

SHORT TITLE: Schools; requiring certain school districts to share administrators; noncodification; effective date; emergency.

STATE OF OKLAHOMA

1st Session of the 46th Legislature (1997)

SENATE BILL NO. 588

By: Williamson

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 1-116, as last amended by Section 1, Chapter 345, O.S.L. 1994 (70 O.S. Supp. 1996, Section 1-116), which relates to personnel definitions; modifying and adding definitions; limiting employment of certain administrators; amending 70 O.S. 1991, Section 5-106, as amended by Section 10, Chapter 257, O.S.L. 1993 (70 O.S. Supp. 1996, Section 5-106), which relates to administration of school districts; requiring certain school districts to share certain administrators; exempting certain school districts; providing for certain agreements; authorizing the State Board of Education to assist in certain agreements; providing for superintendents, assistant superintendents, full-time principals, assistant principals, and teaching principals; defining term; providing for certain transfers; creating the Administrative Reorganization Committee; providing for appointments, powers and duties, membership officer, vacancies, and travel reimbursement; requiring the State Board of Education to study certain report; requiring the State Board of Education to promulgate certain rules; providing for noncodification; 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 1-116, as last amended by Section 1, Chapter 345, O.S.L. 1994 (70 O.S. Supp. 1996, Section 1-116), is amended to read as follows:

Section 1-116. As used in this act:

1. Teacher: Any person who is employed to serve as district superintendent, principal, supervisor, counselor, librarian, school nurse or classroom teacher, or in any other instructional, supervisory, or administrative capacity, is defined as a teacher. Such person shall not be deemed qualified unless he or she holds a valid certificate or license, issued by and in accordance with the rules and regulations of the State Board of Education, to perform the particular services for which he or she is employed.

2. Superintendent: A superintendent of schools shall be the executive officer of the board of education and the administrative head of the school system of a district or districts maintaining an accredited school, provided he or she holds an administrator's certificate recognized by the State Board of Education.

3. Assistant Superintendent: An assistant superintendent is any person having administrative duties authorized by the district superintendent or board of education. "Assistant superintendent" shall not include any support personnel or any person instructing students on a daily basis.

4. Principal: A principal shall be any person other than a district superintendent of schools or assistant superintendent having supervisory or administrative authority over any school or school building having two or more teachers. A teaching principal shall be a principal who devotes at least one-half the time school

is in session to classroom teaching. ~~Until July 1, 1993, teaching principals shall not be required to hold administrative certificates. Beginning July 1, 1993, teaching~~ Teaching principals shall administer and supervise only in those schools with fewer than two hundred (200) ADA. Teaching principals shall be required to hold administrative certificates.

~~4.~~ 5. Assistant Principal: An assistant principal shall have any supervisory and administrative authority authorized by the principal. An assistant principal shall not be employed until a school site exceeds five hundred (500) ADA.

6. For purposes of complying with the State Aid Law and other statutes which apportion money on the basis of teaching units or the number of teachers employed or qualified, all persons holding proper certificates or licenses and connected in any capacity with the instruction of pupils shall be designated as "teachers".

~~5.~~ 7. Entry-year Teacher: An entry-year teacher is any licensed teacher who is employed in a local school to serve as a classroom teacher under the guidance and assistance of a teacher consultant and an entry-year assistance committee. Any such person shall have completed the program of the college or school of education of the accredited institution of higher learning from which the person has been graduated.

~~6.~~ 8. Student Teacher: A student teacher is any student who is enrolled in an institution of higher learning approved by the State Board of Education for teacher training and who is jointly assigned by such institution of higher learning and a school district's board of education to perform practice teaching under the direction of a regularly employed and certified teacher. A student teacher, while serving a nonsalaried internship under the supervision of a certified teacher, shall be accorded the same protection of the laws as that accorded the certified teacher.

~~7.~~ 9. A school nurse employed full time by a board of education shall be a registered nurse licensed by the Oklahoma State Board of Nurse Registration and Nursing Education, and certified the same as a teacher by the State Department of Education. Provided that any person who is employed as a full-time nurse in any school district in Oklahoma, but who is not registered on the effective date of this act, may continue to serve in the same capacity, however such person shall, under rules and regulations adopted by the State Board of Education, attend classes in nursing and prepare to become registered.

A school nurse employed by a board of education shall be accorded the same protection of laws and all other benefits accorded a certified teacher.

~~8.~~ 10. Support Employee: A support employee shall be an employee who provides those services which are not performed by certified teachers, principals, superintendents or administrators and which are necessary for the efficient and satisfactory functioning of a school district.

SECTION 2. AMENDATORY 70 O.S. 1991, Section 5-106, as amended by Section 10, Chapter 257, O.S.L. 1993 (70 O.S. Supp. 1996, Section 5-106), is amended to read as follows:

Section 5-106. A. The governing board of each school district in Oklahoma is hereby designated and shall hereafter be known as the board of education of such district. Except as otherwise provided in this section, the superintendent of schools appointed and employed by such board shall be the executive officer of said board and shall perform such duties as said board directs. ~~No board of a school district having average daily membership (ADM) of fewer than five hundred (500) pupils shall be prohibited from allowing a superintendent to serve simultaneously as a principal.~~ The chief executive officer of the board of education of a district in which a public developmental research school is established shall be the

director of the school appointed as provided in Section 7 1210.577 of this ~~act~~ title. Except as provided in this subsection, any school district with less than two thousand (2,000) ADA shall not have an on-site superintendent, but shall make an agreement to share the services of a superintendent with a contiguous school district or school districts until the ADA meets or exceeds two thousand (2,000). The agreement shall conform to the requirements specified by the State Board of Education. If an agreement is not executed with a contiguous school district or school districts, the State Board of Education shall select an appropriate contiguous school district or school districts, formulate the agreement, and if a superintendent cannot be agreed upon by the districts, select the superintendent. Provided, however, school districts in counties in which the student population is fewer than two thousand (2,000) ADAS may operate with a single superintendent for the school districts in that county.

B. In any school district or administratively combined school districts with two thousand (2,000) ADA, the district or districts may employ an assistant superintendent for each additional two thousand (2,000) ADA under the administrative control of the superintendent. The assistant superintendent shall have only those powers and duties authorized by the superintendent or board of education.

C. Each school with two hundred (200) or more ADA shall have a full-time principal. An assistant principal may be employed when the ADA of the school site exceeds five hundred (500). An additional assistant principal may be employed for each additional two hundred fifty (250) ADA.

D. Any school with fewer than two hundred (200) ADA shall not have a full-time principal, but shall have a teaching principal.

E. For the purposes of this act, "administratively combined school districts" shall not mean consolidated or annexed districts.

SECTION 3. A. There is hereby created until June 30, 1998, the Administrative Reorganization Committee (ARC). The Committee shall consist of seven (7) members, one member shall be the State Superintendent of Public Instruction and the other six members shall be appointed by October 1, 1997, as follows:

1. Two members shall be appointed by the Governor. Of these members, one shall be a business person and one shall be a superintendent of an independent school district;

2. Two members shall be appointed by the Speaker of the Oklahoma House of Representatives. Of these members, one shall be a full-time principal of a public school in this state and one shall be a business person; and

3. Two members shall be appointed by the President Pro tempore of the Senate. These members shall be persons with professional experience relating to reorganization and modernization of private or public organizations or businesses.

B. The State Superintendent of Public Instruction shall be the chair of the Committee. The terms of each appointed member shall end on June 30, 1998. Vacancies shall be filled in the same manner as the initial appointment.

C. The Committee shall meet as necessary to complete its duties and responsibilities. The members shall be reimbursed for travel in accordance with the State Travel Reimbursement Act, Section 500.1 et seq. of Title 74 of the Oklahoma Statutes, by the appointing authority.

SECTION 4. A. The Administrative Reorganization Committee shall:

1. Study the current responsibilities, functions, and duties performed by the different levels of administrators serving the public schools of this state;

2. Develop guidelines and plans for an orderly transition from the current system of administration to that system specified in this act;

3. Develop guidelines for school district agreements for the employment of a common superintendent for one or more districts;

4. Develop standards for submission to the State Board of Education for the selection of a superintendent in those school districts which are unable to reach an agreement on the employment of a common superintendent; and

5. Submit a report on the guidelines, standards and plans specified in this section to the State Board of Education on or before June 30, 1998.

C. On or before July 1, 1999, the State Board of Education shall promulgate rules for the orderly transfer of current administration to that system specified in this act.

SECTION 5. NONCODIFICATION The provisions of Sections 3 and 4 of this act shall not be codified in the Oklahoma Statutes.

SECTION 6. This act shall become effective July 1, 1997.

SECTION 7. 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.

46-1-0522

PHB