

STATE OF OKLAHOMA

1st Session of the 45th Legislature (1995)

CONFERENCE COMMITTEE SUBSTITUTE

FOR ENGROSSED

SENATE BILL NO. 663

By: Long (Ed) of the Senate

and

Hager and Weaver of the  
House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to jurors and schools; amending 70 O.S. 1991, Sections 6-105, as amended by Section 1, Chapter 205, O.S.L. 1994, and 1210.401 (70 O.S. Supp. 1994, Sections 6-105 and 1210.303), which relate to substitute teachers and the Oklahoma School of Science and Mathematics; prohibiting adverse academic action against certain students; stating attributes of valid certificate; modifying membership requirements of the Board of Trustees of the Oklahoma School of Science and Mathematics; providing for codification; providing an effective date; and declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 37 of Title 38, unless there is created a duplication in numbering, reads as follows:

No school, college, university, or other educational institution may take or permit to be taken any adverse academic action against a student because of the student's service on a grand, multicounty grand, or petit jury.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 6-105, as amended by Section 1, Chapter 205, O.S.L. 1994 (70 O.S. Supp. 1994, Section 6-105), is amended to read as follows:

Section 6-105. A. If, because of sickness or other reason, a teacher is temporarily unable to perform his or her regular duties, a substitute teacher for his or her position may be

employed for the time of such absence. A substitute teacher shall be paid in an amount and under such terms as may be agreed upon in advance by the substitute teacher and the board of education or according to regulations of the board. A teacher absent for reason of personal business shall have deducted from ~~his~~ the salary of the teacher by the school district only the amount necessary to pay the substitute.

No substitute teacher shall be employed for a total period of time in excess of seventy (70) school days during a school year unless he or she is the holder of a valid certificate. Except as provided in this section, a substitute teacher may not be employed for the same assignment for more than twenty (20) school days during a school year unless ~~he or she~~ the substitute teacher is the holder of ~~a~~ any valid certificate issued or recognized by the State Board of Education authorizing the teacher to teach.

Substitute teachers who do not hold ~~a~~ any valid certificate issued or recognized by the State Board of Education authorizing the teacher to teach and who are employed to teach special education for physically handicapped students or mentally retarded students shall not be subject to the restrictions on total time a substitute teacher may be employed or the restrictions on time in the same assignment if no certified teachers are available to teach such students and the students would be denied instruction in special education if the substitute teacher were not employed. Availability of certified teachers shall be determined after the school has consulted the State Board of Education and any other resources for filling the vacant position with a certified teacher. Payment of salary to a substitute shall have no effect on the amount of salary to which the absent regular teacher is entitled under the applicable leave plan.

B. Any substitute or cadet teacher employed in any school system on a monthly or annual basis shall hold a certificate and have a written contract in the manner and under the same conditions as for regular teachers.

C. Teachers who are members of the Reserve Forces of the Army, the Navy, the Marine Corps, the Coast Guard, the Air Force,

or any other component of the Armed Forces of the United States, including members of the Air or Army National Guard, shall, when ordered by the proper authority to active duty or service, be entitled to a leave of absence from such civil employment for the period of such active service without loss of status or efficiency rating and without loss of pay during the first thirty (30) days of such leave of absence.

SECTION 3. AMENDATORY 70 O.S. 1991, Section 1210.401, is amended to read as follows:

Section 1210.401 A. A secondary school to be known as the Oklahoma School of Science and Mathematics is hereby established to be governed by a board of trustees as created in this section.

B. The Board of Trustees of the Oklahoma School of Science and Mathematics shall consist of the following members:

1. Six (6) ex officio nonvoting members as follows:

- a. The ~~Chairman~~ Chair of the Oklahoma State Regents for Higher Education or a designee; and
- b. The Chancellor for Higher Education or a designee; and
- c. The Superintendent of Public Instruction or a designee; and
- d. The Dean of the College of Arts and Sciences of Oklahoma State University; and
- e. The Dean of the College of Arts and Science of the University of Oklahoma; and
- f. The Dean of the College of Arts and Sciences of the University of Tulsa.

2. Seven (7) members appointed by the President Pro Tempore of the Senate as follows:

- a. A member of the Senate; and
- b. A superintendent of a public school district; and
- c. Five persons ~~who~~, two of whom are either a scientist or a mathematician and three of whom hold a graduate degree and practice a profession for which such graduate degree is required.

3. Seven (7) members appointed by the Speaker of the House of Representatives as follows:

- a. A member of the House of Representatives; and
- b. A principal of a public secondary school; and
- c. Five members who are either a scientist or a mathematician.

4. Five (5) members appointed by the Governor. Four of the members appointed by the Governor shall be business or industrial leaders. One member appointed by the Governor shall be a principal of a private secondary school in this state. One of the members shall be designated as ~~Chairman~~ Chair of the Board of Trustees by the Governor.

For purposes of this subsection:

- a. "scientist" means any person who has a college degree in one of the sciences and is currently employed in an occupation related to one of the sciences; and
- b. "mathematician" means any person who has a college degree in mathematics and is currently employed in an occupation related to mathematics.

C. 1. The terms of office of the members appointed by the President Pro Tempore of the Senate and the Speaker of the House of Representatives shall coincide with the terms of the appointing authority.

2. The terms of office of the initial members appointed by the Governor shall be as follows:

- a. Two members shall serve for a term of office of two (2) years; and
- b. Two members shall serve for a term of office of four (4) years; and
- c. One member shall serve for a term of office of six (6) years.

At the expiration of the terms of office of the initial members appointed by the Governor, their successors shall be appointed for terms of office of six (6) years.

D. Vacancies in the office of an appointed member shall be filled for the unexpired term by the appointing authority making the original appointment.

E. The Board of Trustees shall prepare a budget request for the Oklahoma School of Science and Mathematics and shall submit the budget request to the Legislature and the Governor by October 1 of each year. The Board of Trustees may accept gifts of real and personal property, money and other things, and use or dispose of the same in accordance with the directions of the donors or grantors thereof.

F. The Board of Trustees shall be authorized to purchase, own and acquire by lease or gift such motor vehicles as are reasonably necessary for the implementation of the programs of the Oklahoma School of Science and Mathematics.

SECTION 4. This act shall become effective July 1, 1995.

SECTION 5. 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.

45-1-1339

DM