

and

Ostrander, Staggs, Boyd,
Gilbert, Ross, McCarter,
Benge, Thornbrugh and
Phillips of the House

An Act relating to schools; amending 70 O.S. 1991, Section 6-101.23, which relates to application of the Teacher Due Process Act of 1990; excluding certain teachers from Teacher Due Process Act; affording rights under Teacher Due Process Act to certain teachers; restricting offer of certain temporary contract to certain circumstances; prohibiting certain use of temporary contract; 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 6-101.23, is amended to read as follows:

Section 6-101.23 A. The dismissal, suspension and nonreemployment provisions of the Teacher Due Process Act of 1990 shall not apply to:

1. Substitute teachers;
2. Adult education teachers; and
3. Teachers who are employed on temporary contracts pursuant to subsection B of Section 6-105 of this title.

B. The dismissal and suspension provisions of the Teacher Due Process Act of 1990 shall apply to teachers who are employed in positions fully funded by federal or private categorical grants, except that such teachers shall be employed only for the duration of the grant.

C. Teachers other than those specifically excepted in subsection A of this section who are employed on contracts shall be

afforded all substantive and procedural rights set forth in the Teacher Due Process Act of 1990, including the dismissal, suspension, and nonreemployment provisions applicable to probationary or career teachers as defined by Section 6-101.3 of this title.

D. A teacher may be offered a temporary contract if:

1. The teacher is to be hired to replace a teacher who is on an approved leave of absence and who is expected to return to employment with the school district; or

2. The teacher is to begin employment with the school district in a teaching position after the beginning of the contract year for regular teachers in that school district.

E. A teacher shall not be hired on a temporary contract in the same school district for more than one year.

SECTION 2. This act shall become effective July 1, 1999.

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 Senate the 23rd day of February, 1999.

President of the Senate

Passed the House of Representatives the ____ day of _____, 1999.

Speaker of the House of Representatives