



JOY HOFMEISTER
STATE SUPERINTENDENT *of* PUBLIC INSTRUCTION
OKLAHOMA STATE DEPARTMENT *of* EDUCATION

MEMORANDUM

TO: The Honorable Members of the State Board of Education
FROM: Joy Hofmeister
DATE: October 22, 2015
SUBJECT: Administrative Rule Promulgation

The State Board of Education will be taking action at the October meeting on the following administrative rule amendments, pursuant to the *Oklahoma Administrative Procedures Act*, 75 O.S. § 250 *et seq.*:

Title 210. State Department of Education
Chapter 10. School Administration and Instructional Services
Subchapter 13. Student Assessment
210:10-13-2. Oklahoma School Testing Program (OSTP) scope and general administration [AMENDED]

This is the permanent version of an emergency rule currently in effect. In July, the Board approved amendments to this rule providing for the "Full Academic Year" definition to be based on enrollment within the first 20 days of the school year rather than October 1. Language was also eliminated that had made a distinction in accountability reporting status between juvenile and residential facilities that have a site code, and those without a site code.

Title 210. State Department of Education
Chapter 20. Staff
Subchapter 9. Professional Standards: Teacher Education and Certification
Part 9. Teacher Certification
210:20-9-98. Administrative requirements of teacher certification [AMENDED]

This is the permanent version of an emergency rule currently in effect. The August emergency amendment addressed the documentation requirements for obtaining or renewing teacher certification. Subsection (b) of the rule, "Noncitizens of the United States", was inconsistent with federal and state law as applied to those who are lawfully present in the U.S. That subsection has been revised to reflect that professional licensure requires verification of lawful presence, pursuant to 56 O.S. § 71.

Title 210. State Department of Education
Chapter 35. Standards for Accreditation of Elementary, Middle Level,
Secondary, and Career and Technology Schools
Subchapter 9. Additional Standards for Secondary Schools
Part 7. Standard IV: Curriculum, Instruction, Assessment and Climate
210:35-9-31. Program of studies and graduation requirements [AMENDED]

This is the permanent version of an emergency rule currently in effect. House Bill 1330 directs the State Board to promulgate a rule requiring school district boards of education to waive the Oklahoma history high school graduation requirement for children of military families who have completed a similar state history class in another state.

Title 210. State Department of Education
Chapter 40. Grants and Programs-in-Aid
Subchapter 75. Parent Education Programs
210:40-75-2. Definitions [AMENDED]
210:40-75-4. Program requirements for the Oklahoma Parents as Teachers Program [AMENDED]
210:40-75-6. Funding [AMENDED]
210:40-75-7. Solicitation, acceptance, and evaluation of district applications for state-funded grants for programs of parent education [AMENDED]

The rules governing the former "Oklahoma Parents as Teachers (OPAT) Program" must be updated to implement statutory changes. Senate Bill 285 changed the name of the program, and re-designated program authority from the State Board of Education to the State Department of Education. Terminology is updated throughout the rules to refer to "a program of parent education" or "parent education programs" rather than "OPAT", and references to the State Board as the program authority now refer to the State Department of Education.

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES
SUBCHAPTER 13. STUDENT ASSESSMENT**

210:10-13-2. Oklahoma School Testing Program (OSTP) scope and general administration

(a) **Definitions.** In this Section, the words and terms shall have the following meaning:

"Proficient/Satisfactory" means achieving at least the minimum score for demonstrating mastery as defined by the State Board of Education on an academic achievement test of the Oklahoma School Testing Program (OSTP).

(b) All public school districts shall administer the state mandated academic achievement tests of the OSTP to all students enrolled in the designated grades. The series of tests shall be field-tested/implemented by the amended schedule in 70 O.S. § 1210.508, or federal law.

(1) Students with Individualized Education Programs (IEPs) shall have an appropriate statement on the IEP with regard to the type of assessment in which the student will participate (e.g., Oklahoma Core Curriculum Test (OCCT) with or without accommodations, or the Oklahoma Alternate Assessment Program (OAAP) Portfolio). The OCCT and OAAP Portfolio are all a part of the Oklahoma School Testing Program (OSTP). Any state approved accommodations must be documented in the student's current IEP. Current documentation for each student shall be on file in the local school prior to test administration.

(2) All students who have been determined to be limited English proficient (LEP) as the term is defined at 20 U.S.C. § 7801, also known as English language learners (ELL), shall be included in all of the state-mandated academic achievement tests of the OSTP. ELL students are those who have been appropriately identified, through English proficiency screening by the local school districts, as requiring specialized instructional services designed to increase their English proficiency and academic performance. For every student identified as ELL, the local district shall have on file verification that the student is receiving special instruction designed for the specific purpose of improving the ELL student's English proficiency. Any State Department of Education approved and adopted English proficiency assessment shall be considered an official assessment of the OSTP, and will be subject to the same security, privacy, and administration measures accorded to all other OSTP assessments.

(A) Students identified as ELL shall be assessed in a valid and reliable manner with the state academic assessments with acceptable accommodations as necessary and, to the extent practicable, with alternate assessments aligned to the state assessment provided by the local school district in the language and form most likely to yield accurate data on what such students know and can do in these content areas; these alternate assessments will continue until such students have achieved English language proficiency with the exception noted in paragraph (2)(B) of this subsection.

(B) If ELL students are administered the state-mandated reading and language arts achievement tests in a language other than English, this will be allowed only during their first three consecutive years of school attendance in the United States (not including Puerto Rico). After these first three years these tests must be administered in English, except that if the local school district determines on a case-by-case basis, that a student has not yet reached a level of English language proficiency that will allow valid and reliable information to be obtained, even with testing accommodations, in which case individual waivers will be allowed by the local district for up to two additional consecutive years, according to federal law.

(3) All End-of-Instruction assessments must be taken once the corresponding course of instruction has been completed. In order to meet the Federal No Child Left Behind (NCLB) legislation requirements, all students prior to graduating from high school must take the Algebra I, Biology I, and English II assessments regardless of whether instruction has been taken, unless otherwise exempt.

(c) On an annual basis, school superintendents or their designees shall provide a copy of the State Board of Education Rules, OAC 210:10-13, for all school personnel responsible for receipt, inventory, distribution, or return of tests documents, and/or for administration of tests within the Oklahoma School Testing Program.

(d) Districts may request special reports beyond those provided by state contract with the testing company at their own cost (i.e., individual student records on CD or disk, District Title I Report, District Alpha Order Report, etc.).

(e) Test results of all students not enrolled in a district for a full academic year shall be disaggregated and shall not be used to determine the progress of the district, according to federal law. Test results of all students not enrolled in a school site for a full academic year shall be disaggregated and shall not be used to determine the progress of the school site, according to federal law. For purposes of the OSTP, a student shall be considered a "Full Academic Year" (FAY) student if the student is enrolled within the first twenty (20) instructional days of the ~~school's~~ school's instructional year through and including the date of administration of the exam, without an enrollment lapse of ten (10) or more consecutive instructional days.

(f) For purposes of the annual reports of the OSTP, test results of all students who have been placed in a state juvenile facility by state law or court order, or students placed in a full time residential facility providing educational services to students by joint agreement with one or more school districts shall not be used to determine the progress of the site or the district of residence of the students ~~unless the facility has been specifically designated as a separate site within a school district and has been assigned a separate site code within the school district by the State Department of Education at the request of the school district~~. Instead their scores will be used in accountability calculations in one statewide "virtual" district.

(g) Each public school student who does not score at least at the satisfactory level on state criterion-referenced tests in reading and mathematics by the end of the student's seventh grade year shall be provided remediation for the purpose of assisting the student in performing at least at the satisfactory level on the eighth-grade criterion-referenced tests in reading and mathematics. Each public school student who does not score at least at the satisfactory level on state criterion-referenced tests in reading and mathematics by the end of the student's eighth grade year shall be provided remediation for the purpose of assisting the student in performing at least at the satisfactory level on the end-of-instruction tests administered in high school. Each public school student who does not attain at least a satisfactory or proficient score on the state end-of-instruction tests shall be provided remediation for the purpose of assisting the student in attaining at least a satisfactory or proficient score on the Algebra I, English II, and two of the remaining five end-of-instruction tests, in order to graduate from an Oklahoma accredited public high school.

(1) Districts and/or schools may provide remediation through extended instructional time during the school day, a summer academy, tutoring, online coursework, or other supplementary services. Remediation is not limited to these practices.

- (2) Remediation provided shall be under the supervision of a highly qualified teacher in the appropriate content area.
- (3) The State Department of Education shall provide information about best practices for remediation and interventions on the State Department of Education website.
- (4) Each district shall submit an annual remediation plan to its local board of education at a regularly scheduled meeting prior to November 15 of each school year. The remediation plan shall be for those students who do not attain at least a satisfactory or proficient score on the tests listed in this section. The plan should include how remediation funds will be spent, when and where remediation will be provided, what content will be addressed, how instruction will be delivered, and who will provide the instruction, including the highly qualified status of the instructor.
- (5) Funds for remediation shall be disbursed by the State Department of Education to the local school districts by September 1 of each year in accordance with the requirements of 70 O.S. § 1210.526. Funds for each fiscal year shall be based on the most recent OSTP test results available for each student from the previous school year or summer test administration.
- (6) Funds for remediation shall be utilized to provide intervention and remediation for qualifying students as described in this section. Allowable expenditures include salaries and stipends for highly qualified teachers and tutors under the supervision of highly qualified teachers; instructional materials such as textbooks, workbooks, teacher-made materials, computer assisted instructional software, manipulatives, and classroom instructional tools necessary to provide remediation; assessments designed to monitor the progress of students in remediation programs; transportation to and from tutoring sessions held outside of the school day; and training in best practices for providing remediation. Funds for remediation may not be used for salaries, materials, or administrative services not directly related to remediation or for students who do not qualify for remediation as described in this section.
- (7) School districts shall report the use of remediation funds and the results of the remediation, as measured by periodic progress assessments and district student performance on state assessments. Districts shall submit an online report annually to the State Department of Education through the Oklahoma School District Reporting Site (SDRS). The district shall also submit the annual report to its local board of education at a regularly scheduled meeting. Remediation results shall be presented by a designated public school principal for each site.

RULE IMPACT STATEMENT

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 10. SCHOOL ADMINISTRATION AND INSTRUCTIONAL SERVICES SUBCHAPTER 13. STUDENT ASSESSMENT

- a. **What is the purpose of the proposed rule change?**
The proposed amendments to 210:10-13-2 make changes to the definition of "Full Academic Year (FAY) student", and eliminate language that established a different accountability reporting status for residential facilities and juvenile detention facilities that have a site code versus those facilities that do not. Under the proposed FAY definition in (e), a student shall be considered a FAY student if they are enrolled within the first 20 instructional days of the school's instructional year through and including the date of the exam, without an enrollment lapse of 10 or more days. This is a change from the current language that classifies a student as an FAY student if they are enrolled from October 1 through the date of the exam without a lapse of 10 or more days. In (f), language is eliminated that established a different reporting status for the very limited number of juvenile and residential facilities that have their own site codes. This is the proposed permanent version of an emergency rule currently in effect.
- b. **What classes of persons will be affected by the proposed rule change and what classes of persons will bear the costs of the proposed rule change?**
The proposed changes will affect school districts, and residential facilities and juvenile detention facilities that provide educational services to students. The agency does not anticipate any additional costs to result from the rule amendment.
- c. **What classes of persons will benefit from the proposed rule change?**
The proposed changes will affect school districts, and juvenile detention facilities and residential facilities that provide educational services to students.
- d. **What is the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions?**
The agency does not anticipate any economic impact upon affected classes of persons or political subdivisions as a result of implementation of the proposed rule change at this time.
- e. **What is the probable cost to the agency to implement and enforce the proposed rule change?**
The agency does not anticipate any cost to the agency to implement and enforce as a result of the proposed change in the rule at this time. Additional record keeping, if any, will be performed by existing staff.
- f. **What is the economic impact on any political subdivision to implement the proposed rule change?**
The agency does not anticipate any economic impact on any political subdivision to implement the proposed rule change at this time.
- g. **Will implementing the rule change have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act?**
The agency does not anticipate any adverse economic impact on small business as a result of the proposed rule change at this time.

h. **Are there any other methods which are less costly, nonregulatory, or less intrusive to achieve the purpose of the proposed rule change?**

No.

i. **Will the rule change impact the public health, safety, and environment, and is the change designed to reduce significant risks to the public health, safety, and environment? If so, explain nature of risk and to what extent the proposed rule change will reduce the risk.**

The agency does not anticipate any impact on public health, safety, or environment as a result of implementation of the proposed rule at this time.

j. **What detrimental effect will there be on the public health, safety, and environment if the rule change is not implemented?**

The agency does not anticipate any detrimental effect on public health, safety, or environment as a result of failure to implement the proposed rule at this time.

k. **Date Prepared:** September 3, 2015

(2) Applicants meeting all qualifications shall be granted a one-year teaching credential which may be renewed on a year-to-year basis for a maximum of three years upon request of the employing district.

(d) **Native American Language Teacher Certification.** The State Board of Education may, upon application, issue a teacher certification in Native American Languages. For purposes of this subchapter, a "Native American Language" means the historical, traditional languages spoken by Native Americans. For purposes of this subchapter, "Native American" shall have the meaning set forth in 25 U.S.C § 2902(1)-(2).

(1) A Native American language certification may be issued to applicants who meet the qualifications set forth in 210:20-9-104(b) and provide documentation that the applicant has met the following criteria:

(A) Applicant has obtained a certification of proficiency in the language sought to be certified in accordance with the provisions of 210:20-9-104(b);

(B) Applicant has completed a background check conducted by the State Department of Education in accordance with the provisions of 70 O.S. § 5-142; and

(C) Applicant has submitted a portfolio documenting applicant's experience in teaching the Native American language in which the applicant has been certified by a tribe and any other experience related to education.

(D) Any applicant who does not hold an Oklahoma traditional or alternative teaching credential must complete a school orientation program prior to employment and must be assigned a mentor teacher by the district.

(2) Applicants meeting all of the criteria set forth in this subsection shall be granted a provisional Native Language teacher certification for a period of one year. After the expiration of the one year provisional term, the Native Language teacher certification may be renewed in accordance with the following provisions:

(A) For an applicant who does not hold an Oklahoma traditional or alternative teaching credential, the Native Language certification may be renewed on a year-to-year basis if:

(i) Renewal is requested by the employing district; and

(ii) As a condition of the first two renewals of the teaching certificate, applicant provides evidence of completion of 60 clock hours/points of a professional teaching development program each year. For purposes of (ii) of this subparagraph, a professional teaching development program may include:

(I) Programs, seminars, or conferences recognized for professional development credit by an Oklahoma public school district at the time the teacher attends; or

(II) Higher education coursework in teacher education from an accredited college or university.

(B) For an applicant who holds an Oklahoma traditional or alternative teaching certificate, the Native Language teacher certification may be renewed for a five (5) year period.

(e) **Privacy and access.** Any person, with proper identification, that makes a written or oral request, will be informed of the certification status of any individual subject to certification. No other information will be given to a third party without the written consent of the person about whom the information is sought.

(1) College transcripts and other supporting documents will neither be duplicated by nor released by the State Department of Education.

(2) An original out-of-state teaching certificate may be returned, upon written request, to the applicant.

(f) **Multiple applications.** When application is made at the same time for two (2) or more certificates of the same class, only a single processing fee will be charged.

(1) Applications may be made for multiple classes of certificates on one (1) form. There is a fee for each class.

(2) When application is made at different times for two (2) or more certificates, a fee will be charged for each certificate requested.

(g) **Duplicate/update certificates.** A certificate/~~license~~ may be duplicated or updated by submitting a written request and paying the fee.

(h) **Change of name.** A legal change of last name on a certificate/~~license~~ may be accomplished at any time upon written request and paying the fee.

(i) **Refusal of certification.** No certificate/~~license~~ will be issued unless all requirements for the certificate/~~license~~ in question are fully met. In addition, no certificate/~~license~~ will be issued if the attempt to become certified is based on misrepresentation, forgery, or fraud.

(j) **Grounds for cancellation of certificates.** Any certificate/~~license~~, credential, or endorsement obtained by misrepresentation, forgery, fraud, or issued by error will be cancelled. Upon written request the holder must surrender the certificate/~~license~~ in question to the State Department of Education.

(k) **Felony as grounds for noncertification.** No person shall receive an Oklahoma certificate/~~license~~ who has been convicted of a felony, any crime involving moral turpitude, or a felony violation of the narcotics laws of the United States or the State of Oklahoma, provided the conviction was entered within the ten (10) year period immediately preceding application for teacher certification.

(l) **Revocation of teaching certificate.** Teaching certificates/~~licenses~~ issued by authority of the Oklahoma State Board of Education may be revoked by the board for willful violation of any rule or regulation of the board or any federal or state law or other proper cause. A certificate/~~license~~ will be revoked only after a sufficient hearing has been given to the teacher before the State Board of Education in accordance with the hearing procedures set forth at 210:1-5-6.

(1) No person whose certificate/~~license~~ has been revoked in Oklahoma or any other state shall be issued an Oklahoma certificate/~~license~~ unless the revoked certificate/~~license~~ has been fully reinstated by the revoking state and grounds for the revocation do not conflict with Oklahoma law.

(2) A person who has either voluntarily surrendered a teaching certificate in another state, been denied certification/~~licensure~~ in another state or has had a certificate suspended in another state is not eligible for Oklahoma certification until an investigation has resolved the issues surrounding the surrender, denial, or suspension of certification.

(m) **Extending provisional certificates.** A request for extension of validity of any expired provisional certificate will be presented to the State Board of Education only when extenuating circumstances seem to justify its consideration. These requests shall be submitted in writing by the employing superintendent. A superintendent who holds an expired provisional certificate needs to have the president of the local board of education make the written request.

(n) **Degree/college credit accepted for certification regulations.** Only degrees conferred by state or regionally accredited colleges and universities recognized by the Oklahoma State Board of Education will be accepted by the Professional Standards Section as part of the requirements for teacher certification. Only work completed in state and regionally accredited colleges and universities, or transfer credit validated by them, will be accepted as a basis for teacher

certification. For purposes of Oklahoma certification, state-accredited colleges and universities are considered to be colleges and universities accredited by the Oklahoma State Regents for Higher Education or their counterpart in other states (a statewide higher education coordinating board/agency of control). Regionally accredited colleges and universities are considered to be colleges and universities accredited by regional institutional accrediting bodies recognized by the United States Department of Education.

(o) **Fee for duplicate licenses and certificates.** The State Board of Education shall charge and collect reasonable fees for the issuance and duplication of ~~licenses and~~ certificates.

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 20. STAFF
SUBCHAPTER 9. PROFESSIONAL STANDARDS: TEACHER EDUCATION
AND CERTIFICATION
PART 9. TEACHER CERTIFICATION**

210:20-9-98. Administrative requirements of teacher certification

(a) **Evaluation of foreign credentials.** Foreign credentials must be either analyzed by a recognized translation service or an Oklahoma college before the State Department of Education will accept them.

(b) **Noncitizens of the United States.** Requirements for noncitizens seeking an Oklahoma teaching credential are as follows:

(1) Noncitizens of the United States will be required to submit ~~an unexpired United States Citizenship and Immigration Services (USCIS) employment authorization document~~ documentation proving lawful presence with the application before an Oklahoma teaching credential may be issued ~~or reissued.~~

(2) The Oklahoma teaching credential may be issued/reissued for no longer than the validity of the ~~employment authorization document.~~ documentation proving lawful presence. If the documentation proving lawful presence does not have an expiration date that affects the duration of a noncitizen's lawful presence, then the teaching credential shall have the same validity period as the teaching credential of a U.S. citizen.

(c) **Noncitizen Visiting Teacher Certification.** The State Board of Education may, upon request of a local school district, issue an international visiting teacher certification pursuant to 70 O.S. § 3-104(6).

(1) An international visiting teacher certification may be issued to applicants who meet the following criteria:

(A) Applicant presents a document from an accredited public school district in this state offering employment following certification;

(B) Applicant must be a citizen of a country other than the United States and hold a J-1 visa issued by the United States Department of State;

(C) Applicant holds the equivalent of a bachelor's degree or higher from an accredited college or university in the subject area the applicant intends to teach and in the case of world languages, if the applicant is not a proficient native speaker of the target language to be taught, applicant has completed a major in the target language to be taught;

(D) Applicants who seek to teach world languages must have a minimum of three years of teaching experience in the target language requested to be taught unless the applicant is a proficient native speaker of the target language to be taught;

(E) Applicant is a participant in a visiting teacher program approved by the Oklahoma State Department of Education;

(F) Applicant must demonstrate proficiency at the advanced-low level of the American Council on the Teaching of Foreign Languages' (ACTFL) proficiency scale in both spoken and written English; and

(G) Applicant must complete an orientation program prior to employment and must be assigned a mentor teacher by the district.

(2) Applicants meeting all qualifications shall be granted a one-year teaching credential which may be renewed on a year-to-year basis for a maximum of three years upon request of the employing district.

(d) **Native American Language Teacher Certification.** The State Board of Education may, upon application, issue a teacher certification in Native American Languages. For purposes of this subchapter, a "Native American Language" means the historical, traditional languages spoken by Native Americans. For purposes of this subchapter, "Native American" shall have the meaning set forth in 25 U.S.C § 2902(1)-(2).

(1) A Native American language certification may be issued to applicants who meet the qualifications set forth in 210:20-9-104(b) and provide documentation that the applicant has met the following criteria:

(A) Applicant has obtained a certification of proficiency in the language sought to be certified in accordance with the provisions of 210:20-9-104(b);

(B) Applicant has completed a background check conducted by the State Department of Education in accordance with the provisions of 70 O.S. § 5-142; and

(C) Applicant has submitted a portfolio documenting applicant's experience in teaching the Native American language in which the applicant has been certified by a tribe and any other experience related to education.

(D) Any applicant who does not hold an Oklahoma traditional or alternative teaching credential must complete a school orientation program prior to employment and must be assigned a mentor teacher by the district.

(2) Applicants meeting all of the criteria set forth in this subsection shall be granted a provisional Native Language teacher certification for a period of one year. After the expiration of the one year provisional term, the Native Language teacher certification may be renewed in accordance with the following provisions:

(A) For an applicant who does not hold an Oklahoma traditional or alternative teaching credential, the Native Language certification may be renewed on a year-to-year basis if:

(i) Renewal is requested by the employing district; and

(ii) As a condition of the first two renewals of the teaching certificate, applicant provides evidence of completion of 60 clock hours/points of a professional teaching development program each year. For purposes of (ii) of this subparagraph, a professional teaching development program may include:

(I) Programs, seminars, or conferences recognized for professional development credit by an Oklahoma public school district at the time the teacher attends; or

(II) Higher education coursework in teacher education from an accredited college or university.

(B) For an applicant who holds an Oklahoma traditional or alternative teaching certificate, the Native Language teacher certification may be renewed for a five (5) year period.

(e) **Privacy and access.** Any person, with proper identification, that makes a written or oral request, will be informed of the certification status of any individual subject to certification. No other information will be given to a third party without the written consent of the person about whom the information is sought.

(1) College transcripts and other supporting documents will neither be duplicated by nor released by the State Department of Education.

(2) An original out-of-state teaching certificate may be returned, upon written request, to the applicant.

(f) **Multiple applications.** When application is made at the same time for two (2) or more certificates of the same class, only a single processing fee will be charged.

(1) Applications may be made for multiple classes of certificates on one (1) form. There is a fee for each class.

(2) When application is made at different times for two (2) or more certificates, a fee will be charged for each certificate requested.

(g) **Duplicate/update certificates.** A certificate/~~license~~ may be duplicated or updated by submitting a written request and paying the fee.

(h) **Change of name.** A legal change of last name on a certificate/~~license~~ may be accomplished at any time upon written request and paying the fee.

(i) **Refusal of certification.** No certificate/~~license~~ will be issued unless all requirements for the certificate/~~license~~ in question are fully met. In addition, no certificate/~~license~~ will be issued if the attempt to become certified is based on misrepresentation, forgery, or fraud.

(j) **Grounds for cancellation of certificates.** Any certificate/~~license~~, credential, or endorsement obtained by misrepresentation, forgery, fraud, or issued by error will be cancelled. Upon written request the holder must surrender the certificate/~~license~~ in question to the State Department of Education.

(k) **Felony as grounds for noncertification.** No person shall receive an Oklahoma certificate/~~license~~ who has been convicted of a felony, any crime involving moral turpitude, or a felony violation of the narcotics laws of the United States or the State of Oklahoma, provided the conviction was entered within the ten (10) year period immediately preceding application for teacher certification.

(l) **Revocation of teaching certificate.** Teaching certificates/~~licenses~~ issued by authority of the Oklahoma State Board of Education may be revoked by the board for willful violation of any rule or regulation of the board or any federal or state law or other proper cause. A certificate/~~license~~ will be revoked only after a sufficient hearing has been given to the teacher before the State Board of Education in accordance with the hearing procedures set forth at 210:1-5-6.

(1) No person whose certificate/~~license~~ has been revoked in Oklahoma or any other state shall be issued an Oklahoma certificate/~~license~~ unless the revoked certificate/~~license~~ has been fully reinstated by the revoking state and grounds for the revocation do not conflict with Oklahoma law.

(2) A person who has either voluntarily surrendered a teaching certificate in another state, been denied certification/~~licensure~~ in another state or has had a certificate suspended in another state is not eligible for Oklahoma certification until an investigation has resolved the issues surrounding the surrender, denial, or suspension of certification.

(m) **Extending provisional certificates.** A request for extension of validity of any expired provisional certificate will be presented to the State Board of Education only when extenuating circumstances seem to justify its consideration. These requests shall be submitted in writing by the employing superintendent. A superintendent who holds an expired provisional certificate needs to have the president of the local board of education make the written request.

(n) **Degree/college credit accepted for certification regulations.** Only degrees conferred by state or regionally accredited colleges and universities recognized by the Oklahoma State Board of Education will be accepted by the Professional Standards Section as part of the requirements for teacher certification. Only work completed in state and regionally accredited colleges and universities, or transfer credit validated by them, will be accepted as a basis for teacher

certification. For purposes of Oklahoma certification, state-accredited colleges and universities are considered to be colleges and universities accredited by the Oklahoma State Regents for Higher Education or their counterpart in other states (a statewide higher education coordinating board/agency of control). Regionally accredited colleges and universities are considered to be colleges and universities accredited by regional institutional accrediting bodies recognized by the United States Department of Education.

(o) **Fee for duplicate licenses and certificates.** The State Board of Education shall charge and collect reasonable fees for the issuance and duplication of ~~licenses and~~ certificates.

RULE IMPACT STATEMENT

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 20. STAFF SUBCHAPTER 9. PROFESSIONAL STANDARDS: TEACHER EDUCATION AND CERTIFICATION

- a. **What is the purpose of the proposed rule change?**
The proposed amendment to 210:20-9-98 updates the rule on the administrative requirements for teacher certification to reflect changes in federal and state law since the rule was drafted. In federal law, 8 U.S.C. § 1621 classifies a professional license issued by a state agency as a "State or local public benefit". In Oklahoma law, 56 O.S. § 71 provides that "every agency...of this state shall verify the lawful presence in the United States of any natural person fourteen (14) years of age or older who has applied for state or local public benefits, as defined in 8 U.S.C., Section 1621". References to teaching "licenses" are also stricken, as this is a certification category no longer in use.
- b. **What classes of persons will be affected by the proposed rule change and what classes of persons will bear the costs of the proposed rule change?**
The proposed changes will affect individuals who apply for teaching certification from the State Board of Education.
- c. **What classes of persons will benefit from the proposed rule change?**
The proposed changes will benefit individuals who apply for teaching certification from the State Board of Education.
- d. **What is the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions?**
The agency does not anticipate any economic impact upon affected classes of persons or political subdivisions as a result of implementation of the proposed rule change at this time.
- e. **What is the probable cost to the agency to implement and enforce the proposed rule change?**
The agency does not anticipate any cost to the agency to implement and enforce as a result of the proposed change in the rule at this time. Additional record keeping, if any, will be performed by existing staff.
- f. **What is the economic impact on any political subdivision to implement the proposed rule change?**
The agency does not anticipate any economic impact on any political subdivision to implement the proposed rule change at this time.
- g. **Will implementing the rule change have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act?**
The agency does not anticipate any adverse economic impact on small business as a result of the proposed rule change at this time.
- h. **Are there any other methods which are less costly, nonregulatory, or less intrusive to achieve the purpose of the proposed rule change?**
No.

- i. **Will the rule change impact the public health, safety, and environment, and is the change designed to reduce significant risks to the public health, safety, and environment? If so, explain nature of risk and to what extent the proposed rule change will reduce the risk.**

The agency does not anticipate any impact on public health, safety, or environment as a result of implementation of the proposed rule at this time.

- j. **What detrimental effect will there be on the public health, safety, and environment if the rule change is not implemented?**

The agency does not anticipate any detrimental effect on public health, safety, or environment as a result of failure to implement the proposed rule at this time.

- k. **Date Prepared:** September 8, 2015

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE
LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS
SUBCHAPTER 9. ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS
PART 7. STANDARD IV: CURRICULUM, INSTRUCTION, ASSESSMENT
AND CLIMATE**

210:35-9-31. Program of studies and graduation requirements

(a) **General provisions.** Every student at every high school shall have the opportunity to acquire all the competencies to matriculate at a comprehensive graduate institution of the Oklahoma State System of Higher Education without the necessity of enrolling at the university in secondary-level courses. Each student will have the opportunity to attain proficiency in the Priority Academic Student Skills.

(b) **Definitions.** The following definitions shall apply to this subsection:

(1) **"Contextual methodology"** means academic content and skills taught by utilizing real-world problems and projects in a way that helps students understand the application of that knowledge.

(2) **"Courses approved for college admission requirements"** means courses which are approved by the Oklahoma State Regents for Higher Education for admission to an institution within the Oklahoma State System of Higher Education.

(3) **"Qualified agricultural courses"** means courses that have been determined by the State Board of Education to offer the sets of competencies set forth in the Oklahoma Academic Standards for one or more science content areas and which correspond to academic science courses and are taught by teacher who is certified and considered "highly qualified" to teach in the science course taught. Qualified agricultural education courses shall include, but are not limited to, Horticulture, Plant and Soil Science, Natural Resources and Environmental Science, and Animal Science.

(4) **"Rigor"** means a level of difficulty that is appropriate for the grade level and that meets state and/or national standards;

(5) **"Sets of competencies"** means instruction in those skills and competencies that are specified skills and competencies adopted by the State Board of Education without regard to specified instructional time;

(6) **"Unit"** means a Carnegie Unit which is given for the successful completion of a course that meets the equivalent of 120 clock hours within the school year.

(c) **Total minimum graduation requirements.** In order to graduate with a standard diploma from a public high school accredited by the State Board of Education, students shall complete twenty-three (23) units or sets of competencies in grades nine (9) through twelve (12), which shall include either:

(1) Seventeen (17) units or sets of competencies of the college preparatory/work ready curriculum requirements set forth in (d) of this Section, plus six (6) elective units or sets of competencies; or

(2) Fifteen (15) units or sets of competencies of the core curriculum requirements set forth in (e) of this Section, plus eight (8) elective units or sets of competencies.

(d) **College preparatory/work ready curriculum requirements.** In order to graduate with a standard diploma from a public high school accredited by the State Board of Education, students

shall complete the following college preparatory/work ready curriculum units or sets of competencies at the secondary level:

- (1) Four (4) units or sets of competencies of English to include:
 - (A) Grammar;
 - (B) Composition;
 - (C) Literature; or
 - (D) Any English course approved for college admission requirements;
- (2) Three (3) units or sets of competencies of mathematics, limited to:
 - (A) Algebra I;
 - (B) Algebra II;
 - (C) Geometry;
 - (D) Trigonometry;
 - (E) Math Analysis;
 - (F) Calculus;
 - (G) Advanced Placement Statistics; or
 - (H) Any mathematics course with content and/or rigor above Algebra I and approved for college admission requirements;
- (3) Three (3) units or sets of competencies of laboratory science, limited to:
 - (A) Biology;
 - (B) Chemistry;
 - (C) Physics; or
 - (D) Any laboratory science course with content and/or rigor equal to or above Biology and approved for college admission requirements;
- (4) Three (3) units or sets of competencies of history and citizenship skills, including:
 - (A) One (1) unit of American History;
 - (B) One-half (1/2) unit of Oklahoma History;
 - (C) One-half (1/2) unit of United State Government; and
 - (D) One (1) unit of a course that has been approved for college admission requirements in one of the following subjects:
 - (i) History;
 - (ii) Government;
 - (iii) Geography;
 - (iv) Economics;
 - (v) Civics; or
 - (vi) Non-Western culture;
- (5) Two (2) units or sets of competencies in one (1) of the following:
 - (A) Two (2) units of the same foreign, Native American, or non-English language; or
 - (B) Two (2) units of computer technology approved for college admission requirements, whether taught at a high school or a technology center school, including:
 - (i) Computer programming;
 - (ii) Computer hardware;
 - (iii) Business computer applications (excluding keyboarding or typing courses) such as:
 - (I) Word processing;
 - (II) Databases;
 - (III) Spreadsheets;

- (IV) Graphics;
- (6) One (1) additional unit or set of competencies selected from:
 - (A) The categories of units or sets of competencies set forth in (1) through (5) of this subsection; or
 - (B) Career and technology courses approved for college admission requirements;
- (7) One (1) unit or set of competencies of
 - (A) Fine arts such as music, art, or drama; or
 - (B) Speech.

(e) **Core curriculum requirements in lieu of college/work ready curriculum requirements.**

Upon written approval of the parent or legal guardian of a student, a student may enroll in the core curriculum requirements in lieu of the college/work ready curriculum requirements set forth in (d) of this Section. The fifteen (15) units of credit required for high school graduation with a standard diploma in accordance with the provisions of this subsection are:

- (A) Language Arts: Four (4) units or sets of competencies, to consist of:
 - (i) One (1) unit or set of competencies of grammar and composition; and
 - (ii) Three (3) units or sets of competencies which may include, but are not limited to, the following courses:
 - (I) American Literature;
 - (II) English Literature;
 - (III) World Literature; or
 - (IV) Advanced English Courses or
 - (V) Any other English courses with content and/or rigor equal to or above grammar and composition;
- (B) Mathematics: Three (3) units or sets of competencies, to consist of:
 - (i) One (1) unit or set of competencies of Algebra I or Algebra I taught in a contextual methodology; and
 - (ii) Two (2) units or sets of competencies which may include, but are not limited to, the following courses:
 - (I) Algebra II;
 - (II) Geometry or Geometry taught in a contextual methodology;
 - (III) Trigonometry;
 - (IV) Math Analysis or Precalculus;
 - (V) Calculus;
 - (VI) Statistics and/or Probability;
 - (VII) Computer Science, if taught by a teacher who is certified to teach mathematics;
 - (VIII) Other contextual mathematics courses which enhance technology preparation taught at a comprehensive high school;
 - (IX) Other contextual mathematics courses which enhance technology preparation taught at a technology center school by a teacher certified in the secondary subject area, when taken in the eleventh (11th) or twelfth (12th) grade, and approved by the State Board of Education and the independent district board of education; or
 - (X) Any other mathematics courses with content and/or rigor equal to or above Algebra I.
- (C) Science: Three (3) units or sets of competencies, to consist of;

- (i) One (1) unit or set of competencies of Biology I or Biology I taught in a contextual methodology; and
- (ii) Two (2) units or sets of competencies in the areas of life, physical, or earth science or technology which may include, but are not limited to, the following courses:
 - (I) Chemistry I;
 - (II) Physics;
 - (III) Biology II;
 - (IV) Chemistry II;
 - (V) Physical Science;
 - (VI) Earth Science;
 - (VII) Botany;
 - (VIII) Zoology;
 - (IX) Physiology;
 - (X) Astronomy;
 - (XI) Applied Biology/Chemistry;
 - (XII) Applied Physics;
 - (XIII) Principles of Technology,;
 - (XIV) Qualified agricultural education courses; or
 - (XV) Other contextual science courses which enhance technology preparation taught at a comprehensive high school;
 - (XVI) Other contextual science courses which enhance technology preparation taught at a technology center school when taken in the eleventh (11th) or twelfth (12th) grade, taught by a certified teacher, and approved by the State Board of Education and the independent district board of education;
 - (XV) Other science courses with content and/or rigor equal to or above Biology I.
- (D) Social Studies: Three (3) units or sets of competencies, to consist of:
 - (i) One (1) unit or set of competencies of United States History;
 - (ii) One-half (1/2) to one (1) unit or set of competencies of United States Government;
 - (iii) One-half (1/2) unit or set of competencies of Oklahoma History; and
 - (iv) One-half (1/2) to one (1) unit or set of competencies which may include, but are not limited to, the following courses:
 - (I) World History;
 - (II) Geography;
 - (III) Economics;
 - (IV) Anthropology; or
 - (V) Other social studies courses with content and/or rigor equal to or above United States History, United States Government, and Oklahoma History; and
- (E) Arts: Two (2) units or sets of competencies which may include, but are not limited to, courses in Visual Arts and General Music.
- (f) **Other curriculum requirements.** In addition to the curriculum requirements set forth in (c) through (e) of this subsection, each secondary school shall ensure that the following curriculum requirements are met:
 - (1) **Personal Financial Literacy Passport.** Beginning with the seventh grade, students shall fulfill the requirements for a Personal Financial Literacy Passport in order to graduate with a standard diploma from a public high school accredited by the State Board of Education.

(A) The requirements for a Personal Financial Literacy Passport shall be the satisfactory completion and demonstration of satisfactory knowledge in all fourteen (14) areas of instruction during grades seven (7) through twelve (12). The fourteen (14) areas of instruction are:

- (i) Understanding interest, credit card debt, and online commerce;
- (ii) Rights and responsibilities of renting or buying a home;
- (iii) Savings and investing;
- (iv) Planning for retirement;
- (v) Bankruptcy;
- (vi) Banking and financial services;
- (vii) Balancing a checkbook;
- (viii) Understanding loans and borrowing money, including predatory lending and payday loans;
- (ix) Understanding insurance;
- (x) Identity fraud and theft;
- (xi) Charitable giving;
- (xii) Understanding the financial impact and consequences of gambling;
- (xiii) Earning an income; and
- (xiv) Understanding state and federal taxes.

(B) Instruction in these fourteen areas must align and meet the Personal Financial Literacy academic standards as adopted by the Oklahoma State Board of Education.

(C) School districts shall have the option of determining when each of the fourteen (14) areas of instruction listed above shall be presented to students in grades seven (7) through twelve (12). Options include:

- (i) Integration into one or more existing courses of study;
- (ii) A separate Personal Financial Literacy course;and/or
- (iii) Use of State Department of Education Personal Financial Literacy online modules of learning.

(D) The Oklahoma State Department of Education online modules of learning and the assessments shall be available to all students as determined by the local school district.

(E) In order to facilitate the monitoring of student progress towards achieving the Personal Financial Literacy Passport, districts shall maintain a Personal Financial Literacy Passport cumulative record. The Personal Financial Literacy Passport cumulative record shall be a uniform document used by all school districts within the state. The State Department of Education shall provide an electronic version of the Personal Financial Literacy Passport cumulative record to the districts. Completion of the fourteen (14) areas of instruction of Personal Financial Literacy shall be documented on the student's high school transcript. The Personal Financial Literacy Passport cumulative record shall accompany the student when transferring to a new district.

(F) Elementary districts, PK-8, may enter into a vertical articulated curriculum agreement with an independent district, PK-12, for facilitating and sharing of the personal financial literacy curriculum and instruction.

(G) Teachers providing instruction in personal financial literacy shall be certified in accordance with the provisions of the Passport to Financial Literacy Act at 70 O.S. § 11-103.6h.

(H) School districts shall assess the knowledge of all students who transfer into an Oklahoma school district from out of state after the seventh grade.

(i) If the school district determines that the transferred student has successfully completed instruction in any or all of the areas of personal financial literacy instruction at the previous school in which the student was enrolled, or if the student demonstrates satisfactory knowledge of any or all of the areas of personal financial literacy instruction through an assessment approved by the State Department of Education, the school district may exempt the student from completing instruction in that area of personal financial literacy instruction.

(ii) Students who transfer into an Oklahoma school district from out of state after the junior year of high school may be granted an exception from the requirements of the personal financial literacy passport in accordance with the provisions of 70 O.S. 11-103.6.

(2) **Recommended curriculum.** School districts shall strongly encourage students to complete two units or sets of competencies of foreign languages and two units or sets of competencies of physical and health education.

(3) **Credit toward graduation requirements.** Credits for meeting curriculum requirements toward graduation shall be determined in accordance with all of the following provisions:

(A) No student shall receive credit for high school graduation more than once for completion of the same unit or set of competencies to satisfy the core curriculum requirements.

(B) Credit for all units or sets of competencies required in (d) and (e) of this Section shall be given when such units or sets of competencies are taken prior to ninth (9th) grade if:

(i) The teachers are certified or authorized to teach the subjects for high school credit; and

(ii) The required rigor of the course is maintained.

(C) Notwithstanding the provisions of (3)(B) of this subsection, the three units or sets of competencies in mathematics required in (d) or (e) of this Section shall be completed in the ninth (9th) through twelfth (12th) grades. If a student completes any required courses or sets of competencies in mathematics prior to ninth grade, the student may take any other mathematics courses or sets of competencies to fulfill the requirement to complete three (3) units or sets of competencies in grades nine (9) through twelve (12) after the student has satisfied the requirements of subsection (d) or (e) of this Section.

(D) Successful completion of an alternative assessment set forth in 210:10-13-16(b)(7)-(8) shall not constitute a basis for awarding a student credit for any course in which a student has failed the end-of-instruction exam and failed to attend in accordance with local district attendance policies.

(4) **Achieving Classroom Excellence Act.** The curriculum requirements for graduation set forth in (c) through (f) of this Section and 70 O.S. § 11-103.6 are in addition to and separate from the requirements of the Achieving Classroom Excellence Act set forth at 70 O.S. § 1210.523 and the accompanying regulation at 210:10-13-16. Students must fulfill the applicable requirements (or, in some cases, qualify for applicable exceptions or exemptions) of both statutes to be eligible to be awarded a standard diploma.

(g) **Additional accreditation requirements.** In addition to the curriculum requirements set forth in (c) through (f) of this Section, all public school districts shall ensure that its schools' secondary programs are designed to meet all of the following requirements:

(1) As a condition of receiving accreditation from the State Board of Education, all school districts shall require all students in grades nine (9) through twelve (12) to enroll in a minimum of six periods, or the equivalent in block scheduling or other scheduling structure that allows for instruction in sets of competencies, of rigorous academic and/or rigorous vocational courses each day, which may include arts, vocal and instrumental music, speech classes, and physical education classes. However, students re-enrolled in high school solely for the purpose of receiving ACE remediation in accordance with the provisions of 210:10-13-16(g) shall be exempt from this requirement.

(2) Each high school's academic program shall be designed to prepare all students for employment and/or postsecondary education. The secondary academic program shall be designed to provide the teaching and learning of the skills and knowledge in the Priority Academic Student Skills. All high schools accredited by the State Department of Education shall offer the college preparatory/work ready curriculum required for the students to earn a standard diploma during grades nine (9) through twelve (12). To meet graduation requirements, local options may include courses taken by advanced placement, concurrent enrollment, correspondence courses, supplemental online courses, or courses bearing different titles.

(3) The secondary academic programs may also provide the traditional units of credit to be offered in grades nine (9) through twelve (12) with each secondary school offering and teaching at least thirty-eight (38) units or their equivalent each school year. Four (4) of these units may be offered on a two-year alternating plan with thirty-four (34) units or their equivalent to be taught in the current school year. In schools with other than a four-year organization, these units shall be offered and taught in conjunction with the affiliated schools containing those grade levels. Career and technology center courses in which secondary students are enrolled may count toward the thirty-eight (38) required units of credit or their equivalent.

(4) District boards of education can make exceptions to state high school graduation curriculum requirements for students who move to this state from another state after their junior year of high school.

(A) After a student from another state enrolls in an accredited Oklahoma high school the school board can make an exception to the high school graduation curriculum requirements of 70 O.S. §11-103.63. Individual exceptions can only be made when there are differing graduation requirements between the two states and completing Oklahoma graduation requirements will extend the student's date of graduation beyond the graduation date for the student's class.

(B) The district must report all exceptions made to state graduation requirements for these senior students to the State Department of Education each school year. All exceptions made at each district high school will be forwarded to the State Department of Education on or before July 1 of each year. Districts may report the information on the Annual Statistical Report. This reporting provision does not include students who have individualized education programs pursuant to the Individuals with Disabilities Education Act (IDEA) and who satisfy graduation requirements through the individualized education program.

(5) District boards of education shall waive the Oklahoma History graduation requirement for children of military families who transition with the military from another state and who have satisfactorily completed a similar state history class in another state. "Children of military families", as defined in 70 O.S. § 510.1, means "a school-aged child(ren), enrolled in Kindergarten through Twelfth grade, in the household of an active duty member".

(56) In order for a course offered by a supplemental educational organization to be counted for purposes of student academic credit and towards graduation requirements, the local board of education must verify that the course meets all requirements in 70 O.S. § 11-103.6.) Upon verification, the local school board of education's request for course approval shall be submitted to the State Board of Education for final approval.

RULE IMPACT STATEMENT

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 35. STANDARDS FOR ACCREDITATION OF ELEMENTARY, MIDDLE LEVEL, SECONDARY, AND CAREER AND TECHNOLOGY SCHOOLS SUBCHAPTER 9. ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS

- a. **What is the purpose of the proposed rule change?**
The proposed amendment to 210:35-9-31 adds a provision to the graduation requirements rule that directs district boards of education to waive the Oklahoma History requirement for children of military families who have completed a similar state history class in another state. House Bill 1330 directs the State Board of Education to adopt rules implementing this waiver by December 1, 2015.
- b. **What classes of persons will be affected by the proposed rule change and what classes of persons will bear the costs of the proposed rule change?**
The proposed changes will affect school districts and children of military families who have completed a state history class in another state.
- c. **What classes of persons will benefit from the proposed rule change?**
The proposed changes will benefit school districts and children of military families who have completed a state history class in another state.
- d. **What is the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions?**
The agency does not anticipate any economic impact upon affected classes of persons or political subdivisions as a result of implementation of the proposed rule change at this time.
- e. **What is the probable cost to the agency to implement and enforce the proposed rule change?**
The agency does not anticipate any cost to the agency to implement and enforce as a result of the proposed change in the rule at this time. Additional record keeping, if any, will be performed by existing staff.
- f. **What is the economic impact on any political subdivision to implement the proposed rule change?**
The agency does not anticipate any economic impact on any political subdivision to implement the proposed rule change at this time.
- g. **Will implementing the rule change have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act?**
The agency does not anticipate any adverse economic impact on small business as a result of the proposed rule change at this time.
- h. **Are there any other methods which are less costly, nonregulatory, or less intrusive to achieve the purpose of the proposed rule change?**
No.
- i. **Will the rule change impact the public health, safety, and environment, and is the change designed to reduce significant risks to the public health, safety, and environment? If so, explain nature of risk and to what extent the proposed rule change will reduce the risk.**

**TITLE 210. STATE DEPARTMENT OF EDUCATION
CHAPTER 40. GRANTS AND PROGRAMS-IN-AID
SUBCHAPTER 75. PARENT EDUCATION PROGRAMS**

210:40-75-2. Definitions

The following words and terms, when used in the Subchapter, shall have the following meaning, unless the context clearly indicates otherwise:

"Community Advisory Committee" means a local school district committee whose membership includes interested citizens representing a variety of community organizations.

"Consortium" means one or more school districts joined together to total a minimum of 500 students.

"Internal Coordinating Committee" means a committee comprised of local school district personnel whose membership shares with the parent education program administrator the ongoing responsibility for successful implementation of the program.

"Parent Coordinator" "Family Support Provider" means a person who has completed training and certification approved by the Oklahoma State Department of Education through the National Parents As Teachers Center. The coordinator Family Support Provider plans and implements the Oklahoma Parents As Teachers program of parent education in accordance with the guidelines and the rules and regulations of the Oklahoma State Department of Education. In some situations the coordinator Family Support Provider may serve as a part-time parent educator.

"Parent Education Program Administrator" means a person employed by the local school district who is designated as responsible for the implementation of the program.

"Parent Educator" means a person employed through the local school district who has completed training and certification approved by the Oklahoma State Department of Education.

210:40-75-4. Program requirements Requirements for the Oklahoma Parents As Teachers Program program of parent education

(a) Programs funded by the State Department of Education with funds provided in support of the parent education program legislation (~~HB 1017, Section 35A and B70 O.S. § 10-105.3~~); must meet the following basic program requirements. The Oklahoma Parents As Teachers Program must program of parent education must:

- (1) Be voluntary and free to parents.
- (2) Employ as parent educator(s), persons who have earned a minimum of sixty hours of college credit and completed training and certification approved by the Oklahoma State Department of Education. ~~It is recommended that each part-time parent educator serve a maximum of 30-35 children.~~
- (3) Employ a coordinator Family Support Provider who has a minimum of a bachelor's degree in early childhood development or related field and has completed training and certification approved by the State Department of Education, if more than one parent educator is required. In some situations, the coordinator Family Support Provider may serve as a part-time parent educator.
- (4) Implement the curriculum approved by the State Department of Education.
- (5) Be conducted a minimum of 10 months of the year.

- (6) Include ten personalized contacts per year with each parent/family group involved in the program, including:
 - (A) monthly home visits to each parent/family group involved in the program, and scheduled at the convenience of the parent/family group (during evening hours or on Saturday, if necessary); and
 - (B) monthly ~~parent group meetings~~ Family Support Meetings.
- (7) Include an internal coordinating committee and a community advisory committee.
- (8) Provide evidence of coordination of services with other community programs with similar purposes.
- (9) Be open to all parents in the community, with a demonstrated effort to balance participation among various groups through active encouragement of the involvement of first time parents, teen parents, and high challenge families.
- (10) Conduct child developmental screening, including but not limited to, vision, hearing, the understanding and use of language, motor development and eye-hand coordination, and health and physical development, use forms designated by the State Department of Education.
- (11) Serve parents with children from birth to age 3 (0–36 months).
- (12) Provide reports and program information as determined necessary by the State Department of Education.
- (13) Designate a room, or space in an existing room, for parenting and child growth and development materials for use by parents and children participating in the program.
- (14) Be operated by the district or the district may contract with private, nonprofit corporations or associations or with any public or private agency or institution (i.e., Head Start).

(b) School district must have an enrollment of at least 500 students or form a consortium with other districts to total a minimum of 500 students for the development and operation of an OPATa program of parent education.

210:40-75-6. Funding

- (a) In order to receive state funds for the development and operation of an Oklahoma Parents As Teachers a program of parent education or a Parent Education Training Program, a local board of education shall submit to the State Department of Education an application and description of the program.
- (b) The application and description shall be prepared in such form and manner as the State ~~Board~~ Department of Education shall require and shall be submitted at a time determined and specified by State ~~Board~~ Department of Education.
- (c) In the application for state funds the applicant must assure that he/she is aware that this grant is to be spent between July 1 and June 30 of the current fiscal year.

210:40-75-7. Solicitation, acceptance, and evaluation of district applications for state-funded Oklahoma Parents as Teachers (OPAT) Grants grants for programs of parent education

- (a) **Purpose;** OPAT Grants to serve eligible school districts. OPAT grants Grants for programs of parent education shall be awarded to local school districts or consortia for programs serving school districts approved by the State ~~Board~~ Department of Education.

- (b) The State Department of Education shall notify all school districts of the eligibility and availability of OPAT grant funds for programs of parent education and of the deadline for submitting grant applications.
- (c) OPAT programs~~Programs~~ shall address the following: composition of the ~~OPAT~~-advisory committee, assessment of needs, community(ies) to be served, goals and objectives, proposed activities and implementation plan, and proposed budget.
- (d) ~~OPAT grant~~Grant applications shall be reviewed by a committee and approved by the State ~~Board~~Department of Education.
- (e) ~~OPAT grant~~Grant recipients shall identify a program administrator or ~~coordinator~~Family Support Provider, and shall maintain financial records according to the Oklahoma Cost Accounting System (OCAS).
- (f) Each funded school district shall agree to abide by the guidelines, rules, and regulations of the Oklahoma State Department of Education (OSDE) in implementing the OPAT grant program, and shall provide program and budget reports as required by the OSDE.
- (g) The amount of funding available for each school district will be determined based on the annual appropriation and the following categories:
- (1) Districts/Consortia with ADM of 30,000 or more students;
 - (2) Districts/Consortia with ADM of 18,000 or more students;
 - (3) Districts/Consortia with ADM of 3,000 or more students
 - (4) Districts/Consortia with ADM of 1,000 or more students;
 - (5) Districts/Consortia with ADM of 500 or more students.

RULE IMPACT STATEMENT

TITLE 210. STATE DEPARTMENT OF EDUCATION CHAPTER 40. GRANTS AND PROGRAMS-IN-AID SUBCHAPTER 87. PROGRAMS OF PARENT EDUCATION

- a. **What is the purpose of the proposed rule change?**
The proposed amendments to Subchapter 87 implement changes to the name of the program of parent education made by Senate Bill 285. SB 285 eliminated references to the Oklahoma Parents As Teachers (OPAT) program, substituting the more general term "program of parent education" for greater flexibility, given changes to the National Parents as Teachers program. The proposed rule amendments incorporate this change, and other language adjustments are made to reflect the current Oklahoma program. SB 285 also shifted program authority from the State Board of Education to the State Department of Education, and the rules are updated accordingly.
- b. **What classes of persons will be affected by the proposed rule change and what classes of persons will bear the costs of the proposed rule change?**
The proposed changes will affect districts, parents, and children who participate in the program of parent education.
- c. **What classes of persons will benefit from the proposed rule change?**
The proposed changes will benefit districts, parents, and children who participate in the program of parent education.
- d. **What is the probable economic impact of the proposed rule upon affected classes of persons or political subdivisions?**
The agency does not anticipate any economic impact upon affected classes of persons or political subdivisions as a result of implementation of the proposed rule change at this time.
- e. **What is the probable cost to the agency to implement and enforce the proposed rule change?**
The agency does not anticipate any cost to the agency to implement and enforce as a result of the proposed change in the rule at this time. Additional record keeping, if any, will be performed by existing staff.
- f. **What is the economic impact on any political subdivision to implement the proposed rule change?**
The agency does not anticipate any economic impact on any political subdivision to implement the proposed rule change at this time.
- g. **Will implementing the rule change have an adverse effect on small business as provided by the Oklahoma Small Business Regulatory Flexibility Act?**
The agency does not anticipate any adverse economic impact on small business as a result of the proposed rule change at this time.
- h. **Are there any other methods which are less costly, nonregulatory, or less intrusive to achieve the purpose of the proposed rule change?**
No.
- i. **Will the rule change impact the public health, safety, and environment, and is the change designed to reduce significant risks to the public health, safety, and**

environment? If so, explain nature of risk and to what extent the proposed rule change will reduce the risk.

The agency does not anticipate any impact on public health, safety, or environment as a result of implementation of the proposed rule at this time.

j. **What detrimental effect will there be on the public health, safety, and environment if the rule change is not implemented?**

The agency does not anticipate any detrimental effect on public health, safety, or environment as a result of failure to implement the proposed rule at this time.

k. **Date Prepared:** September 10, 2015

An Act

ENROLLED SENATE
BILL NO. 285

By: Ford and Mazzei of the
Senate

and

Coody (Ann) of the House

An Act relating to schools; amending 70 O.S. 2011, Section 3-162, which relates to information requested of parents upon initial enrollment of a student; modifying name of certain program; amending 70 O.S. 2011, Section 10-105.3, which relates to the development and implementation of parent education programs; changing certain duties and functions from the State Board of Education to the State Department of Education; allowing the Department to provide certain technical assistance; modifying certain functions; changing the Parents as Teachers Program name; modifying certain report; amending 70 O.S. 2011, Section 11-103.7, which relates to early childhood education programs; directing the State Board of Education to align standards for early childhood education programs with certain standards; and providing an effective date.

SUBJECT: Schools

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-162, is amended to read as follows:

Section 3-162. A. Beginning with the 2007-2008 school year, upon initial enrollment in a public school district, the school shall request the parent or guardian of a student to provide information to the school district regarding participation in the following:

1. A childcare program that is licensed pursuant to the tiered licensing system established by the Department of Human Services;

2. The SoonerStart program operated by the State Department of Education;

3. The ~~Oklahoma Parents as Teachers~~ program of parent education operated by the State Department of Education pursuant to Section 10-105.3 of this title;

4. The Children First program operated by the State Department of Health;

5. Any child abuse prevention program operated by the State Department of Health;

6. Any federally funded Head Start program; and

7. Any other early childhood program funded by state or federal monies as determined by the State Board of Education.

B. The State Department of Education shall verify the accuracy of the information provided by the parents or guardians pursuant to subsection A of this section with the appropriate agency. Each agency shall cooperate and provide verifying data to the Department.

C. The State Department of Education shall develop state data elements and codes for each program identified pursuant to subsection A of this section for use in the statewide student record system program, which shall be used to provide effective reporting and research on the identified programs. The codes shall be entered into the statewide student record system program upon initial enrollment of a student.

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

SECTION 2. AMENDATORY 70 O.S. 2011, Section 10-105.3, is amended to read as follows:

Section 10-105.3 A. The State ~~Board~~ Department of Education shall develop and implement a program of parent education which provides practical information and guidance to parents regarding the development of language, cognition, social skills, and motor development of young children. The program shall be phased in so that services will be available to parents of children under age three (3) in school districts identified by the ~~Board~~ Department as having the greatest numbers of children whose education is considered to be high challenge. As funds are available, ~~beginning with the 1992-93 school year,~~ the ~~Board~~ Department shall expand the program so that services will be available to the school sites identified by the ~~Board~~ Department as having the greatest percentage of children qualifying for the free or reduced school lunch program. The ~~Board~~ Department shall expand the program each year if funding is available to ensure that a parent education program is available to all school districts. In evaluating new funding requests, priority consideration shall be given to programs demonstrating the greatest need combined with the greatest commitment of community, foundation, and corporate support.

B. The program shall emphasize the importance of the parents of children as a child's first and most influential teachers. The parent education programs currently offered in other states should be examined as possible models for the Oklahoma program.

C. The State ~~Board~~ Department of Education shall provide or contract with an organization to provide for technical assistance for a field operations center to coordinate the Oklahoma Parents as Teachers Program training and implementation of the program of parent education developed by the Department pursuant to subsection A of this section. To be eligible for a technical assistance contract, an applicant ~~must~~ shall be an affiliate member of a national organization or association providing parent education training, ~~must~~ have at least two (2) years' experience in implementation of a ~~Parents as Teachers Program~~ program of parent education which provides practical information and guidance to parents, and ~~must~~ have at least one staff member with a degree above the baccalaureate level who has expertise in Child Development or

Early Childhood Education. Technical assistance shall include assistance with training on program organization, management, implementation, and fundraising techniques for groups seeking to implement ~~Parents as Teachers Programs~~ a program of parent education and existing ~~Parents as Teachers Programs~~ parent education programs throughout the state. The technical assistance provider shall compile a report, ~~utilizing data collected from the State Department of Education and the Child Service Demonstration Center,~~ on the status of ~~Parents as Teachers Programs~~ parent education programs operating pursuant to this section in Oklahoma, including the locations and descriptions of the programs, the sources of funding for the programs, and pending applications for funding. The report shall be filed on or before April 1 of each year with the Governor, the Legislature, and the State Board of Education.

SECTION 3. AMENDATORY 70 O.S. 2011, Section 11-103.7, is amended to read as follows:

Section 11-103.7 A. Each school district may offer to four-year-old children the opportunity to participate in an early childhood education program.

B. The State Board of Education shall promulgate standards for early childhood education programs for children who are at least four (4) years of age on or before September 1 of the ensuing school year. The standards shall include both half-day programs consisting of not less than two and one-half (2 1/2) hours per school day, and full-day programs of six (6) hours. The standards for all early childhood education programs shall require a certified teacher, as specified in this section, to be present in the classroom for the length of the school day. Such program shall:

1. Be directed toward developmentally appropriate objectives for such children, rather than toward academic objectives suitable for older children;

2. Accommodate the needs of all children and families regardless of socioeconomic circumstances; and

3. Require that any teacher employed by a public school to teach in such early childhood education program shall be certified in early childhood education.

C. The superintendent of any school district providing classroom space or other school facilities for a federally sponsored Head Start program that is planning to make a material change in the arrangement, shall give notice to the director of the Head Start program at least seven (7) days prior to a school board hearing on the matter.

D. A school district may offer such early childhood education program within the district, in cooperation with other districts, through the use of transfers as specified by law, or by contracting with a private or public provider of early childhood education programs, or by contracting for classroom space with a licensed public or private child care provider based upon selection criteria established by the district. If the program is provided through contract with a private or public provider other than a school district, the contract may only be continued if each teacher serving the school on and after January 1, 1993, is certified in early childhood education, except that all teachers, without such certification, hired by such provider prior to January 1, 1993, and serving in the school as an early childhood education teacher shall be required to obtain certification on or before the beginning of the 1996-97 school year. Any person who has been employed as an early childhood educator with the Head Start Program, has a child development associate degree (CDA) and has at least five (5) years of experience in such employment shall be certified in early childhood education for purposes of employment in the public schools of this state to teach in early childhood education for children four (4) years of age and younger; if such person is recertified in child development by the Council for Early Childhood Professional Recognition within five (5) years prior to the expiration of the person's early childhood certificate that was issued by the State Board of Education, such person shall be granted a renewal certificate in early childhood education by the State Board of Education upon expiration of the early childhood certificate. Provided, private or public providers shall meet such other standards required by law and by the State Board of Education.

E. If an early childhood program is provided by a private or public provider pursuant to a contract as authorized in this section, the contract shall address the requirements for implementing the residency program for resident teachers as required

in Section 6-195 of this title. Teachers employed by a private or public provider in an early childhood education program provided through contract with a public school district shall receive in salary and/or fringe benefits amounts not less than the amounts specified in the schedule set forth in Section ~~18-114.7~~ 18-114.14 of this title.

F. The State Board of Education shall promulgate rules to provide for the implementation of such program.

G. An early childhood education program may be offered jointly by school districts that have formed interlocal cooperative agreements pursuant to Section 5-117b of this title.

H. The term "~~pre-kindergarten~~" "prekindergarten" shall mean early childhood education for purposes of this title.

I. The State Board of Education shall ensure that the standards for early childhood education are aligned with any new subject matter standards adopted pursuant to Section 11-103.6a of this title.

SECTION 4. This act shall become effective November 1, 2015.

Passed the Senate the 27th day of April, 2015.

Presiding Officer of the Senate

Passed the House of Representatives the 8th day of April, 2015.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____