

1 ENGROSSED HOUSE AMENDMENT
TO
2 ENGROSSED SENATE BILL NO. 519

By: Wilcoxson and Corn of the
Senate

3
4 and

Jones of the House

5
6
7
8 (schools - drop out - effective date -
9 emergency)

10
11
12 AMENDMENT NO. 1. Strike the stricken title, enacting clause and
entire bill and insert

13
14 "(schools - dropout -
15 effective date)

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17
18
19 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

20 SECTION 1. AMENDATORY 70 O.S. 2001, Section 10-105, as
21 last amended by Section 1, Chapter 210, O.S.L. 2006 (70 O.S. Supp.
22 2006, Section 10-105), is amended to read as follows:

23 Section 10-105. A. It shall be unlawful for a parent,
24 guardian, or other person having custody of a child who is over the

1 age of five (5) years, and under the age of eighteen (18) years, to
2 neglect or refuse to cause or compel such child to attend and comply
3 with the rules of some public, private or other school, unless other
4 means of education are provided for the full term the schools of the
5 district are in session or the child is excused as provided in this
6 section. One-half (1/2) day of kindergarten shall be required of
7 all children five (5) years of age or older unless the child is
8 excused from kindergarten attendance as provided in this section. A
9 child who is five (5) years of age shall be excused from
10 kindergarten attendance until the next school year after the child
11 is six (6) years of age if a parent, guardian, or other person
12 having custody of the child notifies the superintendent of the
13 district where the child is a resident by certified mail prior to
14 enrollment in kindergarten, or at any time during the first school
15 year that the child is required to attend kindergarten pursuant to
16 this section, of election to withhold the child from kindergarten
17 until the next school year after the child is six (6) years of age.
18 A kindergarten program shall be directed toward developmentally
19 appropriate objectives for such children. The program shall require
20 that any teacher employed on and after January 1, 1993, to teach a
21 kindergarten program within the public school system shall be
22 certified in early childhood education. All teachers hired to teach
23 a kindergarten program within the public school system prior to
24 January 1, 1993, shall be required to obtain certification in early

1 childhood education on or before the 1996-97 school year in order to
2 continue to teach a kindergarten program.

3 B. It shall be unlawful for any child who is over the age of
4 twelve (12) years and under the age of eighteen (18) years, and who
5 has not finished four (4) years of high school work, to neglect or
6 refuse to attend and comply with the rules of some public, private
7 or other school, or receive an education by other means for the full
8 term the schools of the district are in session.

9 Provided, that this section shall not apply:

10 1. If ~~any such~~ a child is prevented from attending school by
11 reason of mental or physical disability, to be determined by the
12 board of education of the district upon a certificate of the school
13 physician or public health physician, or, if no such physician is
14 available, a duly licensed and practicing physician;

15 2. If ~~any such~~ a child is excused from attendance at school,
16 due to an emergency, by the principal teacher of the school in which
17 such child is enrolled, at the request of the parent, guardian,
18 custodian or other person having control of such child;

19 3. If ~~any such~~ a child who has attained ~~his or her sixteenth~~
20 ~~birthday is excused from attending school by written, joint~~
21 ~~agreement between:~~

22 a. ~~the school administrator of the school district where~~
23 ~~the child attends school, and~~

24

1 ~~b. the parent, guardian or custodian of the child.~~

2 ~~Provided, further, that no child shall be excused from~~
3 ~~attending school by such joint agreement between a~~
4 ~~school administrator and the parent, guardian or~~
5 ~~custodian of the child unless and until it has been~~
6 ~~determined that such action is for the best interest~~
7 ~~of the child and/or the community, and that said child~~
8 ~~shall thereafter be under the supervision of the~~
9 ~~parent, guardian or custodian until the child has~~
10 ~~reached the age of eighteen (18) years~~

11 the age of sixteen (16) years is enrolled in and attending a
12 residential educational program or has been adjudicated and is
13 receiving education on an individual case plan basis, and the
14 program or plan requires the child to be working towards earning a
15 Certificate of General Educational Development (GED) while in the
16 program or plan; or

17 4. If ~~any such~~ a child is excused from attending school for the
18 purpose of observing religious holy days if before the absence, the
19 parent, guardian, or person having custody or control of the student
20 submits a written request for the excused absence. The school
21 district shall excuse a student pursuant to this subsection for the
22 days on which the religious holy days are observed and for the days
23 on which the student must travel to and from the site where the
24 student will observe the holy days.

1 C. It shall be the duty of the attendance officer to enforce
2 the provisions of this section. In the prosecution of a parent,
3 guardian, or other person having custody of a child for violation of
4 any provision of this section, it shall be an affirmative defense
5 that the parent, guardian, or other person having custody of the
6 child has made substantial and reasonable efforts to comply with the
7 compulsory attendance requirements of this section but is unable to
8 cause the child to attend school. If the court determines the
9 affirmative defense is valid, it shall dismiss the complaint against
10 the parent, guardian, or other person having custody of the child
11 and shall notify the school attendance officer who shall refer the
12 child to the district attorney for the county in which the child
13 resides for the filing of a Child in Need of Supervision petition
14 against the child pursuant to the Oklahoma Juvenile Code.

15 D. Any parent, guardian, custodian, child or other person
16 violating any of the provisions of this section, upon conviction,
17 shall be guilty of a misdemeanor, and shall be punished as follows:

18 1. For the first offense, a fine of not less than Twenty-five
19 Dollars (\$25.00) nor more than Fifty Dollars (\$50.00), or
20 imprisonment for not more than five (5) days, or both such fine and
21 imprisonment;

22 2. For the second offense, a fine of not less than Fifty
23 Dollars (\$50.00) nor more than One Hundred Dollars (\$100.00), or
24

1 imprisonment for not more than ten (10) days, or both such fine and
2 imprisonment; and

3 3. For the third or subsequent offense, a fine of not less than
4 One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty
5 Dollars (\$250.00), or imprisonment for not more than fifteen (15)
6 days, or both such fine and imprisonment.

7 Each day the child remains out of school after the oral and
8 documented or written warning has been given to the parent,
9 guardian, custodian, child or other person or the child has been
10 ordered to school by the juvenile court shall constitute a separate
11 offense.

12 E. At the trial of any person charged with violating the
13 provisions of this section, the attendance records of the child or
14 ward may be presented in court by any authorized employee of the
15 school district.

16 F. The court may order the parent, guardian, or other person
17 having custody of the child to perform community service in lieu of
18 the fine set forth in this section. The court may require that all
19 or part of the community service be performed for a public school
20 district.

21 G. The court may order as a condition of a deferred sentence or
22 as a condition of sentence upon conviction of the parent, guardian,
23 or other person having custody of the child any conditions as the
24 court considers necessary to obtain compliance with school

1 attendance requirements. The conditions may include, but are not
2 limited to, the following:

- 3 1. Verifying attendance of the child with the school;
- 4 2. Attending meetings with school officials;
- 5 3. Taking the child to school;
- 6 4. Taking the child to the bus stop;
- 7 5. Attending school with the child;
- 8 6. Undergoing an evaluation for drug, alcohol, or other
9 substance abuse and following the recommendations of the evaluator;

10 and

- 11 7. Taking the child for drug, alcohol, or other substance abuse
12 evaluation and following the recommendations of the evaluator,
13 unless excused by the court.

14 SECTION 2. AMENDATORY 70 O.S. 2001, Section 16-102, is
15 amended to read as follows:

16 Section 16-102. A. The State Textbook Committee shall meet at
17 the call of the chairperson as often as necessary, with two (2)
18 weeks' public notice, to discharge its responsibilities. Not later
19 than the first day of December of each year the State Textbook
20 Committee shall meet at the call of the chairperson at the State
21 Capitol and select textbooks for subjects taught in the public
22 schools of the state up to and including the twelfth grade, which
23 selections shall be for not more than six (6) years for every
24 textbook.

1 B. From the effective date of this act until December 31, 1993,
2 the Committee may extend by up to two (2) years the five-year
3 adoption period of those textbooks currently on the state adopted
4 list, or provide for an interim adoption period of not to exceed
5 three (3) years for textbooks for certain subjects, for the purpose
6 of correlation with a six-year adoption cycle or for restructure of
7 the adoption cycle of subjects.

8 C. "Textbooks", as used in Sections 16-101 through 16-124 of
9 this title, means instructional materials that are designed for use
10 by pupils as a learning resource. Instructional materials may be
11 printed or nonprinted and may include textbooks, technology-based
12 and other educational materials. ~~Technology based materials do not~~
13 ~~include the equipment required to make use of those materials.~~

14 ~~C.~~ D. Said Committee shall select textbooks or series of
15 textbooks for each subject, which are in its judgment satisfactory.
16 The State Textbook Committee may determine that unusual or
17 extraordinary circumstances exist in a particular subject area
18 during the period for which textbooks have been selected for that
19 subject area. Unusual or extraordinary circumstances shall include
20 but not be limited to significant new techniques of teaching in a
21 particular subject area or significant new findings or discoveries
22 in a particular subject area. Upon a determination by three-fourths
23 (3/4) of the members of the State Textbook Committee that unusual or
24 extraordinary circumstances exist in a particular subject area, the

1 Committee may select one or more textbooks in that subject area for
2 the remainder of the adoption period.

3 ~~D.~~ E. Five or more district boards of education may petition
4 the State Board of Education to add a book or series of textbooks to
5 the approved list selected by the State Textbook Committee.

6 The State Board of Education shall promulgate rules to implement
7 the method and time frame for handling such petitions in the most
8 expeditious manner.

9 SECTION 3. NEW LAW A new section of law to be codified
10 in the Oklahoma Statutes as Section 16-114.2 of Title 70, unless
11 there is created a duplication in numbering, reads as follows:

12 The funds appropriated for the purchase of textbooks and
13 apportioned by the State Board of Education to each school district
14 as provided for Section 16-114a of Title 70 of the Oklahoma Statutes
15 may be used by a school district as follows:

16 1. Up to twenty percent (20%) to purchase supplementary
17 textbooks and other instructional material other than those selected
18 and listed by the State Textbook Committee; and

19 2. Up to one hundred percent (100%) to purchase technology
20 based materials, including software and hardware or equipment
21 required to make use of the materials, other than those selected and
22 listed by the State Textbook Committee.

23 SECTION 4. AMENDATORY Section 1, Chapter 503, O.S.L.
24 2004, as amended by Section 2, Chapter 49, 2nd Extraordinary

1 Session, O.S.L. 2006 (70 O.S. Supp. 2006, Section 18-114.12), is
2 amended to read as follows:

3 Section 18-114.12 A. For the 2005-06 school year, teachers in
4 the public schools of Oklahoma shall receive in salary and/or fringe
5 benefits not less than the amounts specified in the following
6 schedule:

7 MINIMUM SALARY SCHEDULE

8	Years of	Bachelor's	Master's	Doctor's
9	Experience	Degree	Degree	Degree
10	0	\$28,000	\$29,200	\$30,400
11	1	\$28,375	\$29,575	\$30,775
12	2	\$28,750	\$29,950	\$31,150
13	3	\$29,125	\$30,325	\$31,525
14	4	\$29,500	\$30,700	\$31,900
15	5	\$29,900	\$31,100	\$32,300
16	6	\$30,300	\$31,500	\$32,700
17	7	\$30,700	\$31,900	\$33,100
18	8	\$31,100	\$32,300	\$33,500
19	9	\$31,500	\$32,700	\$33,900
20	10	\$31,925	\$33,125	\$34,325
21	11	\$32,350	\$33,550	\$34,750
22	12	\$32,775	\$33,975	\$35,175
23	13	\$33,200	\$34,400	\$35,600
24	14	\$33,625	\$34,825	\$36,025

1	15	\$34,050	\$35,250	\$36,450
2	16	\$34,475	\$35,675	\$36,875
3	17	\$34,900	\$36,100	\$37,300
4	18	\$35,325	\$36,525	\$37,725
5	19	\$35,750	\$36,950	\$38,150
6	20	\$36,175	\$37,375	\$38,575
7	21	\$36,600	\$37,800	\$39,000
8	22	\$37,025	\$38,225	\$39,425
9	23	\$37,450	\$38,650	\$39,850
10	24	\$37,875	\$39,075	\$40,275
11	25	\$38,300	\$39,500	\$40,700

12 B. For the 2006-07 school year, teachers in the public schools
13 of Oklahoma shall receive in salary and/or fringe benefits not less
14 than the amounts specified in the following schedule:

15 MINIMUM SALARY SCHEDULE

16	Years of	Bachelor's	Master's	Doctor's
17	Experience	Degree	Degree	Degree
18	0	\$31,000	\$32,200	\$33,400
19	1	\$31,375	\$32,575	\$33,775
20	2	\$31,750	\$32,950	\$34,150
21	3	\$32,125	\$33,325	\$34,525
22	4	\$32,500	\$33,700	\$34,900
23	5	\$32,900	\$34,100	\$35,300
24	6	\$33,300	\$34,500	\$35,700

1	7	\$33,700	\$34,900	\$36,100
2	8	\$34,100	\$35,300	\$36,500
3	9	\$34,500	\$35,700	\$36,900
4	10	\$34,925	\$36,125	\$37,325
5	11	\$35,350	\$36,550	\$37,750
6	12	\$35,775	\$36,975	\$38,175
7	13	\$36,200	\$37,400	\$38,600
8	14	\$36,625	\$37,825	\$39,025
9	15	\$37,050	\$38,250	\$39,450
10	16	\$37,475	\$38,675	\$39,875
11	17	\$37,900	\$39,100	\$40,300
12	18	\$38,325	\$39,525	\$40,725
13	19	\$38,750	\$39,950	\$41,150
14	20	\$39,175	\$40,375	\$41,575
15	21	\$39,600	\$40,800	\$42,000
16	22	\$40,025	\$41,225	\$42,425
17	23	\$40,450	\$41,650	\$42,850
18	24	\$40,875	\$42,075	\$43,275
19	25	\$41,300	\$42,500	\$43,700

20 C. ~~For~~ Beginning with the 2007-08 school year, state-paid
21 teachers in the public schools of Oklahoma shall receive in salary
22 and/or fringe benefits not less than the amounts specified in the
23 following schedule:

24 MINIMUM SALARY SCHEDULE

1	Years of	Bachelor's	Master's	Doctor's
2	Experience	Degree	Degree	Degree
3	0	\$31,600	\$32,800	\$34,000
4	1	\$31,975	\$33,175	\$34,375
5	2	\$32,350	\$33,550	\$34,750
6	3	\$32,725	\$33,925	\$35,125
7	4	\$33,100	\$34,300	\$35,500
8	5	\$33,500	\$34,700	\$35,900
9	6	\$33,900	\$35,100	\$36,300
10	7	\$34,300	\$35,500	\$36,700
11	8	\$34,700	\$35,900	\$37,100
12	9	\$35,100	\$36,300	\$37,500
13	10	\$35,525	\$36,725	\$37,925
14	11	\$35,950	\$37,150	\$38,350
15	12	\$36,375	\$37,575	\$38,775
16	13	\$36,800	\$38,000	\$39,200
17	14	\$37,025	\$38,425	\$39,625
18	15	\$37,650	\$38,850	\$40,050
19	16	\$38,075	\$39,275	\$40,475
20	17	\$38,500	\$39,700	\$40,900
21	18	\$38,925	\$40,125	\$41,325
22	19	\$39,350	\$40,550	\$41,750
23	20	\$39,775	\$41,975	\$42,175
24			<u>\$40,975</u>	

1	21	\$40,200	\$41,400	\$42,600
2	22	\$40,625	\$41,825	\$43,025
3	23	\$41,050	\$42,250	\$43,450
4	24	\$41,475	\$42,675	\$43,875
5	25	\$41,900	\$43,100	\$44,300

6 D. Beginning with the 2007-08 school year, teachers in the
7 public schools of Oklahoma who are employed in a position that is
8 fully or partially funded by federal funds or grants shall receive
9 in salary and/or fringe benefits not less than the amounts specified
10 in the following schedule:

11 MINIMUM SALARY SCHEDULE

12	<u>Years of</u>	<u>Bachelor's</u>	<u>Master's</u>	<u>Doctor's</u>
13	<u>Experience</u>	<u>Degree</u>	<u>Degree</u>	<u>Degree</u>
14	<u>0</u>	<u>\$31,000</u>	<u>\$32,200</u>	<u>\$33,400</u>
15	<u>1</u>	<u>\$31,375</u>	<u>\$32,575</u>	<u>\$33,775</u>
16	<u>2</u>	<u>\$31,750</u>	<u>\$32,950</u>	<u>\$34,150</u>
17	<u>3</u>	<u>\$32,125</u>	<u>\$33,325</u>	<u>\$34,525</u>
18	<u>4</u>	<u>\$32,500</u>	<u>\$33,700</u>	<u>\$34,900</u>
19	<u>5</u>	<u>\$32,900</u>	<u>\$34,100</u>	<u>\$35,300</u>
20	<u>6</u>	<u>\$33,300</u>	<u>\$34,500</u>	<u>\$35,700</u>
21	<u>7</u>	<u>\$33,700</u>	<u>\$34,900</u>	<u>\$36,100</u>
22	<u>8</u>	<u>\$34,100</u>	<u>\$35,300</u>	<u>\$36,500</u>
23	<u>9</u>	<u>\$34,500</u>	<u>\$35,700</u>	<u>\$36,900</u>
24	<u>10</u>	<u>\$34,925</u>	<u>\$36,125</u>	<u>\$37,325</u>

1	<u>11</u>	<u>\$35,350</u>	<u>\$36,550</u>	<u>\$37,750</u>
2	<u>12</u>	<u>\$35,775</u>	<u>\$36,975</u>	<u>\$38,175</u>
3	<u>13</u>	<u>\$36,200</u>	<u>\$37,400</u>	<u>\$38,600</u>
4	<u>14</u>	<u>\$36,625</u>	<u>\$37,825</u>	<u>\$39,025</u>
5	<u>15</u>	<u>\$37,050</u>	<u>\$38,250</u>	<u>\$39,450</u>
6	<u>16</u>	<u>\$37,475</u>	<u>\$38,675</u>	<u>\$39,875</u>
7	<u>17</u>	<u>\$37,900</u>	<u>\$39,100</u>	<u>\$40,300</u>
8	<u>18</u>	<u>\$38,325</u>	<u>\$39,525</u>	<u>\$40,725</u>
9	<u>19</u>	<u>\$38,750</u>	<u>\$39,950</u>	<u>\$41,150</u>
10	<u>20</u>	<u>\$39,175</u>	<u>\$40,375</u>	<u>\$41,575</u>
11	<u>21</u>	<u>\$39,600</u>	<u>\$40,800</u>	<u>\$42,000</u>
12	<u>22</u>	<u>\$40,025</u>	<u>\$41,225</u>	<u>\$42,425</u>
13	<u>23</u>	<u>\$40,450</u>	<u>\$41,650</u>	<u>\$42,850</u>
14	<u>24</u>	<u>\$40,875</u>	<u>\$42,075</u>	<u>\$43,275</u>
15	<u>25</u>	<u>\$41,300</u>	<u>\$42,500</u>	<u>\$43,700</u>

16 E. When determining the Minimum Salary Schedule, "fringe
17 benefits" shall mean all or part of retirement benefits, excluding
18 the contributions made pursuant to subsection A of Section 17-108.1
19 of ~~Title 70 of the Oklahoma Statutes~~ this title and the flexible
20 benefit allowance pursuant to Section 26-105 of ~~Title 70 of the~~
21 ~~Oklahoma Statutes~~ this title from the flexible benefit allowance
22 funds disbursed by the State Board of Education and the State Board
23 of Career and Technology Education pursuant to Section 26-104 of
24 ~~Title 70 of the Oklahoma Statutes~~ this title. Any of the degrees

1 referred to in this section shall be from a college recognized by
2 the State Board of Education. The State Board of Education shall
3 accept teaching experience from out-of-state school districts that
4 are accredited by the State Board of Education or appropriate state
5 accrediting agency for said districts. For the purpose of state
6 salary increments and retirement, no teacher shall be granted credit
7 for more than five (5) years' active duty in the military service,
8 or out-of-state teaching experience as a certified teacher or its
9 equivalent. Nothing in this section shall prohibit boards of
10 education from crediting more years of experience on district salary
11 schedules than those allowed for state purposes. The State Board of
12 Education shall recognize, for purposes of certification and salary
13 increments, the years of experience of a certified teacher who
14 teaches in the Department of Corrections' educational program
15 beginning with fiscal year 1981. The State Board of Education shall
16 recognize for purposes of certification and salary increments the
17 years of experience of a Vocational Rehabilitation Counselor under
18 the Department of Human Services if such counselor was employed as a
19 certified teacher by the State Department of Education when the
20 Division of Vocational Rehabilitation was transferred from the State
21 Board of Career and Technology Education or the State Board of
22 Education to the Oklahoma Public Welfare Commission on July 1, 1968.

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1 ~~E.~~ F. The State Board of Education shall recognize for purposes
2 of certification and salary increments all of the years of
3 experience a:

4 1. Vocational Rehabilitation Counselor completed while employed
5 by the Department of Human Services if such counselor was certified
6 as a teacher or was eligible for certification as a teacher in
7 Oklahoma;

8 2. Certified teacher completed while employed by the Department
9 of Human Services Child Study Center at University Hospital, if the
10 teacher was certified as a teacher in Oklahoma; and

11 3. Certified school psychologist or psychometrist completed
12 while employed as a doctoral intern, psychological assistant, or
13 psychologist with any agency of the State of Oklahoma if such
14 experience primarily involved work with persons of school or
15 preschool age and if such person was, at the time the experience was
16 acquired, certified as, or eligible for certification as, a school
17 psychologist or psychometrist.

18 ~~F.~~ G. The provisions of this section shall not apply to
19 teachers who have entered into postretirement employment with a
20 public school in Oklahoma and are still receiving a monthly
21 retirement benefit.

22 SECTION 5. REPEALER 70 O.S. 2001, Section 16-111.1, is
23 hereby repealed.

24 SECTION 6. This act shall become effective July 1, 2007."

1 Passed the House of Representatives the 23rd day of April, 2007.

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4 Presiding Officer of the House of
Representatives
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6 Passed the Senate the ____ day of _____, 2007.

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9 Presiding Officer of the Senate
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