

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 HOUSE BILL 2307

By: Thomsen

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,  
8 Section 6-101.23, as amended by Section 1, Chapter  
9 25, O.S.L. 2009 (70 O.S. Supp. 2009, Section 6-  
10 101.23), which relates to the Teacher Due Process Act  
11 of 1990; modifying limitation on temporary contracts;  
12 and declaring an emergency.

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. AMENDATORY 70 O.S. 2001, Section 6-101.23, as  
15 amended by Section 1, Chapter 25, O.S.L. 2009 (70 O.S. Supp. 2009,  
16 Section 6-101.23), is amended to read as follows:

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

- 20 1. Substitute teachers;  
21 2. Adult education teachers; and  
22 3. Teachers who are employed on temporary contracts.

23 B. The dismissal and suspension provisions of the Teacher Due  
24 Process Act of 1990 shall apply to teachers who are employed on

1 temporary contracts for a complete school year and to teachers who  
2 are employed in positions fully funded by federal or private  
3 categorical grants, except that such teachers shall be employed only  
4 for the duration of the temporary contract or the grant.

5 C. The evaluation provisions in Sections 6-101.10 and 6-101.11  
6 of this title and in the Teacher Due Process Act of 1990 shall apply  
7 to teachers who are employed on temporary contracts for a complete  
8 school year and to teachers who are employed in positions fully  
9 funded by federal or private categorical grants, except that such  
10 teachers shall be employed only for the duration of the temporary  
11 contract ~~or~~, the grant.

12 D. Teachers other than those specifically excepted in  
13 subsection A of this section who are employed on contracts shall be  
14 afforded all substantive and procedural rights set forth in the  
15 Teacher Due Process Act of 1990 including the dismissal, suspension,  
16 and nonreemployment provisions applicable to probationary or career  
17 teachers as defined in Section 6-101.3 of this title.

18 E. ~~On and after the effective date of this act any~~ Any teacher  
19 who has worked a complete school year under a temporary contract in  
20 a school district shall be granted a year of service credit toward  
21 career status in that district.

22 F. No teacher shall be hired on a temporary contract by a  
23 school district for more than three semesters, except for a:  
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1           1. Teacher hired to replace a teacher who is on an approved  
2 leave of absence and who is expected to return to employment with  
3 the school district;

4           2. Teacher who is a retired member of the Teachers' Retirement  
5 System of Oklahoma; or

6           3. Licensed teacher who is hired on a temporary contract in a  
7 resident or nonresident teacher position for a complete school year,  
8 who may be hired by the school district for one (1) additional  
9 complete school year on a temporary contract for the school year  
10 immediately after the ~~resident~~ first year.

11           G. No teacher shall be offered a temporary contract with a  
12 school district without a full written disclosure at the time a  
13 position is offered by the administration of the school district  
14 which sets forth the terms and conditions of the temporary contract.  
15 In the event the school district fails to provide such written  
16 disclosure, the teacher shall be considered as employed on a  
17 continuing contract basis.

18           H. ~~On and after the effective date of this act no~~ No teacher  
19 who is employed on a continuing contract basis by a school district  
20 shall be reemployed on a temporary contract in that school district.

21           SECTION 2. It being immediately necessary for the preservation  
22 of the public peace, health and safety, an emergency is hereby  
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1 declared to exist, by reason whereof this act shall take effect and  
2 be in full force from and after its passage and approval.

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