

STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 663

By: Wilcoxson

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 1991, Section 6-101.29, as amended by Section 2, Chapter 34, O.S.L. 1992 (70 O.S. Supp. 1998, Section 6-101.29), which relates to suspension of teachers; allowing suspension without pay under certain conditions; requiring compensation and benefits under certain conditions; 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 6-101.29, as amended by Section 2, Chapter 34, O.S.L. 1992 (70 O.S. Supp. 1998, Section 6-101.29), is amended to read as follows:

Section 6-101.29 Whenever the superintendent of a school district has reason to believe that cause exists for the dismissal of a teacher and is of the opinion that the immediate suspension of the teacher would be in the best interests of the children in the district, the superintendent or the ~~local~~ district board of education upon receiving recommendation for suspension from the superintendent may suspend the teacher without notice or hearing. ~~However, the suspension shall not deprive the teacher of any compensation or other benefits to which otherwise entitled. Such suspension shall extend to such time as the teacher's case is adjudicated at a trial de novo for a career teacher but such extension shall not include time for any further appeal process. Such teacher will be deemed to be suspended without pay, pending further action by the board.~~ Within ten (10) days' time after such suspension becomes effective, the ~~local~~ district board of education

shall initiate a hearing for dismissal pursuant to law. If the teacher is dismissed, the district shall not be required to provide the teacher with any compensation or other benefits that would have accrued had the teacher not been suspended. If the teacher is not dismissed or is reinstated at the end of the appellate process, the district shall be required to provide the teacher with any compensation or other benefits such teacher should have received had the suspension not occurred.

~~However, in a case involving a criminal charge or indictment, such suspension may extend to such time as the teacher's case is finally adjudicated at trial. Provided, however, such extension shall not include any appeal process.~~

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.

47-1-908

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