

ENROLLED HOUSE
BILL NO. 2291

By: Adair and Widener of the
House

and

Long (Lewis) of the
Senate

An Act relating to schools; amending 70 O.S. 1991, Section 35f, which relates to the payment of salaries to teachers and other school employees injured by certain school related assaults; providing certain options to such employees; prohibiting effect of certain provisions on the Workers' Compensation Act; providing effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 1991, Section 35f, is amended to read as follows:

Section 35f. A. Any public school teacher, school administrator or other school personnel employee, who is unable to continue his or her contract of employment as a result of injury sustained in the reasonable performance of his or her duties from:

1. Assault by a pupil, relative of a pupil or person of the pupil's household, or

2. Injury sustained as a result of quelling or attempting to quell or stop a fight, disorder or any disturbance related to a school function or activity, shall be paid his or her full contract salary for the remainder of that school year or contract year or period, whichever is applicable, or for such period of time thereof as he or she is prevented from teaching or working as a result of the injuries sustained or job loss caused by such injuries during said school year or contract year or period for which he or she had been employed and during which he or she was injured not to exceed in any event the term of the contract; and directing that such school district paying the balance of the contract payments, may file suit against such person or persons or their guardian or guardians for reimbursement of payments so made.

B. At the option of the employee, temporary total disability benefits shall be supplemented by any sick leave or personal leave, or fractional use thereof available to the injured employee, to the extent that the injured employee shall receive full wages during the employee's temporary absence.

C. Nothing in the provisions of this section shall affect the right of the employee or the employer pursuant to the Workers' Compensation Act.

SECTION 2. This act shall become effective July 1, 1996.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby

declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the House of Representatives the 7th day of May, 1996.

Speaker of the House of
Representatives

Passed the Senate the 8th day of May, 1996.

President of the Senate