waldron

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 6-187, as last amended by Section 1, Chapter
9 139, O.S.L. 2020 (70 O.S. Supp. 2020, Section 6-187),
10 which relates to teacher competency examinations;
11 requiring reimbursement of competency examination fee
or payment for certain teacher candidates; subjecting
12 reimbursement to the availability of funding;
13 directing promulgation of rules; defining term; and
14 providing an effective date.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-187, as
17 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:

18 Section 6-187. A. Prior to July 1, 2014, a competency
19 examination shall be adopted by the Oklahoma Commission for Teacher
20 Preparation and beginning July 1, 2014, a competency examination
21 shall be adopted by the Commission for Educational Quality and
22 Accountability for the general education, professional education and
23 various subject areas and grade levels for purposes of ensuring
24 academic achievement and competency of each teacher candidate or

1 teacher in the subject area the person is seeking certification to
2 teach which shall also include certification as an administrator, as
3 prescribed by the State Board of Education.

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

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

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

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

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

5 Any teacher who is certified to teach elementary education may
6 be certified in early childhood education upon meeting the
7 requirements provided in law and successful completion of the
8 appropriate subject area portion of the examination. Any teacher
9 who is certified to teach early childhood education may be certified
10 in elementary education upon meeting the requirements provided in
11 law and successful completion of the appropriate subject area
12 portion of the examination. Any special education teacher who
13 becomes certified to teach through completion of an accredited
14 teacher preparation program may be certified in early childhood or
15 elementary education upon meeting the requirements provided in law
16 and successful completion of the appropriate subject portion of the
17 examination. Any teacher who becomes certified to teach through
18 completion of an accredited teacher preparation program or becomes
19 alternatively certified to teach through the Troops to Teachers
20 program may be certified in special education upon meeting the
21 requirements provided in law and successful completion of the
22 appropriate subject area portion of the examination. Any special
23 education teacher who has not completed a Commission-approved
24 teacher education program in elementary education or early childhood

1 education but who has successfully completed the subject area
2 portion of the examination may be certified in elementary education
3 or early childhood education for the purpose of providing direct
4 instruction and serving as the teacher of record for grading
5 purposes in special education settings only.

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

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

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

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

- 20 a. the individual has been granted an emergency or
21 provisional certificate pursuant to paragraph 1 of
22 this subsection for two (2) years,
- 23 b. the individual has not successfully completed the
24 competency examinations required by this section,

- 1 c. the individual submits a portfolio of his or her work
2 to the State Board of Education, which shall include
3 evidence of progress toward standard certification,
4 d. the employing school district board of education
5 agrees to renew the individual's contract to teach for
6 the ensuing fiscal year, and
7 e. the superintendent of the employing school district
8 submits to the State Board of Education the reason the
9 emergency or provisional certificate should be renewed
10 and provides evidence of the district's inability to
11 hire a teacher who holds a standard certificate.

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

16 G. Subject to the availability of funding, any teacher who
17 graduated from an in-state institution of higher education program
18 whose accreditation is recognized by the Office of Educational
19 Quality and Accountability and who is assigned to teach at a Title I
20 school after the effective date of this act shall be reimbursed for
21 any testing fee or payment for a competency examination required by
22 this section upon passage of the examination. The Office of
23 Educational Quality and Accountability shall promulgate any rules
24 necessary to implement this subsection. As used in this subsection,

1 "Title I school" means a public school that receives funds pursuant
2 to the Every Student Succeeds Act, 20 U.S.C., Section 6301 et seq.,
3 and is obligated to comply with the provisions of the Every Student
4 Succeeds Act.

5 SECTION 2. This act shall become effective November 1, 2021.

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