

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1658

By: Hager

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 6-127, which relates to teacher's assistants; deleting use of volunteer in school class size compliance for certain students; deleting certain prohibition for qualification as a teacher's assistant; providing an 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 6-127, is amended to read as follows:

Section 6-127. A. Beginning with the 1990-91 school year, every school site shall employ a teacher's assistant ~~or use a volunteer~~ for each class in grades kindergarten through two which has a class size of more than twenty (20) students in average daily membership as of September 15 of each year and which is composed of students, at least twenty percent (20%) of whom meet the criteria specified in subsection B of this section; provided, this requirement shall not apply to classes that are not subject to class size limitations pursuant to subsection ~~D~~ C of Section 18-113.1 of this title or to pull-out sections for Chapter 1 or to Special Education students. Assistants shall be required as of September 15

of each year. The State Board of Education shall establish regulations that prescribe the qualifications for and duties of teacher assistants in public schools. The State Board of Education shall also establish standards and regulations which provide for a determination of how and when teacher assistants may be used as an appropriate and necessary part of classroom instruction. In addition to any other duties which the Board may deem appropriate, teacher assistants may perform or assist a classroom teacher in the performance of hallroom duty, bus duty, playground duty, lunchroom duty, extracurricular activities involving school functions or any other noninstructional duty the Board may prescribe. Provided, nothing in this section shall construe teacher assistants to be defined as personnel as set out in Section 6-108 of this title or require teacher assistants to possess the certification required for teachers.

B. Any student who meets the criteria established by the State Board which are commensurate with established eligibility criteria for participation in the National School Lunch Act of 1946, 42 U.S.C. Section 1751 et seq. as amended, shall be included in the percentage necessary to meet the requirement of subsection A of this section for the entitlement to a teacher's assistant for such class.

~~C. For the purposes of this section, and for Sections 18-113.1 and 18-113.2 of this title, a federally funded bilingual assistant shall not qualify as a teacher's assistant.~~

SECTION 2. This act shall become effective July 1, 1997.

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.

