

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

HOUSE BILL NO. 1904

By: Staggs

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 6-105, as amended by Section 1, Chapter 205, O.S.L. 1994 (70 O.S. Supp. 1996, Section 6-105), which relates to substitute teachers; authorizing school districts to contract with outside providers to provide training and employment to substitute teacher applicants; requiring the State Board of Education to promulgate certain guidelines; 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 6-105, as amended by Section 1, Chapter 205, O.S.L. 1994 (70 O.S. Supp. 1996, 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 or her salary 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 is the holder of a valid certificate. Substitute teachers who do not hold a valid certificate 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.

D. School districts in this state may contract with outside providers for the training and employment of substitute teachers. The State Board of Education shall promulgate guidelines to assist school districts in the sanctioning and approval of an outside provider in accordance with this section.

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.

46-1-6429

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