

ENROLLED HOUSE  
BILL NO. 2000

By: Boyd, Covey and Wells of  
the House

and

Hobson and Williams of the  
Senate

An Act relating to schools; amending 70 O.S. 1991, Section 6-105, as last amended by Section 1, Chapter 45, O.S.L. 1997 (70 O.S. Supp. 1999, Section 6-105), which relates to substitute teachers; updating obsolete language; modifying time limitations for employing a substitute teacher; amending Section 15, Chapter 322, O.S.L. 1995, as last amended by Section 23, Chapter 5, O.S.L. 1998 and Section 21, Chapter 322, O.S.L. 1995, as last amended by Section 3, Chapter 332, O.S.L. 1998 (70 O.S. Supp. 1999, Sections 6-194 and 6-200), which relate to teacher professional development programs; deleting prohibition of providing stipends for attending certain professional development institutes; providing for continued support of elementary school reading professional development institutes; amending Section 2, Chapter 332, O.S.L. 1998, as amended by Section 1, Chapter 304, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508D), which relates to the Reading Sufficiency Act; modifying filing process for remediation claims; providing for stipend in a certain amount for attending certain professional development or institutes during the summer or when school is not in session; 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 last amended by Section 1, Chapter 45, O.S.L. 1997 (70 O.S. Supp. 1999, 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 position for the time of ~~such~~ the 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~~ If a teacher is absent for reason of personal business the school district shall ~~have deducted~~ deduct from ~~his or her~~ the salary ~~by the school district of the teacher~~ 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;~~ or one hundred (100) school days during the school year if the substitute teacher holds a lapsed or expired certificate or has a bachelors level college degree; or no limit of school days during the school year if the substitute teacher holds 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~~ the substitute teacher holds 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~~ with physical disabilities or students with mental retardation 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. AMENDATORY Section 15, Chapter 322, O.S.L. 1995, as last amended by Section 23, Chapter 5, O.S.L. 1998 (70 O.S. Supp. 1999, Section 6-194), is amended to read as follows:

Section 6-194. A. The local boards of education of this state shall establish professional development programs for the certified and licensed teachers and administrators of the district. Programs shall be adopted by each local board of education based upon recommendations of a professional development committee appointed by the board of education for the district. The State Board of Education shall disseminate to each local professional development committee a copy of the in-service professional development competencies included in the Report on Educator Preparation and Professional Development issued in December 1994 by the Oklahoma

Commission for Teacher Preparation for review and consideration and, if approved by the local professional development committee, to be included in part or in whole in the local professional development plan of the school district. The professional development centers funded through the State Board of Education shall provide technical assistance to any local school district which desires to incorporate any such competencies into its local professional development plan.

B. Each local professional development committee shall include classroom teachers, administrators and parents, guardians or custodians of children in the local school district and shall consult with a higher education faculty. A majority of the members of the professional development committee shall be composed of classroom teachers. The teacher members shall be selected from a list of names submitted by the bargaining agent, where one exists. In the absence of a bargaining agent, the teachers will elect a list of names to be submitted to the local board of education. At a minimum, once every four (4) years the committee shall include at least one school counselor in its membership.

C. The professional development programs adopted may include, but not be limited to:

1. In-service training programs;
2. Higher education courses; and
3. Professional development programs approved by the Oklahoma Commission for Teacher Preparation.

Programs shall emphasize development of competencies in the core curriculum areas. Each program shall include a component on outreach to parents, guardians or custodians of students and multicultural education, which all personnel defined as teachers in Section 1-116 of Title 70 of the Oklahoma Statutes shall be required to complete on a periodic basis. Each adopted program shall allow school counselors to receive at least one-third (1/3) of the hours or credit required each year through programs or courses specifically designed for school counselors. Programs shall be submitted for approval to the Board. No school district shall receive state funds for professional development until the program adopted by the local board of education has been approved by the Board.

D. Teachers and administrators who have completed professional development courses in their field of instruction or in courses related to obtaining additional professional qualifications and who complete such courses and receive a grade which is equivalent to at least a 3.0 on a 4.0 grading scale may be reimbursed by the school district for one-half (1/2) of the general enrollment fees incurred at any institution within The Oklahoma State System for Higher Education. If the teacher or administrator incurs costs pursuant to this section at a private institution of higher education, the person may be reimbursed by the school district for an amount equal to one-half (1/2) of the general enrollment fees incurred at an institution of The Oklahoma State System of Higher Education of comparable type.

E. If funds are made available specifically for such purpose, teachers who have completed professional development programs

approved by the Oklahoma Commission for Teacher Preparation shall receive a stipend based on the amount of funds allocated. ~~No stipends shall be made to teachers who attend professional development institutes in elementary reading approved by the Oklahoma Commission for Teacher Preparation.~~ No school district shall receive state funds for teacher stipends until such time as proof of the teacher's attendance and completion of the program has been determined by the State Department of Education.

F. Each licensed or certified teacher in this state shall be required by the local board of education to meet the professional development requirements established by the board, or established through the negotiation process. Failure of any teacher to meet local board of education professional development requirements may be grounds for nonrenewal of such teacher's contract by the local board of education. Such failure may also be grounds for nonconsideration of salary increments affecting the teacher.

G. The professional development plan shall be submitted to the State Board of Education as provided in Section 3-104.2 et seq. of Title 70 of the Oklahoma Statutes.

SECTION 3. AMENDATORY Section 21, Chapter 322, O.S.L. 1995, as last amended by Section 3, Chapter 332, O.S.L. 1998 (70 O.S. Supp. 1999, Section 6-200), is amended to read as follows:

Section 6-200. A. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall have authority to develop and administer training for residency committees and training for professional development through professional development institutes. Included in the professional development institutes training shall be technology training. Professional development institutes shall be accepted by the State Board of Education for professional development purposes and shall be defined as continuing education experiences which consist of a minimum of thirty (30) clock hours. The institutes shall be competency-based, emphasize effective learning practices, require collaboration among participants, and require each participant to prepare a work product which can be utilized in the classroom by the participant. Any state professional development institutes administered by the Commission shall be chosen through a competitive bid process and if funds are available subject to peer review. The Commission, prior to offering any professional development institute, shall promulgate rules related to administering state professional development institutes.

B. With the funds appropriated in House Bill No. 1872 of the 1st Session of the 46th Oklahoma Legislature specifically for the purpose of funding professional development institutes in intensive elementary reading, the Oklahoma Commission for Teacher Preparation shall develop, offer and administer professional development institutes to train elementary school teachers in reading education. The funds shall be used for the cost of developing, administering and contracting for the professional development institutes. When possible, certified reading specialists shall be included as consultants. All costs of the institutes shall be included in the contract price and no tuition or registration fee shall be collected from teachers attending the institutes. The institutes shall be offered by or through the Commission. Working in conjunction with the State Department of Education, the Commission shall develop a

state plan for administration of such institutes and shall report to the Governor and the Legislature on the format of and participation in the institutes. The State Department of Education shall cooperate with and provide any information requested to the Oklahoma Commission for Teacher Preparation as is necessary to carry out the provisions of this subsection. As additional funds become available for such purpose, the Commission shall develop and offer professional development institutes in mathematics for teachers in grades five through nine, the use of technology in the classroom, training of residency committee members in teacher mentoring and in hands-on inquiry-based science for elementary teachers.

C. Subject to the availability of funds, the Oklahoma Commission for Teacher Preparation shall:

1. Make available in Fiscal Year 1999, a three-day follow-up professional development institute for teachers who participated in an elementary school reading professional development institute during Fiscal Year 1998;

2. Provide five-day initial professional development institutes in elementary school reading for elementary school teachers and instructional leaders; ~~and~~

3. Contract for an independent evaluation of the elementary school reading professional development institute; and

4. Provide continued support of the elementary school reading professional development institutes through ongoing teacher development at individual school sites. Funds may be used for the cost of mentor training, payment for substitute teachers, on-site facilitation, and any other costs necessary to ensure improved reading by students.

SECTION 4. AMENDATORY Section 2, Chapter 332, O.S.L. 1998, as amended by Section 1, Chapter 304, O.S.L. 1999 (70 O.S. Supp. 1999, Section 1210.508D), is amended to read as follows:

Section 1210.508D A. Contingent on the provision of appropriated funds designated for the Reading Sufficiency Act, school districts may be reimbursed in the amount of up to One Hundred Fifty Dollars (\$150.00) for each enrolled first-, second- and third-grade student of the current school year who is found to be in need of remediation in reading. The reimbursement shall be for expenses incurred in reading assessment and remediation at those grade levels pursuant to the provisions of the Reading Sufficiency Act.

B. In order to be reimbursed, school districts shall file a claim with the State Department of Education at the end of each school semester or prior to the end of the fiscal year in which the remediation is provided. Claims from summer remediation provided in July or August shall be filed with the first semester claim of the subsequent school year. Claims shall be reimbursed in a timely manner. The State Board of Education shall promulgate rules for the administration of reimbursements.

C. If a teacher attends and completes a professional development institute in elementary reading approved by the Oklahoma Commission for Teacher Preparation during the summer or when school

is not in session, the teacher shall receive a stipend equal to the amount of the cost for a substitute teacher, based on the amount of funds allocated.

SECTION 5. This act shall become effective July 1, 2000.

SECTION 6. 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 House of Representatives the 24th day of May, 2000.

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Speaker of the House of  
Representatives

Passed the Senate the 24th day of May, 2000.

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President of the Senate