An Act

ENROLLED HOUSE
BILL NO. 2885

By: Coody and Pittman of the House

and

Ford of the Senate

An Act relating to schools; amending 70 O.S. 2011, Section 1-116, which relates to positions in the school system; amending 70 O.S. 2011, Section 3-126, which relates to educational improvement plans; amending Section 1, Chapter 312, O.S.L. 2013 (70 O.S. Supp. 2013, Section 3-129.11), which relates to the School District Empowerment Program; amending 70 O.S. 2011, Section 6-101, which relates to teacher contracts; amending 70 O.S. 2011, Section 6-101.3, as amended by Section 1, Chapter 373, O.S.L. 2013 (70 O.S. Supp. 2013, Section 6-101.3), which relates to definitions; amending 70 O.S. 2011, Section 6-101.40, which relates to suspension, demotion, termination or nonreemployment of support employees; amending 70 O.S. 2011, Section 6-122.3, as amended by Section 1, Chapter 76, O.S.L. 2012 (70 O.S. Supp. 2013, Section 6-122.3), which relates to alternative placement teaching certificate; amending 70 O.S. 2011, Section 6-122.6, which relates to a temporary teaching license; updating statutory language; modifying definition; deleting references to licenses or licensure; changing reference from license to certificate; amending 70 O.S. 2011, Sections 6-182, as amended by Section 8, Chapter 223, O.S.L. 2012, 6-184, as amended by Section 9, Chapter 223, O.S.L. 2012, 6-185, as amended by Section 10, Chapter 223, O.S.L. 2012, 6-186, 6-187, as last amended by Section 3, Chapter 336, O.S.L. 2013, 6-189, as amended by Section 1, Chapter 360, O.S.L. 2012, 6-189.1, as amended by Section 1, Chapter 8, O.S.L. 2013, 6-189.2, 6-190, 6-192, 6-194, as amended by Section 10,

Chapter 83, O.S.L. 2013, 6-195, 6-195.2 and 6-197 (70 O.S. Supp. 2013, Sections 6-182, 6-184, 6-185, 6-187, 6-189, 6-189.1 and 6-194), which relate to the Oklahoma Teacher Preparation Act; modifying definitions; updating statutory language; deleting references to licenses or licensure; changing references from licenses to certificates; directing the Oklahoma Commission for Teacher Preparation to work with certain entities to establish paid teacher internship programs; stating purpose of the programs; providing for enrollment of certain students; deleting obsolete language; deleting certain certification requirements; deleting certification requirements for graduates of out-of-state institutions; making residency program optional for school districts; modifying purpose of the program; deleting certain certification requirements; modifying duties for the residency committee; deleting additional year of residency by certain teachers; requiring appointment of a residency committee for alternative placement teaching certificate teachers; deleting term of resident-level employment; deleting option allowing the mentor teacher position on the residency committee to be unfilled; amending 70 O.S. 2011, Section 6-210, as amended by Section 14, Chapter 83, O.S.L. 2013 (70 O.S. Supp. 2013, Section 6-210), which relates to the Inner City Schools Rescue program; amending 70 O.S. 2011, Section 509.2, which relates to recognition of employee organizations; amending 70 O.S. 2011, Sections 1210.567 and 1210.568, which relate to alternative education programs; deleting reference to licensed teachers; deleting reference to entry-year teachers; directing the State Board of Education to conduct educator supply-and-demand studies; providing for cooperation with other entities; specifying purpose of the studies; requiring the Board to submit a report to certain persons; providing for codification; providing an effective date; and declaring an emergency.

SUBJECT: Education

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-116, is amended to read as follows:

Section 1-116. As used in this act:

1. ~~Teacher: Any~~ "Teacher" means any person who is employed to serve as district superintendent, principal, supervisor, counselor, librarian, school nurse or classroom teacher, or in any other instructional, supervisory, or administrative capacity, is defined as a teacher. Such person shall not be deemed qualified unless ~~he or she~~ the person holds a valid certificate ~~or license,~~ issued by and in accordance with the rules ~~and regulations~~ of the State Board of Education, to perform the particular services for which ~~he or she~~ the person is employed~~.~~;

2. ~~Superintendent: A superintendent of schools shall be~~ "Superintendent" or "superintendent of schools" means the executive officer of the board of education and the administrative head of the school system of a district maintaining an accredited school, provided ~~he or she~~ the person holds an administrator's certificate recognized by the State Board of Education~~.~~;

3. ~~Principal: A principal shall be~~ "Principal" means any person other than a district superintendent of schools having supervisory or administrative authority over any school or school building having two or more teachers. A teaching principal shall be a principal who devotes at least one-half the time school is in session to classroom teaching. ~~Until July 1, 1993, teaching principals shall not be required to hold administrative certificates. Beginning July 1, 1993, teaching~~ Teaching principals shall be required to hold administrative certificates~~.~~;

4. ~~For~~ "Teachers" means, for purposes of complying with the State Aid Law and other statutes which apportion money on the basis of teaching units or the number of teachers employed or qualified, all persons holding proper certificates ~~or licenses~~ and connected in any capacity with the instruction of pupils ~~shall be designated as "teachers".~~;

5. ~~Entry-year Teacher: An entry-year~~ "Resident teacher" means any certified teacher ~~is any licensed teacher~~ who is employed in a local school to serve as a classroom teacher under the guidance and

assistance of a mentor teacher ~~consultant~~ or teachers and ~~an entry-year assistance~~ residency committee. Any such person shall have completed the program of the college or school of education of the accredited institution of higher learning from which the person has been graduated~~.~~;

6. ~~Student Teacher: A student teacher is~~ "Student teacher" means any student who is enrolled in an institution of higher learning approved by the State Board of Education for teacher training and who is jointly assigned by such institution of higher learning and a school district's board of education to perform practice teaching under the direction of a regularly employed and certified teacher. A student teacher, while serving a nonsalaried internship under the supervision of a certified teacher, shall be accorded the same protection of the laws as that accorded the certified teacher~~.~~;

7. ~~A school nurse~~ "School nurse" means a person employed full time by a board of education ~~shall be~~ who is a registered nurse licensed by the Oklahoma State Board of Nurse Registration and Nursing Education, and is certified the same as a teacher by the State Department of Education. Provided, that any person who is employed as a full-time nurse in any school district in Oklahoma, but who is not registered on the effective date of this act, may continue to serve in the same capacity~~,~~; however, such person shall, under rules ~~and regulations~~ adopted by the State Board of Education, attend classes in nursing and prepare to become registered.

A school nurse employed by a board of education shall be accorded the same protection of laws and all other benefits accorded a certified teacher~~.~~; and

8. ~~Support Employee: A support employee shall be~~ "Support employee" means an employee who provides those services which are not performed by certified teachers, principals, superintendents or administrators and which are necessary for the efficient and satisfactory functioning of a school district.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 3-126, is amended to read as follows:

Section 3-126. A. A school district may develop an educational improvement plan which includes exemption from the educational-related statutory requirements set forth in subsection C of this section and State Board of Education rules for the school district,

a school site or any program, grade level, consortium of schools or school districts or other group within the school district. The board of education of the school district shall, through adoption of a resolution, approve the plan prior to application being made to the State Board of Education.

B. Each educational improvement plan approved by the State Board of Education shall include the following components:

1. A description of the educational benefits to be derived;

2. A definition of the standards of the plan;

3. Development of definitive work products, such as site improvement plans and progress reports;

4. Demonstration of collaboration by teachers, administrators, higher education representatives, students, parents/families, and the community;

5. Development and the use of an assessment mechanism to determine progress in meeting the goals and objectives of the plan;

6. Development of an in-service training plan to be provided to personnel at the site who will participate in the project;

7. Report on the results of the plan to the State Board of Education and provision of appropriate technical assistance to other school districts and the State Department of Education as required; and

8. Explanation of how the plan will affect other schools, programs or sites in the district.

C. Each educational improvement plan shall include a list of the specific educational-related statutory requirements and State Board of Education rules the school district is requesting an exemption from and why each exemption is necessary to success of the plan. The school district shall not be granted an exemption from federal educational-related requirements. A school district may request an exemption from any statutory requirement or State Board of Education rule not related to bilingual and special education programs, health and safety provisions, school finance, State Aid, pupil formula weights, teacher salary and teacher retirement, the Oklahoma School Testing Program, the Oklahoma Educational Indicators

Program and the teacher preparation, examination, ~~licensure,~~ certification, residency and professional development system. The State Board of Education may grant district-wide exemptions from certification requirements for Library Media Specialists to districts experiencing a shortage in this area. The State Board of Education may grant an exemption from certification requirements for superintendents to any district with an unweighted average daily membership over twenty-five thousand (25,000).

SECTION 3. AMENDATORY Section 1, Chapter 312, O.S.L. 2013 (70 O.S. Supp. 2013, Section 3-129.11), is amended to read as follows:

Section 3-129.11 A. There is hereby established the School District Empowerment Program which shall be administered by the State Board of Education. The purpose of the program is to empower locally elected school board members to govern school districts and make decisions based on the needs of their students and circumstances.

B. 1. Subject to the provisions of this section, a school district shall be allowed to submit a request to the State Board of Education for an exemption from all statutory requirements and State Board of Education rules from which charter schools are exempt, as provided for in the Oklahoma Charter Schools Act. Any request for exemption shall include a plan which outlines the goals sought to be achieved at a minimum, include the educational and fiscal benefits and the anticipated impacts or outcomes the plan will have in the district.

2. Within ninety (90) days after receiving the request and plan, the State Board shall approve or disapprove the request. If the State Board does not approve the request, it shall provide to the school district a written explanation of the basis for its decision. The school district may resubmit an amended request at any time after the denial. The request shall be approved by the State Board before implementation by the school district. An approved request and plan shall be for no longer than three (3) years. Prior to the beginning of the third year, the school district may apply for renewal of the approved request and plan. The school district shall be required to submit an annual report and the State Board shall annually assess the academic achievement and fiscal status of the school district.

C. Nothing in this section shall prevent a school district board of education from choosing to follow any or all state laws, rules or regulations from which a charter school is exempt. A school district which has been granted approval by the State Board for exemption as set forth in subsection B of this section shall have the option to adopt policies to implement any requirement for the school district that is consistent with any statutory requirement or mandate or State Board rule, but a participating school shall comply with the following requirements:

1. Students who reside in the school district shall be entitled to attend school in the district as set forth in Section 1-114 of ~~Title 70 of the Oklahoma Statutes~~ this title;

2. School districts shall comply with the requirements of the minimum salary schedule for teachers as set forth in Section 18-114.12 of ~~Title 70 of the Oklahoma Statutes~~ this title;

3. Employees of school districts shall continue to participate as members of the Teachers' Retirement System of Oklahoma as set forth in Section 17-101 et seq. of ~~Title 70 of the Oklahoma Statutes~~ this title;

4. School districts shall comply with the requirement to provide a health insurance plan for school district employees as set forth in Section 5-117.5 of ~~Title 70 of the Oklahoma Statutes~~ this title and to establish or make available to school district employees a cafeteria plan as set forth in Section 26-104 of ~~Title 70 of the Oklahoma Statutes~~ this title;

5. School districts shall require any person employed by the school district to file with the district board a current Oklahoma criminal history record check from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Each district shall adopt a policy regarding criminal history record checks as set forth in Section 5-142 of ~~Title 70 of the Oklahoma Statutes~~ this title;

6. School districts shall comply with the requirement to evaluate teachers and to train personnel designated to conduct personnel evaluations as set forth in Sections 6-101.10 and 6-101.11 of ~~Title 70 of the Oklahoma Statutes~~ this title, the dismissal and due process procedures for administrators as set forth in Sections 6-101.13 through 6-101.15 of ~~Title 70 of the Oklahoma Statutes~~ this

title and the due process procedures for teachers as set forth in Sections 6-101.21 through 6-101.26 of ~~Title 70 of the Oklahoma Statutes~~ this title;

7. School districts shall comply with the requirement to make payroll deductions for either or both professional organization dues and political contributions upon the request of an employee as set forth in Section 5-139 of ~~Title 70 of the Oklahoma Statutes~~ this title;

8. School districts shall comply with the dismissal and due process procedures for education support employees as set forth in Sections 6-101.40 through 6-101.47 of ~~Title 70 of the Oklahoma Statutes~~ this title;

9. School districts shall employ as teachers, counselors, librarians, school nurses, superintendents, principals, supervisors or any other instructional, supervisory or administrative employee only those persons who are certified ~~or licensed~~ by the State Board of Education in accordance with the Oklahoma Teacher Preparation Act, except for persons exempt from the certification ~~or licensure~~ requirements as otherwise provided by law;

10. School districts shall provide for negotiations between school employees and school districts as set forth in Sections 509.1 through 509.11 of ~~Title 70 of the Oklahoma Statutes~~ this title;

11. School districts shall be required to offer and students enrolled in the school district shall be required to complete the curriculum requirements as set forth in Section 11-103.6 of ~~Title 70 of the Oklahoma Statutes~~ this title;

12. Students enrolled in the school district shall be required to demonstrate mastery of the state academic content standards as set forth in Section 1210.523 of ~~Title 70 of the Oklahoma Statutes~~ this title; and

13. Members of the school district board of education shall be required to satisfy the instruction and continuing education requirements as set forth in Sections 5-110, 5-110.1 and 5-110.2 of ~~Title 70 of the Oklahoma Statutes~~ this title.

SECTION 4. AMENDATORY 70 O.S. 2011, Section 6-101, is amended to read as follows:

Section 6-101. A. Except as provided in subsection E of this section, no person shall be permitted to teach in any school district of the state without a written contract, except as provided herein for substitute teachers and except teachers of classes in adult education. Except as provided in subsection J of this section, the board of education of each school district, wherein school is expected to be conducted for the ensuing year, shall employ and contract in writing with qualified teachers for and in the name of the district. One copy of the contract shall be filed with the clerk of the board of education and one copy shall be retained by the teacher.

B. Except as otherwise provided by subsection J of this section and any other law, no board of education shall have authority to enter into any written contract with a teacher who does not hold a valid certificate issued or recognized by the State Board of Education authorizing said teacher to teach the grades or subject matter for which the teacher is employed. Any board of education paying or authorizing the payment of the salary of any teacher not holding a certificate, as required herein, shall be adjudged to be guilty of a fraudulent expenditure of public funds and members voting for such payment shall be held jointly responsible for the return of the amount of any public monies thus expended, upon suit brought by the district attorney or by any interested citizen in the district where such funds have been expended.

C. It shall be the duty of the superintendent of schools under whose supervision teachers have been contracted to teach to certify to the treasurer of the contracting district the names of the teachers holding valid certificates with whom contracts have been made and the names of substitute teachers employed in accordance with law. The treasurer shall not register any warrant issued in payment of salary to any teacher whose name is not included in such list and shall be liable on the official bond for the treasurer for the amount of any warrant registered in violation of the provisions of this section.

D. Whenever any person shall enter into a contract with any school district in Oklahoma to teach in such school district the contract shall be binding on the teacher and on the board of education until the teacher legally has been discharged from the teaching position or released by the board of education from the contract. Except as provided in Section 5-106A of this title, until such teacher has been thus discharged or released, the teacher shall not have authority to enter into a contract with any other board of

education in Oklahoma for the same time covered by the original contract. If upon written complaint by the board of education in a district any teacher is reported to have failed to obey the terms of the contract previously made and to have entered into a contract with another board of education without having been released from the former contract except as provided in Section 5-106A of this title, the teacher, upon being found guilty of such charge at a hearing held before the State Board of Education, shall have such teacher's certificate suspended for the remainder of the term for which the contract was made.

E. A board of education shall have authority to enter into written contracts with teachers for the ensuing fiscal year prior to the beginning of such year. If, prior to the first Monday in June, a board of education has not entered into a written contract with a regularly employed teacher or notified the teacher in writing by registered or certified mail that a recommendation has been made not to reemploy the teacher for the ensuing fiscal year, and if, by fifteen (15) days after the first Monday in June, such teacher has not notified the board of education in writing by registered or certified mail that such teacher does not desire to be reemployed in such school district for the ensuing year, such teacher shall be considered as employed on a continuing contract basis and on the same salary schedule used for other teachers in the school district for the ensuing fiscal year, and such employment and continuing contract shall be binding on the teacher and on the school district.

F. Whenever a school district is engaged in contract negotiations with teachers employed by that school district after the school year has begun and the teachers are employed on a continuing contract basis, the school district shall, beginning at the first of the school year, pay the teachers any state-mandated salary increases and salary schedule increases to which each teacher is otherwise entitled.

G. No school district or any member of the board of education of a district shall be liable for the payment of compensation to a teacher or administrator under the provisions of any contract for the ensuing year, if it becomes necessary to close the school because of insufficient attendance, disorganization, annexation, consolidation, or by dispensing with the school according to law, provided, such cause is known or action is taken prior to July 1 of such ensuing year.

H. No school district or any member of a board of education shall be liable for the payment of compensation to any teacher or administrator for the unexpired term of any contract if the school building to which the teacher or administrator has been assigned is destroyed by accident, storm, fire, or otherwise and it becomes necessary to close the school because of inability to secure a suitable building or buildings for continuation of school. Teachers and administrators shall be entitled to pay for any time lost when school is closed on account of epidemics or otherwise when an order for such closing has been issued by a health officer authorized by law to issue the order.

I. A teacher may contract with more than one school district for the same school year as provided in Section 5-106A of this title.

J. A board of education shall have authority to enter into written contracts for the ensuing fiscal year prior to the beginning of the year with persons who are not certified ~~or licensed~~ to teach by the State Board of Education as long as the person is actively in the process of securing certification ~~or licensure~~. The person shall not be allowed to teach in a classroom until the person has met or completed all of the requirements for ~~licensure or~~ certification as provided for in Section 6-190 of this title. If the person has not obtained valid certification ~~or licensure~~ by the first day of the ensuing school year, the contract shall be terminated.

SECTION 5. AMENDATORY 70 O.S. 2011, Section 6-101.3, as amended by Section 1, Chapter 373, O.S.L. 2013 (70 O.S. Supp. 2013, Section 6-101.3), is amended to read as follows:

Section 6-101.3 As used in Section 6-101 et seq. of this title:

1. "Administrator" means a duly certified person who devotes a majority of time to service as a superintendent, elementary superintendent, principal, supervisor, vice principal or in any other administrative or supervisory capacity in the school district;

2. "Dismissal" means the discontinuance of the teaching service of an administrator or teacher during the term of a written contract, as provided by law;

3. "Nonreemployment" means the nonrenewal of the contract of an administrator or teacher upon expiration of the contract;

4. "Career teacher" means a teacher who:

a. for teachers employed by a school district prior to full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, has completed three (3) or more consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, or

b. for teachers employed for the first time by a school district under a written continuing or temporary teaching contract after full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title:

(1) has completed three (3) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract and has achieved a rating of "superior" as measured pursuant to the TLE as set forth in Section 6-101.16 of this title for at least two (2) of the three (3) school years, with no rating below "effective",

(2) has completed four (4) consecutive complete school years as a teacher in one school district under a written continuing or temporary teaching contract, has averaged a rating of at least "effective" as measured pursuant to the TLE for the four-year period, and has received a rating of at least "effective" for the last two (2) years of the four-year period, or

(3) has completed four (4) or more consecutive complete school years in one school district under a written continuing or temporary teaching contract and has not met the requirements of subparagraph a or b of this paragraph, only if the principal of the school at which the teacher is employed submits a petition to the superintendent of the school district requesting that the teacher be granted career status, the

superintendent agrees with the petition, and the school district board of education approves the petition. The principal shall specify in the petition the underlying facts supporting the granting of career status to the teacher;

5. "Teacher hearing" means the hearing before a school district board of education after a recommendation for dismissal or nonreemployment of a teacher has been made but before any final action is taken on the recommendation, held for the purpose of affording the teacher all rights guaranteed by the United States Constitution and the Constitution of Oklahoma under circumstances and for enabling the board to determine whether to approve or disapprove the recommendation;

6. "Probationary teacher" means a teacher who:

a. for teachers employed by a school district prior to full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, has completed fewer than three (3) consecutive complete school years as a teacher in one school district under a written teaching contract, or

b. for teachers employed for the first time by a school district under a written teaching contract after full implementation of the Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE) as set forth in Section 6-101.10 of this title, has not met the requirements for career teacher as provided in paragraph 4 of this section;

7. "Suspension" or "suspended" means the temporary discontinuance of the services of an administrator or teacher, as provided by law; and

8. "Teacher" means a duly certified ~~or licensed~~ person who is employed to serve as a counselor, librarian or school nurse or in any instructional capacity; an administrator shall be considered a teacher only with regard to service in an instructional, nonadministrative capacity.

SECTION 6. AMENDATORY 70 O.S. 2011, Section 6-101.40, is amended to read as follows:

Section 6-101.40 A support employee who has been employed by a local board of education for more than one (1) year shall be subject to suspension, demotion, termination or nonreemployment only for cause, as designated by the policy of the local board of education, adopted as provided in Section 6-101.43 of this title. This section shall not be construed to prevent layoffs for lack of funds or work. For purposes of this act, "support employee" means a full-time employee of a school district as determined by the standard period of labor which is customarily understood to constitute full-time employment for the type of services performed by the employee who is employed a minimum of one hundred seventy-two (172) days and who provides those services, not performed by professional educators or ~~licensed~~ certified teachers, which are necessary for the efficient and satisfactory functioning of a school district and shall not include adult education instructors or adult coordinators employed by technology center school districts.

SECTION 7. AMENDATORY 70 O.S. 2011, Section 6-122.3, as amended by Section 1, Chapter 76, O.S.L. 2012 (70 O.S. Supp. 2013, Section 6-122.3), is amended to read as follows:

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

1. Holds at least a baccalaureate degree from an institution whose accreditation is recognized by the Oklahoma State Regents for Higher Education and has attained a retention grade point average of not less than 2.50 on a 4.0 scale;

2. Has completed a major in a field that corresponds to an area of specialization for an Elementary-Secondary Certificate, a Secondary Certificate or a vocational-technical certificate;

3. 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 of the professional education component of an alternative placement program. The number of clock or semester hours required for the professional education component of an alternative placement program needed to qualify for standard certification shall be as follows:

a. baccalaureate degree, eighteen (18) semester hours or two hundred seventy (270) clock hours, or

b. postbaccalaureate degree, twelve (12) semester hours or one hundred eighty (180) clock hours.

The State Board of Education shall establish a core minimum of six (6) semester hours or ninety (90) clock hours for the professional education component.

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

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

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

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

C. Persons enrolled in an alternative placement program shall:

1. Have never been denied admittance to a teacher education program approved by the Oklahoma State Regents for Higher Education, the North Central Association of Colleges and Schools and by the Oklahoma Commission for Teacher Preparation to offer teacher

education programs, nor have enrolled in and subsequently failed courses necessary to successfully meet the minimum requirements of the program, except those persons who hold a certificate;

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

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

4. Except for persons participating in the federal Troops To Teachers Program, document at least two (2) years of work experience which is related to the subject area of specialization if the person has only a baccalaureate degree with no postbaccalaureate work in a related area.

D. The State Board of Education may grant an exception to the requirements for ~~licensure and~~ certification and, upon demonstration by an individual of specific competency in the subject area of specialization, may grant a ~~license or~~ certificate to the individual. The State Board may establish other requirements necessary to grant exceptions.

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

F. The State Board of Education shall promulgate rules authorizing adjunct teachers who shall be persons with distinguished qualifications in their field. Adjunct teachers shall not be required to meet standard certification. Adjunct teachers shall be limited to ninety (90) clock hours of classroom teaching per semester.

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

H. The Oklahoma Commission for Teacher Preparation shall not accredit, renew the accreditation of, or otherwise approve any teacher education program of any institution of higher education in

this state that has not implemented alternative placement programs in at least four areas of specialization, including mathematics, science and a foreign language. Each institution shall allow individuals who meet the criteria of subsections A and C of this section to be:

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

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

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

SECTION 8. AMENDATORY 70 O.S. 2011, Section 6-122.6, is amended to read as follows:

Section 6-122.6 A. The State Board of Education shall issue a one-year, nonrenewable secondary or middle level ~~license~~ certificate to teach to any person who has attained certification by an alternative teacher certification organization as set forth in subsection C of this section and has on file with the Board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary ~~license~~ certificate which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a ~~license~~ certificate shall be responsible for the cost of the criminal history records.

B. Notwithstanding the provisions of Section 6-195 of ~~Title 70 of the Oklahoma Statutes~~ this title, teachers issued a ~~license~~ certificate pursuant to this section shall not be subject to the requirements of the residency program, but shall participate in the mentoring program provided by the alternative teacher certification organization as set forth in subsection C of this section. Upon successful completion of such mentoring program, the teacher shall

be issued a certificate to teach by the State Board of Education after completion of the application and payment of the certification fee as prescribed by the State Board of Education.

C. For purposes of this section, the State Board of Education shall identify an alternative teacher certification organization that was founded with grant funding from the United States Department of Education and that developed the Passport to Teaching program, which is a certification program designed for professionals who want to change careers and become teachers. The program shall require candidates to hold a bachelor's degree, pass a professional teaching knowledge exam, pass a subject area exam, and pass a background check. The organization shall provide candidates with access to workshops, an experienced teacher-advisor, and optional access to comprehensive subject matter refresher courses. The organization shall also provide an intensive mentoring and induction program.

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

SECTION 9. AMENDATORY 70 O.S. 2011, Section 6-182, as amended by Section 8, Chapter 223, O.S.L. 2012 (70 O.S. Supp. 2013, Section 6-182), is amended to read as follows:

Section 6-182. As used in the Oklahoma Teacher Preparation Act:

1. "Board" means the State Board of Education;

2. "Commission" means ~~the Oklahoma Commission for Teacher Preparation until July 1, 2014, and beginning July 1, 2014, means~~ the Commission for Educational Quality and Accountability;

3. "State Regents" means the Oklahoma State Regents for Higher Education;

4. ~~"Licensed teacher" means any person who holds a valid license to teach, issued by the Board in accordance with the Oklahoma Teacher Preparation Act and the rules of the Board;~~

~~5.~~ "Professional development program" means the program mandated by the Oklahoma Teacher Preparation Act for the continuous improvement and enrichment of the certified and licensed teachers of this state;

~~6.~~ 5. "Teacher education professional development committee" means the committee created in Section 6-186 of this title for the continuous improvement and enrichment of higher education faculty in teacher education programs in institutions of higher education;

~~7.~~ 6. "Department" means the State Department of Education;

~~8.~~ 7. "Residency committee" means a committee in a school district for the purpose of ~~reviewing the teaching performance of a resident teacher and making recommendations to the Board and the preparing institution of higher education regarding certification of the resident teacher~~ providing professional support, mentorship and coaching to the resident teacher. A residency committee ~~shall~~ may consist of ~~a~~ one or more mentor ~~teacher~~ teachers, the principal or an assistant principal of the employing school ~~or an administrator~~, one or more administrators designated by the school district board ~~and~~ of education, a teacher educator in a college or school of education of an institution of higher education~~,~~ or an educator in a department or school outside the institution's teacher education unit. ~~Provided that, if available~~ If possible, qualified mentor teachers shall have expertise in the teaching field of the resident teacher and, if possible, the higher education members of the residency committee shall have expertise and experience in the teaching field of the resident teacher. However, in all cases, at least one member of the residency committee shall have expertise and experience in the teaching field of the resident teacher;

~~9.~~ 8. "Teacher" means a person defined as a teacher in Section 1-116 of this title;

~~10.~~ 9. "Resident teacher" means any ~~licensed~~ certified teacher who is employed in an accredited school to serve as a teacher and the school district has elected to place under the guidance and assistance of a mentor teacher and residency committee. The resident teacher shall have completed the program of the college or school of education of the accredited institution of higher education from which the person has been graduated, and shall have successfully completed the competency examination in areas of approval in which the resident teacher seeks certification;

~~11.~~ 10. "Certified teacher" means any teacher who has been issued a certificate by the Board in accordance with the Oklahoma Teacher Preparation Act and the rules of the Board;

~~12.~~ 11. "Mentor teacher" means any teacher holding a standard certificate who is employed in a school district to serve as a teacher and who has been appointed to provide guidance, support, coaching and assistance to a resident teacher employed by the school district. A mentor teacher shall be a classroom teacher and have a minimum of two (2) years of classroom teaching experience as a certified teacher.

A mentor teacher shall be selected by the principal from a list of qualified teacher volunteers who have submitted their names for that purpose. After compilation of the list, the principal shall provide opportunity for input from the bargaining agent, where one exists. Membership or nonmembership in a professional teacher organization shall not be considered as a factor in selecting a mentor teacher. ~~No teacher may serve as a mentor teacher for more than one resident teacher at a time.~~ When possible, a mentor teacher shall have successfully completed a mentor teacher professional development institute and be assigned to the same school site and have similar certification as the resident teacher;

~~13.~~ 12. "Higher education faculty" means any individual who is employed in a teaching capacity in an institution of higher education, approved or accredited by the Commission for the preparation of education personnel; and

~~14.~~ 13. "Competency examination" means the assessment required in the Oklahoma Teacher Preparation Act for ~~licensure and~~ certification as a teacher and shall consist of tests over general education, professional education and subject areas as defined by the ~~Oklahoma Commission for Teacher Preparation until July 1, 2014, and beginning July 1, 2014, as defined by the~~ Commission for Educational Quality and Accountability.

SECTION 10. AMENDATORY 70 O.S. 2011, Section 6-184, as amended by Section 9, Chapter 223, O.S.L. 2012 (70 O.S. Supp. 2013, Section 6-184), is amended to read as follows:

Section 6-184. A. Beginning July 1, 1997 through July 1, 2014, the Oklahoma Commission for Teacher Preparation shall have authority for approval and accreditation of teacher education programs and for assessment of candidates for ~~licensure and~~ certification according to the provisions of the Oklahoma Teacher Preparation Act. As part of this duty the Oklahoma Commission for Teacher Preparation shall:

1. Include the State Board of Education in the process;

2. Review and assess approved, accredited and new programs of teacher education; and

3. Encourage studies and research designed to improve teacher education.

B. Until July 1, 2014, before adopting any rule pertaining to approval or accreditation of teacher education programs or assessment of candidates for ~~licensure and~~ certification, the Oklahoma Commission for Teacher Preparation shall solicit comments from the State Board of Education, the Oklahoma State Regents for Higher Education and the State Board of Career and Technology Education on the proposed rule. Within forty-five (45) days of the receipt of the proposed rule from the Oklahoma Commission for Teacher Preparation, the State Board of Education, the State Regents and the State Board of Career and Technology Education shall separately review the proposed rule and return their recommendations to the Commission on the proposed adoption. Each recommendation shall include the rationale for the recommendation. The Oklahoma Commission for Teacher Preparation shall accord the recommendations due deliberation in its subsequent consideration of the adoption of each proposed rule. If the action of the Commission on a proposed rule is not consistent with the recommendation made by any of the reviewing entities, within ten (10) days of the Oklahoma Commission for Teacher Preparation's formal action on the rule, the Commission shall submit a report providing justification for its actions to the Commission for Educational Quality and Accountability.

C. Until July 1, 2014, the State Board of Education, the Oklahoma State Regents for Higher Education and the State Board of Career and Technology Education shall also have authority to recommend to the Oklahoma Commission for Teacher Preparation rules for teacher education program approval and accreditation and rules for teacher assessment. Any such rule recommended shall be considered by the Commission within sixty (60) days of receipt of the rule by the same process provided in subsection A of this section for rules proposed by the Oklahoma Commission for Teacher Preparation.

D. Until July 1, 2014, before adopting any rule pertaining to teacher ~~licensure and~~ certification, residency or professional development, the State Board of Education shall solicit comments from the Oklahoma Commission for Teacher Preparation, the Oklahoma State Regents for Higher Education and the State Board of Career and

Technology Education on the proposed rule. Within forty-five (45) days of the receipt of a proposed rule from the State Board of Education, the Oklahoma Commission for Teacher Preparation, the State Regents and the State Board of Career and Technology Education shall separately review the proposed rule and return their recommendations to the Board on the proposed adoption. Each recommendation shall include the rationale for the recommendation. The State Board of Education shall accord the recommendations due deliberation in its subsequent consideration of the adoption of each rule. If the action of the State Board of Education on a proposed rule is not consistent with the recommendation made by any of the reviewing entities, within ten (10) days of the State Board of Education's formal action on the rule, the State Board of Education shall submit a report providing justification for its action to the Education Oversight Board.

E. Until July 1, 2014, the Oklahoma Commission for Teacher Preparation, the Oklahoma State Regents for Higher Education and the State Board of Career and Technology Education shall have authority to recommend to the State Board of Education rules for adoption in the areas of teacher ~~licensure and~~ certification, residency and professional development. Any such rule recommended shall be considered by the State Board of Education within sixty (60) days of the receipt of the rule by the same process provided in subsection C of this section for rules proposed by the State Board of Education.

F. Beginning July 1, 2014, the State Board of Education, the Oklahoma State Regents for Higher Education and the State Board of Career and Technology Education shall have the authority to submit proposed rules regarding teacher education program approval, accreditation, and for teacher assessment to the Commission for Educational Quality and Accountability. All proposed rules shall be considered by the Commission within sixty (60) days of receipt of the proposed rule. The proposed rules shall be considered by the Commission in the same process provided in subsection B of this section for rules proposed by the Oklahoma Commission for Teacher Preparation.

G. Beginning July 1, 2014, before adopting any rule pertaining to teacher leadership and effectiveness or professional development, the State Board of Education shall solicit comments from the Commission for Educational Quality and Accountability, the Oklahoma State Regents for Higher Education and the State Board of Career and Technology Education on the proposed rule. Within forty-five (45) days of the receipt of a proposed rule from the State Board of

Education, the Commission for Educational Quality and Accountability, the State Regents and the State Board of Career and Technology Education shall separately review the proposed rule and return their recommendations to the Board on the proposed rule. Each recommendation shall include the rationale for the recommendation. The State Board of Education shall accord the recommendations due deliberation in its subsequent consideration of the adoption of each rule.

SECTION 11. AMENDATORY 70 O.S. 2011, Section 6-185, as amended by Section 10, Chapter 223, O.S.L. 2012 (70 O.S. Supp. 2013, Section 6-185), is amended to read as follows:

Section 6-185. A. The following competencies and methods shall be incorporated into the programs approved by the Oklahoma Commission for Teacher Preparation until July 1, 2014, and approved by the Commission for Educational Quality and Accountability beginning July 1, 2014, for the competency-based teacher preparation system provided for the Oklahoma Teacher Preparation Act:

1. The teacher preparation system shall include, but not be limited to, the following competencies:

a. excellence in the arts and sciences,

b. an in-depth knowledge of the subject matter to be taught,

c. the ability to identify and cultivate talent and potential in students,

d. an understanding of child and human development,

e. teaching skills developed through a variety of learning experiences,

f. the ability to interact effectively with all students,

g. skills necessary for working with parents, guardians and custodians of students in the education process,

h. skills necessary to involve the community in education,

i. skills to foster teamwork within and among schools,

j. for administrators, skills necessary to be an effective leader of a school or school district, and

k. skills in effective classroom management and student discipline;

2. The preservice program shall include the following methods to achieve the competencies listed in paragraph 1 of this subsection:

a. require teacher candidates to study arts and sciences at the undergraduate level,

b. require secondary and elementary/secondary teacher candidates to have undergraduate majors, or their equivalents, in a subject area, and require teacher candidates in early childhood, elementary, and special education to have subject area concentrations which allow qualification as a generalist,

c. require teacher candidates to study the individuality of students, the capacity of students to learn and the process of learning,

d. integrate curriculum from other disciplines with the education curriculum,

e. require teacher candidates to have training experiences and personal contact with parents, guardians or custodians of school-age children,

f. require teacher candidates to have community involvement experience,

g. structure courses so as to require teamwork activities, and

h. require teacher candidates to study, in existing coursework, substance abuse symptoms identification and prevention, mental illness symptoms identification and mental health issues, classroom management skills, and classroom safety and discipline techniques;

3. Until July 1, 2014, the Oklahoma Commission for Teacher Preparation and beginning July 1, 2014, the Commission for Educational Quality and Accountability shall not require more than a four-year program of one hundred twenty-four (124) semester hours to complete a teacher education degree.

B. It is the intent of the Legislature that institutions of higher education which offer teacher education programs hold such programs accountable for meeting the ~~licensure and~~ certification competencies approved by the State Board of Education. It is the intent of the Legislature that the teacher education programs incorporate a curriculum to achieve the competency-based system and include integration of the teacher preparation curricula with the arts and sciences departments curricula. Each institution of higher education which seeks accreditation or approval for its teacher education program shall develop an institution plan which follows the State Board of Education competencies for ~~licensure and~~ certification. In developing such institution plans, the higher education institution shall establish a process which seeks information and input from teacher preparation faculty, faculty from arts and sciences and other programs and disciplines which are appropriate, students within the teacher education program, teachers, administrators, parents, guardians or custodians of students and business and community leaders. Until July 1, 2014, each institution shall report annually to the Oklahoma Commission for Teacher Preparation and beginning July 1, 2013, to the Commission for Educational Quality and Accountability the procedures used to inform the public regarding the institution's teacher education program and the manner through which public input is solicited and received. The institution's plan shall be accessible to any interested party under the Oklahoma Open Records Act. No institution of higher education's teacher education program shall be approved by the Commission unless the institution plan has been approved by that institution's governing board. The Oklahoma State Regents for Higher Education may facilitate the development of institution plans to assist institutions of higher education.

SECTION 12. AMENDATORY 70 O.S. 2011, Section 6-186, is amended to read as follows:

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

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

2. A minimum grade point average as established by the Oklahoma Commission for Teacher Preparation; and

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

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

B. The Oklahoma Commission for Teacher Preparation shall work with the Oklahoma State Regents for Higher Education and the various institutions of higher education in developing guidelines for a paid teacher internship program which may be offered at each institution for prospective teachers. The purpose of each program shall be to provide mentorship and support for prospective teachers. Students enrolled in a teacher education program shall be eligible to participate in the program. Only students who have completed the minimum nonsalaried teacher internship requirement as established by the institution shall be eligible to participate in the paid teacher internship program.

C. It is hereby declared to be the intent of the Legislature that the Oklahoma Commission for Teacher Preparation work with the Oklahoma State Regents for Higher Education and the various institutions of higher education in establishing a procedure whereby full-time teacher education faculty continue their professional development during their tenure at an institution of higher education to ensure that the future teachers of this state are taught by professional educators fully trained in their area of expertise. Each approved or accredited program of teacher education shall have a system for documenting and reporting the annual professional development activities of all teacher education faculty members. Faculty professional development reports shall be reviewed by the Commission along with professional development activities as a normal part of the accreditation process.

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

1. Professional development programs;

2. Higher education courses;

3. Exchange programs with public school classroom teachers, administrators, and other school personnel; and

4. Programs whereby all full-time teacher education faculty members directly involved in the teacher education process, including all administrators of the teacher education program, are required to serve in a state accredited public school for at least ten (10) clock hours per school year in responsibilities related to their respective teacher education teaching fields.

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

~~C.~~ D. The Oklahoma Commission for Teacher Preparation shall adopt rules requiring specific improvements to strengthen the screening of student applicants and field activity and placement as set out in subsection A of this section. Such rules shall be reviewed and amended or readopted by the Commission at least once every five (5) years.

~~D.~~ E. To assist the Commission in setting specific requirements as set out in subsections A and ~~C~~ D of this section, the Commission shall annually prepare a statistical report showing the percentage of students from each of the Oklahoma institutions of higher education who have successfully completed or who have failed the competency examination for ~~licensure and~~ certification. The annual report shall show the percentages for each institution of higher education and each assessment area separately by student degree status and shall be distributed annually to each member of the Oklahoma Commission for Teacher Preparation, the Oklahoma State Regents for Higher Education, the governing board of each institution which has an approved or state accredited teacher education program, the State Board of Education, the State Board of Career and Technology Education and the Legislature.

SECTION 13. AMENDATORY 70 O.S. 2011, Section 6-187, as last amended by Section 3, Chapter 336, O.S.L. 2013 (70 O.S. Supp. 2013, 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 various subject areas and grade levels for purposes of ensuring academic achievement and competency of each teacher candidate or teacher in the subject area the person is seeking ~~licensure or~~ certification to teach which shall also include ~~licensure or~~ certification as an administrator, as prescribed by the State Board of Education.

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

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

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

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

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

Any teacher who is certified to teach elementary education may be certified in early childhood education upon meeting the requirements provided in law and successful completion of the

appropriate subject area portion of the examination. Any teacher who is certified to teach early childhood education may be certified in elementary education upon meeting the requirements provided in law and successful completion of the appropriate subject area portion of the examination. Any special education teacher who becomes certified to teach through completion of an accredited teacher preparation program may be certified in early childhood or elementary education upon meeting the requirements provided in law and successful completion of the appropriate subject portion of the examination. Any teacher who becomes certified to teach through completion of an accredited teacher preparation program or becomes alternatively certified to teach through the Troops to Teachers program may be certified in special education upon meeting the requirements provided in law and successful completion of the appropriate subject area portion of the examination.

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

E. Nothing in the Oklahoma Teacher Preparation Act shall restrict the right of the State Board of Education to issue an emergency or provisional certificate, as needed. Provided, however, prior to the issuance of an emergency certificate, the district shall document substantial efforts to employ a teacher who holds a provisional or standard certificate ~~or who is licensed in the teaching profession~~. In the event a district is unable to hire an individual meeting this criteria, the district shall document efforts to employ an individual with a provisional or standard certificate ~~or with a license~~ in another curricular area with academic preparation in the field of need. Only after these alternatives have been exhausted shall the district be allowed to employ an individual meeting minimum standards as established by the State Board of Education for the issuance of emergency certificates.

SECTION 14. AMENDATORY 70 O.S. 2011, Section 6-189, as amended by Section 1, Chapter 360, O.S.L. 2012 (70 O.S. Supp. 2013, Section 6-189), is amended to read as follows:

Section 6-189. A. The ~~licensure and~~ certification system required by the Oklahoma Teacher Preparation Act as part of the new teacher preparation system shall be competency-based. The competencies for ~~licensure and~~ certification shall be integrated with competencies specified in Section 6-185 of this title. By July 1, 1996, the State Board of Education shall adopt general

competencies for ~~licensure and~~ certification, and by January 1, 1997, the Board shall have adopted full competencies and implemented the ~~licensure and~~ certification ~~systems~~ system as required in this act. No higher education courses or credit hours may be specified by the State Board of Education in rules for ~~licensure or~~ certification. Nothing in the ~~licensure and~~ certification rules adopted by the Board shall prohibit the Oklahoma State Regents for Higher Education from adopting policies and procedures it deems appropriate for coursework, grade point average, or credit hours for teacher preparation at institutions in The Oklahoma State System of Higher Education.

B. The certification requirements for a school principal not alternatively certified under subsection D of this section shall include not less than:

1. Completion of a standard master's degree;

2. Completion of a program in education administration approved by the Oklahoma Commission for Teacher Preparation with an emphasis on curriculum, instruction and building-level leadership skills;

3. Any other professional education and requirements as may be fixed by the State Board of Education;

4. A passing score on the subject area competency examination required in Section 6-187 of this title; and

5. A minimum of two (2) years of successful teaching experience in public or private schools accredited by the State Board of Education or by the proper accrediting authority of another state of the United States.

C. The certification requirements for a superintendent of schools not alternatively certified under subsection D of this section shall include not less than:

1. Certification as a school principal or completion of the certification requirements for a school principal as set forth in subsection B of this section;

2. Completion of a program in education administration approved by the Oklahoma Commission for Teacher Preparation with an emphasis on district-level leadership skills, and which shall include the following competencies:

a. instructional leadership,

b. organizational leadership, including education finance, education law, and risk management,

c. collaborative and community leadership, and

d. ethical leadership, or

The requirement in this paragraph shall not apply to any person who has completed an Oklahoma Commission for Teacher Preparation approved Master's Degree in Education Administration or has completed a program in education administration that included competencies that are substantially equal to those listed in this paragraph, and if the degree or program was completed between the effective date of this act and July 1, 2005;

3. Any other professional education and requirements as may be fixed by the State Board of Education;

4. A passing score on the subject area competency examination required in Section 6-187 of this title; and

5. A minimum of two (2) years of administrative experience in public or private schools accredited by the State Board of Education or by the proper accrediting authority of another state of the United States.

D. 1. The standards for alternative certification for superintendents of schools and principals shall include:

a. the completion of a standard master's degree,

b. two (2) years of relevant work experience in a supervisory or administrative capacity,

c. a passing score on the subject area competency examination required in Section 6-187 of this title, and

d. filing with the director of teacher education at an Oklahoma accredited institution of higher education a plan for completing an alternative administrative preparation program within three (3) years. Relevant

work experience and coursework may be considered and applied to complete the plan.

2. An alternative certificate for superintendent of schools and principals shall not exceed three (3) years and shall not be renewable.

3. Upon successful completion of an alternative administrative preparation program by a participant, the State Board of Education shall issue a standard certificate for superintendent or principal, as applicable, to the applicant.

4. Any person participating in an alternative certification program for superintendent of schools and principals on the effective date of this act shall be subject to the program requirements in effect prior to the effective date of this act.

E. The certification requirements for a superintendent of a technology center school district shall include not less than a standard master's degree, any other professional education requirements as may be fixed by the State Board of Education, and a minimum of four (4) years teaching, supervisory or administrative experience, which may include teaching of full-time adult students, in a technology center school district. A person meeting the requirements set forth in subsection C of this section shall be eligible for a certificate for superintendent of a technology center school district.

F. Certificates may be revoked by the State Board of Education for willful violation of any rule of the Board or of any federal or state law or other proper cause but only after sufficient hearing has been given before the Board.

G. Teaching in a Head Start program or programs shall be used for renewal of a standard teaching certificate.

SECTION 15. AMENDATORY 70 O.S. 2011, Section 6-189.1, as amended by Section 1, Chapter 8, O.S.L. 2013 (70 O.S. Supp. 2013, Section 6-189.1), is amended to read as follows:

Section 6-189.1 A. Beginning July 1, 2000, no school district shall employ any teacher to teach mathematics in grades seven or eight, unless the teacher is ~~licensed or~~ certified to teach middle or secondary level mathematics or has received middle level endorsement pursuant to subsection B of this section. ~~A school~~

~~district may employ a teacher without such a license, certificate, or endorsement until September 1, 2003, if the teacher became licensed or certified to teach prior to September 1, 1999.~~

B. Any teacher who became ~~licensed or~~ certified to teach prior to September 1, 1999, does not have middle or secondary level certification in mathematics, and is serving in a school as a mathematics teacher for grades seven or eight shall be required to obtain middle level certification or middle level endorsement before September 1, 2003. For such teachers, middle level certification or middle level endorsement may be obtained as follows:

1. Middle level mathematics certification - A teacher may obtain middle level certification by successfully completing the appropriate Oklahoma Subject Area Test for middle level mathematics administered by the Oklahoma Commission for Teacher Preparation. The teacher shall not be required to take the Oklahoma Professional Teacher Examination for secondary students administered by the Oklahoma Commission for Teacher Preparation. A teacher granted middle level certification pursuant to this paragraph shall be entitled to teach mathematics in grades seven and eight for high school graduation credit; and

2. Middle level endorsement - A teacher may obtain a middle level endorsement by successfully completing a professional development institute in middle level mathematics developed and administered by the Oklahoma Commission for Teacher Preparation. Any professional development institute developed pursuant to this paragraph shall meet the criteria as established in subsection H of this section. A teacher granted middle level endorsement pursuant to this paragraph shall not be entitled to teach mathematics for high school graduation credit.

C. Any teacher serving in a school as a mathematics teacher for grade six may obtain middle level endorsement by successfully completing a professional development institute in middle level mathematics developed pursuant to this section. Such teacher shall be eligible to participate in a professional development institute in middle level mathematics developed and administered by the Oklahoma Commission for Teacher Preparation one time free of charge.

D. Any teacher seeking middle level certification or middle level endorsement pursuant to subsection B of this section shall be eligible to take the Oklahoma Subject Area Test in middle level mathematics one time free of charge after July 1, 2000, or

participate in a professional development institute in middle level mathematics developed and administered by the Oklahoma Commission for Teacher Preparation one time free of charge after July 1, 2000.

E. A teacher who is granted middle level certification in mathematics, pursuant to subsection B of this section, may teach grade nine only if the teacher successfully completes the Oklahoma Professional Teacher Examination for secondary students.

F. A teacher who is granted middle level endorsement pursuant to subsection B or C of this section may teach mathematics courses in grades seven or eight for high school credit only if the teacher has completed a minimum of twenty-four college credit semester hours of mathematics as specified by the State Department of Education.

G. Any teacher who became ~~licensed or~~ certified to teach prior to September 1, 1999, did not have middle or secondary level certification in mathematics and successfully completed the appropriate Oklahoma Subject Area Test for middle level mathematics between July 1, 1999, and July 1, 2000, shall be granted a middle level certificate pursuant to subsection B of this section.

H. 1. Any professional development institute in middle level mathematics developed pursuant to this section and administered by the Oklahoma Commission for Teacher Preparation shall:

a. consist of a minimum of thirty (30) clock hours,

b. be competency based,

c. emphasize effective learning practices,

d. require collaboration among participants, and

e. require each participant to prepare a work product which can be utilized in the classroom by the participant.

2. Any professional development institute in middle level mathematics developed pursuant to this section and administered by the Oklahoma Commission for Teacher Preparation shall be chosen through a competitive bid process, be reviewed by a professional development committee and other constituencies, and be subject to peer review. Invitations to bid for a professional development institute shall be open to any public or private entity.

I. Beginning July 1, 2013, any teacher with certification or endorsement to teach at the secondary level may teach the subject area in which the teacher has received certification or endorsement in grades five and six.

SECTION 16. AMENDATORY 70 O.S. 2011, Section 6-189.2, is amended to read as follows:

Section 6-189.2 A. Any person seeking ~~licensure or~~ certification as a school psychologist or school psychometrist shall be exempt from the requirement to successfully complete the general education and professional education portions of the competency examination required pursuant to Sections 6-187 and 6-190 of ~~Title 70 of the Oklahoma Statutes~~ this title.

B. Any person certified as a school psychologist or school psychometrist pursuant to a substitution or exemption as provided in this section shall be required to complete all portions of the competency examination as required pursuant to Sections 6-187 and 6-190 of ~~Title 70 of the Oklahoma Statutes~~ this title if such person seeks to add certification in another subject in the future.

C. The Oklahoma Commission for Teacher Preparation shall adopt rules to implement the provisions of this section.

SECTION 17. AMENDATORY 70 O.S. 2011, Section 6-190, is amended to read as follows:

Section 6-190. A. The board of education of each school district shall employ and contract in writing, as required in Section 6-101 of this title, only with persons certified ~~or licensed~~ to teach by the State Board of Education in accordance with the Oklahoma Teacher Preparation Act, except as otherwise provided for by Section 6-101 of this title and by other law.

B. The Board shall issue a ~~license~~ certificate to teach to any person who:

1. Has successfully completed the teacher education program required by the ~~State Board of Education prior to July 1, 1997, and the~~ Oklahoma Commission for Teacher Preparation ~~beginning July 1, 1997~~;

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

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

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

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

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

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

1. ~~a. holds a license to teach in accordance with the Oklahoma Teacher Preparation Act,~~

~~b. has served a minimum of one (1) school year as a resident teacher,~~

~~c. has made the necessary application and paid the certification fee as prescribed by the Board, and~~

~~d. has been recommended for certification by the residency committee;~~

~~2.~~ Holds an out-of-state certificate and meets standards set by the Board; or

~~3.~~ 2. Holds certification from the National Board for Professional Teaching Standards.

D. Beginning July 1, 2004, any person applying for initial Oklahoma certification ~~who has not applied for and received an~~

~~Oklahoma teacher license~~ shall have on file with the Board a current Oklahoma criminal history record from the Oklahoma State Bureau of Investigation as well as a national criminal history record check as defined in Section 150.9 of Title 74 of the Oklahoma Statutes. Upon receipt of the Oklahoma criminal history record, the Board may issue a temporary certificate which shall be effective until receipt of the national fingerprint-based criminal history record. The person applying for a certificate shall be responsible for the cost of the criminal history records.

E. ~~If a resident teacher is a graduate of an out-of-state institution of higher education, the recommendation of the residency committee shall be made to the State Board of Education.~~

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

SECTION 18. AMENDATORY 70 O.S. 2011, Section 6-192, is amended to read as follows:

Section 6-192. It is hereby declared to be the intent of the Legislature to establish a professional development procedure whereby all teachers in the state continue their education beyond initial ~~licensing and~~ certification by the state to ensure that the children of the state are taught by professional educators, fully prepared in their areas of expertise. Furthermore, such professional development procedure shall provide alternative means of education, including one or more of the following: In-service programs, higher education courses, or other alternative means of education designed to help teachers enrich their professional abilities.

SECTION 19. AMENDATORY 70 O.S. 2011, Section 6-194, as amended by Section 10, Chapter 83, O.S.L. 2013 (70 O.S. Supp. 2013, Section 6-194), is amended to read as follows:

Section 6-194. A. The district boards of education of this state shall establish professional development programs for the certified ~~and licensed~~ teachers and administrators of the district. Programs shall be adopted by each board based upon recommendations of a professional development committee appointed by the board of education for the district. For the fiscal years ending June 30,

2011, and June 30, 2012, a school district board of education may elect not to adopt and offer a professional development program for certified ~~and licensed~~ teachers and administrators of the district. If a school district elects not to adopt and offer a professional development program, the district may expend any monies allocated for professional development for any purpose related to the support and maintenance of the school district as determined by the board of education of the school district.

B. Each professional development committee shall include classroom teachers, administrators and parents, guardians or custodians of children in the school district and shall consult with a higher education faculty. A majority of the members of the professional development committee shall be composed of classroom teachers. The teacher members shall be selected by a designated administrator of the school district from a list of names submitted by the teachers in the school district. The members selected shall be subject to the approval of a majority vote of the teachers in the district. At a minimum, once every four (4) years the committee shall include at least one school counselor in its membership.

C. In developing program recommendations, each professional development committee shall annually utilize a data-driven approach to analyze student data and determine district and school professional development needs. The professional development programs adopted shall be directed toward development of competencies and instructional strategies in the core curriculum areas for the following goals:

1. Increasing the academic performance data scores for the district and each school site;

2. Closing achievement gaps among student subgroups;

3. Increasing student achievement as demonstrated on state-mandated tests and the ACT;

4. Increasing high school graduation rates; and

5. Decreasing college remediation rates.

Each program may also include components on classroom management and student discipline strategies, outreach to parents, guardians or custodians of students, special education, and racial and ethnic education, which all personnel defined as teachers in Section 1-116

of this title shall be required to complete on a periodic basis. The State Board of Education shall provide guidelines to assist school districts in developing and implementing racial and ethnic education components into professional development programs. At least once a year a program shall be offered which includes a component of teacher training on recognition and reporting of child abuse and neglect which all teachers shall be required to complete. Additionally at least one time per year, beginning in the 2009-2010 school year, training in the area of autism shall be offered and all resident teachers of students in early childhood programs through grade three shall be required to complete the autism training during the resident year and at least one time every three (3) years thereafter. All other teachers and education support professionals of students in early childhood programs through grade three shall be required to complete the autism training at least one time every three (3) years. The autism training shall include a minimum awareness of the characteristics of autistic children, resources available and an introduction to positive behavior supports to challenging behavior. Each adopted program shall allow school counselors to receive at least one-third (1/3) of the hours or credit required each year through programs or courses specifically designed for school counselors.

Districts are authorized to utilize any means for professional development that is not prohibited by law including, but not limited to, professional development provided by the district, any state agency, institution of higher education, or any private entity.

D. Except as otherwise provided for in this subsection, each ~~licensed or~~ certified teacher in this state shall be required by the district board of education to meet the professional development requirements established by the board, or established through the negotiation process. Except as otherwise provided for in this subsection, the professional development requirements established by each board of education shall require every teacher to annually complete a minimum number of the total number of points required to maintain employment. Failure of any teacher to meet district board of education professional development requirements may be grounds for nonrenewal of such teacher's contract by the board. Such failure may also be grounds for nonconsideration of salary increments affecting the teacher. For the fiscal years ending June 30, 2011, and June 30, 2012, a ~~licensed or~~ certified teacher shall not be required to complete any points of the total number of professional development points required. Provided, a teacher may elect to complete some or all of the minimum number of points

required for the two (2) fiscal years and any points completed shall be counted toward the total number of points required to maintain employment. If a teacher does not complete some or all of the minimum number of points required for one (1) or both fiscal years, the total number of points required to maintain employment shall be adjusted and reduced by the number of points not completed.

E. Each district shall annually submit a report to the State Department of Education on the district level professional development needs, activities completed, expenditures, and results achieved for each school year by each goal as provided in subsection C of this section. If a school district elects not to adopt and offer a professional development program as provided for in subsection A of this section, the district shall not be required to submit an annual report as required pursuant to this subsection but shall report to the State Department of Education its election not to offer a program and all professional development activities completed by teachers and administrators of the school district.

F. Subject to the availability of funds, the Department shall develop an online system for reporting as required in subsection E of this section. The Department shall also make such information available on its website.

SECTION 20. AMENDATORY 70 O.S. 2011, Section 6-195, is amended to read as follows:

Section 6-195. A. The State Department of Education shall administer a residency program for teachers which shall be approved by the State Board of Education. ~~Such~~ For the 2014-2015 school year, each school district shall have the option of participating in the residency program. Beginning with the 2015-2016 school year, each school district shall participate in the residency program. The program shall be developed in consultation with the teacher education institutions, the Oklahoma Commission for Teacher Preparation and the district boards of education. ~~Such~~ The program shall include, but not be limited to:

1. Guidelines and assignments for resident teacher positions in the school districts;

2. Requirements and guidelines for selection and appointment of mentor teachers which ~~must~~ shall include any requirements specified in the Oklahoma Teacher Preparation Act;

3. Guidelines for the appointment and functions of a residency committee; and

4. An appropriate professional development, support, mentorship and coaching program for the resident teacher.

B. ~~Except as otherwise provided in the Oklahoma Teacher Preparation Act, no person shall be certified to teach in the accredited schools of this state, unless such person:~~

~~1. Has completed at least one (1) school year of teaching service as a resident teacher in the residency program as provided in the Oklahoma Teacher Preparation Act;~~

~~2. Has been recommended for certification by the appointed residency committee after completion of not less than one (1) or more than two (2) school years of resident teaching service; and~~

~~3. Has successfully completed the curriculum examination as prescribed by the Board prior to July 1, 1997, and the competency examination as prescribed by the Commission beginning July 1, 1997.~~

~~C.~~ Any person who has been issued a ~~license~~ certificate to teach by the Board may be employed on a temporary or continuing contract basis as a resident teacher by an accredited school upon appointment by the district board of education or by a private or public provider of early childhood education programs as authorized in Section 11-103.7 of this title.

~~D.~~ C. Upon placement of a ~~licensed~~ certified teacher in a resident teacher position at a public school, the district board of education shall appoint the residency committee members, as prescribed in the Oklahoma Teacher Preparation Act, who shall have the following duties:

1. Meet with the resident teacher as may be required by the Board;

2. Work with the resident teacher to assist in all matters concerning classroom management and professional development for that teacher; and

3. ~~Provide for meaningful parental, guardian or custodian input as one criterion in evaluating the resident teacher's performance; and~~

~~4. Upon completion of one (1) school year of residency, make recommendations to the Board and the preparing institution of higher education as to whether the resident teacher should be issued a certificate or whether such resident teacher shall be required to serve as a resident teacher for one (1) additional school year. In the event a resident teacher serves a second year, the recommendation of the residency committee to the Board and the institution of higher education after the second year shall be for either certification or noncertification.~~

~~Upon recommendation from the residency committee for noncertification or an additional year in the residency program, such residency committee shall, upon request of the resident teacher, supply a list to the resident teacher of the reasons for such recommendation. The list of reasons shall remain confidential, except as otherwise provided by the resident teacher.~~

~~In the event a resident teacher is required to serve an additional year in the residency program, the resident teacher shall not be required to be under the supervision of the same residency committee, or any member of the committee, which supervised the resident teacher during the initial year in the program; and~~

~~5. In the event the committee recommendation to the Board and the institution of higher education is for certification, a residency committee shall also recommend a professional development program for the resident teacher, designed to strengthen the resident teacher's teaching skills in any area identified by the committee~~ Provide professional support, mentorship and coaching for the resident teacher.

D. All resident years shall count toward salary, fringe benefit adjustments, career status and retirement.

E. Upon employment of a ~~licensed~~ certified teacher in a resident teacher position by a private or public provider of early childhood education programs pursuant to a contract as authorized in Section 11-103.7 of this title and upon employment of a teacher with an alternative placement teaching certificate, the district board of education shall appoint the residency committee members, as prescribed in the Oklahoma Teacher Preparation Act. The residency committee members shall have the same duties as prescribed in subsection D of this section.

F. Nothing in this act shall be construed as requiring ~~more than one (1) year of~~ employment at the resident level before a standard certificate can be issued to a ~~resident~~ teacher.

G. The professional development program shall commence with the residency year and shall require continuing education throughout the career of a teacher.

~~G. For the 2003-04 school year, if the district board of education is unable to find a teacher willing to serve as a mentor teacher, the district may leave the position of mentor teacher on the residency committee unfilled. If the district leaves the position unfilled, the remaining members of the residency committee may carry out the duties of the committee.~~

SECTION 21. AMENDATORY 70 O.S. 2011, Section 6-195.2, is amended to read as follows:

Section 6-195.2 A. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall develop and administer mathematics professional development programs which will be provided for any teacher who became ~~licensed or~~ certified to teach in elementary education or early childhood education prior to July 1, 2001, and is serving as a teacher in a public school in this state in kindergarten through third grade. The purpose of the professional development program shall be to improve the knowledge and skills of the teachers and to ensure that the elementary grade students of the state are taught by professional educators fully prepared in the area of mathematics.

B. Any professional development program offered to teachers pursuant to the provisions of this section shall:

1. Be scientifically research-based professional development; and

2. Meet state law requirements for professional development administered by the Commission.

C. The professional development program offered to teachers pursuant to the provisions of this section shall address both content skill and methodology, and may contain a technology component.

SECTION 22. AMENDATORY 70 O.S. 2011, Section 6-197, is amended to read as follows:

Section 6-197. A. All students graduating from an accredited institution of higher education approved or accredited by the Oklahoma Commission for Teacher Preparation for the preparation of educational personnel on or after September 1, 1999, and seeking to enter the public education system as a teacher shall be subject to the assessment~~,~~ and certification ~~and licensing~~ procedures established in the Oklahoma Teacher Preparation Act. Except as provided for in subsection B of this section, all students graduating from an accredited institution of higher education prior to September 1, 1999, and seeking to enter the public education system as a teacher shall be subject to the assessment~~, licensing~~ and certification requirements in effect before July 1, 1997.

B. Any person who graduates from an accredited institution of higher education prior to September 1, 1999, and seeks certification or endorsement subsequent to September 1, 1999, to teach a subject area which the teacher was not certified to teach prior to September 1, 1999, following completion of the required higher education shall be required to successfully complete the competency examination for such subject area prior to receiving such certification or endorsement.

SECTION 23. AMENDATORY 70 O.S. 2011, Section 6-210, as amended by Section 14, Chapter 83, O.S.L. 2013 (70 O.S. Supp. 2013, Section 6-210), is amended to read as follows:

Section 6-210. A. The Oklahoma Commission for Teacher Preparation is authorized to establish the Inner City Schools Rescue program. The purpose of the program shall be to recruit and train ~~licensed or~~ certified teachers to work in inner city schools and to provide technical assistance and support to those teachers who participate in the program and become employed in an inner city school.

B. For purposes of this section, an inner city school shall mean a school identified as in need of improvement as determined by the Commission pursuant to the No Child Left Behind Act or where ninety-five percent (95%) or more of the students enrolled in the school qualify for the free and reduced lunch program.

C. To fulfill the objectives of the Inner City Schools Rescue program the Commission shall:

1. Inform teachers of the program;

2. Collect and review applications for the program from interested teachers; and

3. Establish an applicant review committee to identify participants for the program.

D. Each year the Commission shall select a certain number of teachers, as determined by the Commission, who have demonstrated a commitment to excellence in teaching and to working with at-risk students in the inner city.

E. The Commission shall promulgate rules to implement the provisions of this section.

SECTION 24. AMENDATORY 70 O.S. 2011, Section 509.2, is amended to read as follows:

Section 509.2 A. The board of education shall recognize an employee organization designated by an election of the employees in an appropriate bargaining unit as the exclusive representative of all the employees in such unit. The members of an employee organization shall be employees as defined in paragraphs 1, 2 and 3 of this subsection and Section 1-116 of this title. The recognition of such employee organization shall be made by the board no later than fourteen (14) days after the election. Any person who desires not to be represented by any organization may so state in writing to his or her board of education. Appropriate bargaining units are defined as follows; however, such definition shall not be construed, of itself, as requiring that bargaining units engage in bargaining or act to disengage from bargaining:

1. Employees who are employed and certified as principals and assistant principals and who have responsibilities for the supervision of classroom teachers shall constitute an appropriate unit;

2. All other employees who are required by the position in which employed to be ~~licensed or~~ certified as teachers ~~or entry year teachers~~ as ~~those terms are~~ that term is defined in Section 1-116 of this title and who do not hold supervisory authority with respect to other teachers in the district shall constitute an appropriate unit; and

3. All employees who are not required by their job description to be a principal, ~~licensed or~~ certified teacher, superintendent or other certified or noncertified administrator shall constitute a separate bargaining unit. Provided that, employees with access to confidential, labor relations information of the school district, or managerial employees whose responsibilities include making employment recommendations to the superintendent and for which their position does not require a certificate, shall be excluded from this or other bargaining units. Also excluded is any employee position agreed to be excluded from the bargaining unit by the employee organization and the school district.

Provided, if employees categorized according to paragraphs 2 and 3 of this subsection were organized for bargaining as a single unit as of April 14, 1986, or are at any time employed in a district having fewer than seventy-five employees in the two categories taken together, the employees may, for such time as a majority of the employees in each category indicate by secret ballot vote they share a single community of interest, constitute a single appropriate unit. Further provided, any final judgment of the Supreme Court denying such community of interest in any school district shall have the effect of rendering inappropriate all units, in whatever school districts they exist, which include employees of both categories.

B. 1. Within seven (7) business days of receiving a sealed packet containing an employee petition filed by or on behalf of thirty-five percent (35%) or more of the employees in a unit, such petition calling for an election to determine which, if any, employee organization represents the employees in a bargaining unit, the board shall arrange for verification that there are a sufficient number of correct names to constitute at least thirty-five percent (35%) of the employees in the unit. Such arrangements shall include the transmitting of the sealed packet and a list of employees eligible to be included in the bargaining unit to the individual designated pursuant to the provisions of paragraph 2 of this subsection.

2. The petition calling for the secret ballot election shall contain only the names of employees of the bargaining unit who have signed and dated the petition. Within thirty (30) days of receipt of the sealed packet by the district court judge in and for the county in which the school district has its main office, the sealed packet shall be opened and the petition shall be verified by an individual designated by the district judge of such court for the

county in which the school district has its main office. Upon verification of the number of signatures on the petition, the district court judge shall notify in writing the district board of education and any employee organization that has requested notice of the verification. Under no circumstances shall the individual so designated reveal the names of employees who signed or did not sign the petition. If an employee has signed more than one petition, the name of the employee shall be removed from each petition.

3. The period of time for signing of a recognition petition shall commence upon receipt of written notification by the school board from an organization indicating that it intends to circulate a petition and shall cease thirty (30) days thereafter. Provided, if an organization recognized as representative of a unit for bargaining is being challenged for discontinuation of representation as provided in paragraph 7 of subsection C of this section or is being challenged by another organization seeking recognition, the period for signing shall commence on the first day of February and end on the last day of that same February.

C. 1. Not less than forty-five (45) days nor more than sixty (60) days after receipt of notification that the petition has been verified as sufficient, a secret ballot election shall be held to determine which, if any, employee organization shall represent the unit. No election shall be held for a unit within which a valid election was held in the preceding two (2) years.

On or after March 2, 1995, the board shall recognize within ten (10) days an organization which has obtained signed authorization from a majority of the employees eligible to be included in the unit but has not been recognized. No election shall be held for such unit within two (2) years of recognition. An appropriate election ballot shall be printed for this election, which contains the names of all employee organizations having presented a petition verified as signed by at least thirty-five percent (35%) of the employees eligible to be in the unit to represent or currently recognized as representing the unit; provided, no such organization shall be shown on the ballot unless the organization pays to the board a filing fee of Two Hundred Fifty Dollars ($250.00). The ballot shall also provide an option whereby any employee of the unit may indicate a preference that the unit not be represented by any organization. Every organization that receives at least fifteen percent (15%) of the vote in the election shall be reimbursed the Two Hundred Fifty Dollars ($250.00) by the board. The board shall use any remaining

filing fee money to help offset the cost of the validation process of the petition, if any, as well as any election costs incurred.

2. When none of the choices on the ballot receives a majority of the votes, a runoff election shall be conducted on the fourteenth day following the first election between the two choices which received the largest number of votes in the preceding election.

3. The employee organization or organizations and the school board shall, by agreement, determine the method by which each election shall be conducted. All costs incurred in an election shall be shared equally by all parties involved.

If no agreement can be reached by thirty (30) days prior to the election, the board of education shall notify the county election board of the county in which the board is located of such fact, and the following method for conducting the secret ballot election shall be followed and conducted by the county election board:

a. At the time of such notice, the board of education shall provide to the county election board:

(1) a list of all the polling places for the election, such list to include every middle school or junior high school and the central administration office in the district;

(2) a list of names of all the persons eligible to vote in the election, such list to be in alphabetical order and duplicated in such number that there shall be one for each polling place, plus an additional five copies;

(3) the names of each organization entitled to have its name appear on the ballot; and

(4) the date of the election which shall not be a special election date specified by subsection B of Section 3-101 of Title 26 of the Oklahoma Statutes.

b. Ballots for the election shall be printed by the county election board in the same manner as for other elections conducted by the county election board, insofar as is possible. The names of organizations

shall be listed on the ballot in the order in which said names are furnished to the county election board by the board of education. The option specifying that no organization shall represent the employee bargaining unit shall be listed last on the ballot, in such language as may be specified by the board.

c. The secretary of the county election board shall appoint an inspector, judge and clerk for each polling place. The inspector, judge and clerk shall be selected from among the regular precinct officials in the county.

d. Polling places shall be open from 7:00 a.m. to 7:00 p.m. on the day of the election. Any eligible person who appears to vote no later than 7:00 p.m. shall be entitled to vote.

e. Eligible voters may vote after signing their signatures beside their names on the list of names of all the persons eligible to vote in the election. The voter shall place his or her ballot in the ballot box in the presence of the inspector.

f. Each organization entitled to have its name appear on the ballot shall be permitted to appoint one challenger at each polling place. Each such challenger shall be properly identified as such, and shall be limited to inquiring of a prospective voter, said prospective voter's name, address, job classification and work site. The challenger may challenge the right of any prospective voter to vote by so informing the judge. Upon being so challenged, the prospective voter may vote if, after being informed by the judge of such a challenge, the voter signs his or her signature beside his or her name on the list of names of all the persons eligible to vote in the election. If same occurs, the judge shall write the words "Challenged by _____" beside the voter's signature.

g. The county election board shall certify in writing the results of the election to the board of education on the day following the election and on the same day shall mail a copy of the certification to all employee

organizations that have requested copies of the certification.

h. Costs of the election shall be paid to the county election board by the board of education. The costs shall include the regular salaries of the inspector, judge, and clerk, in addition to all other necessary and reasonable costs. Such costs shall include compensation for members of the county election board, including the secretary.

i. Anyone guilty of voting more than one time in the election will be guilty of a misdemeanor and subject to a fine of Two Hundred Dollars ($200.00) or thirty (30) days in the county jail.

4. No employee shall use regularly scheduled duty time for campaign purposes.

5. A list of the employees eligible to vote in the election including their names, addresses, phone numbers, job classification and work site shall be provided not less than fourteen (14) days before the election to each organization listed on the official ballot.

6. Any board or organization challenging the results of any election held pursuant to the provisions of this section shall post with the district court a bond of One Thousand Dollars ($1,000.00) which shall be forfeited if the court finds that the challenge is in bad faith.

7. In any February more than two (2) years after recognition of an organization pursuant to the provisions of this section and upon the receipt of a petition calling for discontinuation of representation signed by thirty-five percent (35%) of the employees eligible to be included in the unit, a board shall call an election to determine whether the members of a unit wish to discontinue being represented for bargaining. If a majority of the votes cast are votes to discontinue representation, efforts to gain recognition by any organization shall be prohibited for a period of two (2) years commencing with the expiration of the contract then in force. The ballots used in such election shall, without reference to any organization by name, offer the single choice of continued representation or discontinuation of representation.

SECTION 25. AMENDATORY 70 O.S. 2011, Section 1210.567, is amended to read as follows:

Section 1210.567 A. Upon application of a district board of education, the State Board of Education shall authorize an abbreviated day schedule for an alternative school or alternative education program that is or will be administered by the district pursuant to the provisions of this act or for the education provided for students in a residential or treatment facility located within the district. A student assigned to the alternative school, an alternative education program or receiving educational services in a residential or treatment facility within the district who attends for a full abbreviated day shall be counted in attendance for purposes of computing average daily attendance and average daily membership for the district.

B. A district board of education may authorize enrollment on a part-time basis utilizing Internet-based courses for students who have dropped out of school or are or have been suspended from school. State Aid shall be calculated for such students based upon the percentage of the total school day in which the student is enrolled multiplied by the appropriate grade level weight pursuant to Section 18-201.1 of this title, provided such student was enrolled at any time in a public school in this state during the previous three (3) school years.

C. A district board of education shall hire only ~~licensed or~~ certified teachers to teach in an alternative education program or alternative education school offered by the district or to teach students who are in a residential or treatment facility.

D. No later than August 1, 1994, the State Board of Education in consultation with the Oklahoma Commission for Teacher Preparation shall promulgate rules by which a certified teacher who is qualified to teach in an alternative education program or alternative school as determined by the district board of education offering the alternative education program or alternative school or who teaches students in a residential or treatment facility may be certified to teach subjects in which the teacher does not hold certification. The rules shall provide:

1. The certification may be granted only upon application of a district board of education offering an alternative education program or alternative school pursuant to the provisions of this act

or upon application of a district board of education offering a residential or treatment facility; and

2. The teacher's certification in subjects in which the teacher does not otherwise hold certification pursuant to the provisions of this section shall be valid only for purposes of teaching in the alternative education program or alternative school offered by the district board or in a residential or treatment facility located within the district making application.

SECTION 26. AMENDATORY 70 O.S. 2011, Section 1210.568, is amended to read as follows:

Section 1210.568 A. Beginning with the first semester of the 1996-1997 school year, the State Board of Education shall implement a statewide system of alternative education programs which shall be phased-in within seven (7) years. The statewide system shall include but not be limited to Alternative Approaches grant programs, funded pursuant to Section 1210.561 of this title, and alternative academies or alternative programs implemented pursuant to this section.

B. Beginning with the first semester of the 2002-2003 school year, all school districts of this state shall provide alternative education programs that conform to the requirements of statutes and rules applicable to alternative education. A program shall:

1. Allow class sizes and student/teacher ratios which are conducive to effective learning for at-risk students;

2. Incorporate appropriate structure, curriculum, and interaction and reinforcement strategies designed to provide effective instruction;

3. Include an intake and screening process to determine eligibility of students;

4. Demonstrate that teaching faculty are appropriately ~~licensed or~~ certified teachers;

5. Demonstrate that teaching faculty have been selected on the basis of a record of successful work with at-risk students or personal and educational factors that qualify them for work with at-risk students;

6. Reflect appropriate collaborative efforts with state agencies and local agencies serving youth;

7. Provide courses that meet the academic curricula standards adopted by the State Board of Education and additional remedial courses;

8. Offer individualized instruction;

9. State clear and measurable program goals and objectives;

10. Include counseling and social services components with the provision that providers of services are not required to be certified as school counselors;

11. Require a plan leading to graduation be developed for each student in the program which will allow the student to participate in graduation exercises for the school district after meeting the requirements of the school district as specified in the individual graduation plan for that student; provided, for students who enter the ninth grade in or prior to the 2007-08 school year, the plan shall specifically address whether the student is required to meet the graduation requirements established in Section 11-103.6 of this title;

12. Offer life skills instruction;

13. Provide opportunities for arts education to students, including Artists in Residence programs coordinated with the Oklahoma Arts Council;

14. Provide a proposed annual budget;

15. Include an evaluation component including an annual written self-evaluation;

16. Be appropriately designed to serve middle school, junior high school and secondary school students in grades six through twelve who are most at risk of not completing a high school education for a reason other than that identified in Section 13-101 of this title; and

17. Allow students in the alternative education program, who otherwise meet all of the participation requirements, to participate

in vocational programs and extracurricular activities, including but not limited to athletics, band, and clubs.

C. The alternative education program of a school district shall be operational and serving students by September 15 of each school year.

D. Each alternative education program of a school district shall receive funding based on the combined number of dropouts and students within the district who have been referred to a county juvenile service unit, a county juvenile bureau or who have been committed to the custody of the Office of Juvenile Affairs. Each alternative education program shall receive incentive funding as follows:

1. For the first year of operation, One Thousand Dollars ($1,000.00) per student;

2. For the second year of operation, Seven Hundred Fifty Dollars ($750.00) per student; and

3. For the third year of operation and each year thereafter, Seven Hundred Dollars ($700.00) per student.

Statewide alternative education funding shall not be used to supplant existing school district resources or to support programs that do not meet all the criteria for the statewide alternative education system. No alternative education program shall receive less than a total of Ten Thousand Dollars ($10,000.00) per school year.

E. By September 15 of each school year, all statewide alternative education funds received and expended for students participating in an alternative education program shall be reported to the State Department of Education by major object codes and by program classifications pursuant to the Oklahoma Cost Accounting System as adopted by the State Board of Education pursuant to Section 5-135 of this title.

F. Elementary school districts, as defined in Section 5-103 of this title, may request a waiver from the State Board of Education from the requirements of this section to implement and provide an alternative education program. Any elementary school district that has not received funding pursuant to the provisions of subsection D of this section shall be automatically granted a waiver. If a

school district is granted a waiver, no statewide alternative education funding shall be allocated to the district.

G. 1. The State Board of Education shall contract for technical assistance for operation of an Alternative Education Technical Assistance Center. The technical assistance provider shall be an entity located in Oklahoma that has been officially recognized by the United States Department of Education to assess and facilitate dissemination of validated educational programs in Oklahoma. The technical assistance provider shall have priority, if its operations are deemed satisfactory by the State Board of Education and if funds are available, for annual renewal of the contract.

2. The duties of the technical assistance provider shall include, but shall not be limited to:

a. providing initial and ongoing training of personnel who will educate at-risk populations through alternative education programs,

b. providing technical assistance to school districts to enhance the probability of success of their alternative education programs,

c. evaluating state-funded alternative education programs,

d. reporting to the State Board of Education the evaluation results of state-funded alternative education programs, and

e. providing in-depth program analysis and evaluation of state-funded alternative education programs.

3. The State Board of Education shall not provide funding to an alternative education program that does not receive a recommendation for continued funding in the evaluation provided for in this subsection. Provided, any school district not receiving such a recommendation for continued funding may request a hearing before the Board with a review of the evaluation prior to the Board's final determination.

H. All alternative education programs shall be subject to statutes and rules applicable to alternative education, including

any exemptions from statutory or regulatory requirements authorized by statutes or rule.

I. An alternative education program may be offered by an individual school district or may be offered jointly by school districts that have formed interlocal cooperative agreements pursuant to Section 5-117b of this title. Any school district submitting a plan for an alternative education program serving fewer than ten students shall enter into a cooperative agreement with another school district to jointly provide the program unless the program has been granted a waiver from this requirement by the State Board of Education.

J. Any materials or equipment purchased by a school district with revenue received for students participating in an alternative education program shall be used only in or directly for the alternative education program offered by the district or any subsequent alternative education program offered to students enrolled in that district. Such materials and equipment shall be made available exclusively to alternative education students during the hours that the alternative education program is operating; provided, the material or equipment may be used for other purposes when the alternative education program is not operating.

K. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon the provision of appropriated funds designated for such purpose, all school districts in the state providing alternative education programs as required in subsection B of this section shall expand the programs to include middle-school-grade students. The program shall conform to the requirements of subsection B of this section.

L. Upon implementation of this subsection as provided for in subsection M of this section and contingent upon the provision of appropriated funds designated for such purpose, each urban school district identified by the State Department of Education as having a high population of elementary grade students who are at-risk and in need of alternative education shall provide elementary level alternative education programs. The State Department of Education shall establish requirements for the programs. For purposes of this section, "urban school district" means a school district with an average daily membership of thirty thousand (30,000) or more.

M. Implementation of subsections K and L of this section shall be delayed until the current expenditure per pupil in average daily

attendance in public elementary and secondary schools in unadjusted dollars for the 1998-99 school year or any school year thereafter for Oklahoma, as reported by the National Center for Education Statistics annually in the Digest of Education Statistics, reaches at least ninety percent (90%) of the regional average expenditure for that same year, and funds are provided. For purposes of this subsection, the regional average expenditure shall consist of the current expenditure per pupil in average daily attendance in public elementary and secondary schools in unadjusted dollars for each of the following states: Arkansas, Colorado, Kansas, Missouri, New Mexico, Oklahoma, and Texas, averaged together. By January 1 of each year, the State Board of Education shall report whether or not the ninety-percent expenditure level has been reached based on information reported annually in the Digest of Education Statistics by the National Center for Education Statistics. Subsections K and L of this section shall be implemented on July 1 after the first January 1 report verifies that the ninety-percent expenditure level has been reached and funds have been provided for the specific purposes of this section.

SECTION 27. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 6-211 of Title 70, unless there is created a duplication in numbering, reads as follows:

The State Board of Education in cooperation with the Commission for Educational Quality and Accountability, the Oklahoma State Regents for Higher Education and institutions of higher education shall conduct an educator supply-and-demand study every three (3) years. The study shall identify areas of teacher shortage and make recommendations for addressing the areas of most critical need. The Board shall submit a report outlining the findings to the Governor, the Speaker of the House of Representatives and the President Pro Tempore of the Senate.

SECTION 28. This act shall become effective July 1, 2014.

SECTION 29. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 10th day of March, 2014.

Presiding Officer of the House of Representatives

Passed the Senate the 15th day of April, 2014.

Presiding Officer of the Senate

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 16th day of April, 2014, at 3:20 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 22nd day of April, 2014, at 3:04 o'clock P M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 22nd day of April, 2014, at 4:17 o'clock P. M.

By: Chi Benge