

1 STATE OF OKLAHOMA

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

3 HOUSE BILL 3030

By: Bengé

4
5
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; expanding application of the act to certain
12 teachers; expanding application of evaluation
13 provisions to certain teachers; and declaring an
14 emergency.

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

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

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

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

B. The dismissal and suspension provisions of the Teacher Due
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 or by educational services contracts with a state
4 agency or private entity, except that such teachers shall be
5 employed only for the duration of the temporary contract ~~or~~, the
6 grant, or the educational services contract.

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

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

22 E. ~~On and after the effective date of this act any~~ Any teacher
23 who has worked a complete school year under a temporary contract in
24

1 a school district shall be granted a year of service credit toward
2 career status in that district.

3 F. No teacher shall be hired on a temporary contract by a
4 school district for more than three semesters, except for a:

5 1. Teacher hired to replace a teacher who is on an approved
6 leave of absence and who is expected to return to employment with
7 the school district;

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

10 3. Licensed teacher who is hired on a temporary contract in a
11 resident teacher position for a complete school year, who may be
12 hired by the school district for one (1) additional complete school
13 year on a temporary contract for the school year immediately after
14 the resident year.

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

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

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

5

6 52-2-8393 KB 12/24/09

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24