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OKLAHOMA STATE DEPARTMENT *of* EDUCATION

## MEMORANDUM

**TO:** The Honorable Members of the State Board of Education  
**FROM:** Joy Hofmeister  
**DATE:** July 23, 2015  
**SUBJECT:** Emergency Rule Promulgation

The State Board of Education will be taking action at the July meeting on the following emergency rule amendments, pursuant to the *Oklahoma Administrative Procedures Act*, 75 O.S. § 253:

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 a language modification to an emergency rule approved by the Board last month but still under consideration by the Office of the Governor. In consultation with the Governor's Office during the emergency rule review process, the SDE has modified the proposed "Full Academic Year" definition to be based on enrollment within the first 20 instructional days of the school year.

The language change that eliminated distinctions in subsection (f) between juvenile and residential facilities based only on site codes is presented with the same changes in this version, and there are no further modifications requested to that section.

Title 210. State Department of Education  
Chapter 10. School Administration and Instructional Services  
Subchapter 13. Student Assessment  
**210:10-13-22. Implementation of a system of school improvement and accountability [AMENDED]**

This is the same proposed language modification as in the previous rule, with the "Full Academic Year" definition based on enrollment in the first 20 instructional days of the school year.

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 proposed emergency action amends the rule that addresses the documentation requirements for obtaining or renewing teacher certification. Subsection (b), "Noncitizens of the United States", is inconsistent with federal and state law as applied to those who are lawfully present in the U.S. That subsection must be revised to reflect that professional licensure requires verification of lawful presence, pursuant to 56 O.S. § 71.