

ENROLLED SENATE
BILL NO. 1071

By: Long (Ed) of the Senate

and

Adair and Boyd (Betty) of
the House

An Act relating to schools; amending 70 O.S. 1991, Section 35f, as amended by Section 1 of Enrolled House Bill No. 2291 of the 2nd Session of the 45th Oklahoma Legislature, which relates to salaries of injured employees of public schools; providing for utilization of certain leave; construing certain provisions of the act; requiring each public school site to establish a Safe School Committee; providing for membership; specifying duties; 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 24-100 of Title 70, unless there is created a duplication in numbering, reads as follows:

A. Due to the growing concern of safety and the ever constant threat of violence in our children's schools, it is the intent of the Legislature that local schools and families must work together to combat this rising problem. Therefore, no later than October 1, 1996, and every year thereafter, each public school site shall establish a Safe School Committee to be composed of at least six (6) members. The Safe School Committee shall be composed of an equal number of teachers, parents of the children affected and students. The Safe School Committee shall study and make recommendations to the principal regarding: unsafe conditions, possible strategies for students to avoid harm at school, student victimization, crime prevention, school violence, and other issues which prohibit the maintenance of a safe school.

B. The provisions of this section shall not apply to vocational and technical schools.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 35f, as amended by Section 1 of Enrolled House Bill No. 2291 of the 2nd Session of the 45th Oklahoma Legislature, 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. Employees of the public schools of this state who suffer job-related injuries, other than those enumerated in subsection A of this section, which qualify for temporary total disability benefits under the Workers' Compensation Act, Section 1 et seq. of Title 85 of the Oklahoma Statutes, may utilize accumulated sick leave or personal leave on a prorated basis as follows:

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 effect the right of the employee or the employer pursuant to the Workers' Compensation Act.

SECTION 3. This act shall become effective July 1, 1996.

SECTION 4. 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 Senate the 22nd day of May, 1996.

President of the Senate

Passed the House of Representatives the 22nd day of May, 1996.

Speaker of the House of Representatives