

1 **SENATE FLOOR VERSION**
February 23, 2021
2 **AS AMENDED**

3 SENATE BILL NO. 229

By: Montgomery

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7 **[competency examinations for teacher certification -**
8 **effective date -**
9 **emergency]**

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

12 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-187, as
13 last amended by Section 1, Chapter 139, O.S.L. 2020 (70 O.S. Supp.
14 2020, Section 6-187), is amended to read as follows:

15 Section 6-187. A. Prior to July 1, 2014, a competency
16 examination shall be adopted by the Oklahoma Commission for Teacher
17 Preparation and beginning July 1, 2014, a competency examination
18 shall be adopted by the Commission for Educational Quality and
19 Accountability for the general education, professional education and
20 various subject areas and grade levels for purposes of ensuring
21 academic achievement and competency of each teacher candidate or
22 teacher in the subject area the person is seeking certification to
23 teach which shall also include certification as an administrator, as
24 prescribed by the State Board of Education.

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

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

15 A teacher candidate or teacher may take the general education,
16 professional education or subject area portions of the examination
17 subject to any limit imposed by the Commission.

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

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

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

1 or early childhood education for the purpose of providing direct
2 instruction and serving as the teacher of record for grading
3 purposes in special education settings only.

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

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

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

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

18 a. the individual has been granted an emergency or
19 provisional certificate pursuant to paragraph 1 of
20 this subsection for two (2) years,

21 b. the individual has not successfully completed the
22 competency examinations required by this section,
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- 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. The State Board of Education may renew for up to five (5)
13 years the emergency or provisional certificate of an individual who
14 meets the criteria of paragraph 2 of this subsection and who
15 maintains a district evaluation rating of "effective" or higher
16 pursuant to the provisions of Section 6-101.16 of this title.

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

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

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

3 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
4 February 23, 2021 - DO PASS AS AMENDED
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