

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

SUBCOMMITTEE RECOMMENDATION

FOR

HOUSE BILL NO. 3129

By: Cockroft

SUBCOMMITTEE RECOMMENDATION

An Act relating to schools; amending 70 O.S. 2011, Section 5-141, which relates to school district minimum salary schedules; requiring school districts to adopt a differential pay schedule in order to receive certain funding; adding types of differential pay; prohibiting certain funding for differential pay schedules based on years of service; modifying certain report; directing school districts to report use of certain funding; stating intent to use revenue from the reconfiguration or repeal of certain incentive to fund differential pay schedules; stating intent to exclude funding for across-the-board salary increases; allowing school districts to supplement funding with general funds of the district; providing for codification; 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. 2011, Section 5-141, is amended to read as follows:

Section 5-141. A. Each school district of this state shall adopt a minimum salary schedule and shall transmit a copy of it to the State Board of Education within thirty (30) days after adoption.

1 A school district shall not calculate salaries of teachers solely as
2 a proportion of the salaries of the administrators of the district.

3 B. ~~Districts~~ In order to receive differential pay funding as
4 provided for in Section 2 of this act, districts shall be encouraged
5 to provide adopt compensation schedules to reflect district policies
6 and circumstances, including differential pay for different subject
7 areas, hard-to-staff areas, different categories of employees, one-
8 time incentive pay, retention incentive pay, academically based
9 incentive pay and special incentives for teachers in districts with
10 specific geographical attributes. Districts may also adopt a ~~salary~~
11 compensation schedule that provides additional compensation for
12 achieving certain ratings under the Oklahoma Teacher and Leader
13 Effectiveness Evaluation System (TLE) as set forth in Section ~~6~~ 6-
14 101.16 of this ~~act~~ title. Differential pay funding as provided for
15 in Section 2 of this act shall not be provided if the differential
16 pay schedule of a district is based solely on years of service.

17 C. Any salary schedule adopted by a district pursuant to this
18 section shall not set salaries at amounts less than those set
19 pursuant to Section ~~18-114.12~~ 18-114.14 of this title.

20 ~~C.~~ D. The State Department of Education shall compile a report
21 of the minimum salary schedules and the differential pay schedule or
22 schedules for every school district in the state and shall submit
23 the report to the Governor, Speaker of the House of Representatives,
24 and President Pro Tempore of the Senate no later than December 15 of

1 each year. Each school district shall also submit to the Department
2 a report on how the district utilized any differential pay funding
3 received by the district pursuant to Section 2 of this act.

4 ~~D.~~ E. Each school district shall file within fifteen (15) days
5 of signing the contract, the employment contract of the
6 superintendent of the school district with the State Department of
7 Education. The Department shall keep all contracts available for
8 inspection by the public. The school district shall not be
9 authorized to pay any salary, benefits or other compensation to a
10 superintendent which are not specified in the contract on file and
11 shall not pay administrators any amounts for accumulated sick leave
12 that are not calculated on the same formula used for determining
13 payment for accumulated sick leave benefits for other full-time
14 employees of that school district and shall not pay administrators
15 any amounts for accumulated vacation leave benefits that are not
16 calculated on the same formula used for determining payment for
17 accumulated vacation leave benefits for other twelve-month full-time
18 employees of that school district.

19 ~~E.~~ F. By October 1 of each year each district board of
20 education shall prepare a schedule of salaries and fringe benefits
21 paid administrators employed by the district, including a
22 description of the fringe benefits. The schedule shall be a public
23 record and shall be disclosed as required by the Oklahoma Open
24

1 Records Act. The board shall file a copy of the schedule with the
2 State Department of Education within one week of completion.

3 ~~F.~~ G. For purposes of this section the term "administrator"
4 shall include employees who are employed and certified as
5 superintendents, assistant superintendents, principals, and
6 assistant principals and who have responsibilities for supervising
7 classroom teachers.

8 SECTION 2. NEW LAW A new section of law to be codified
9 in the Oklahoma Statutes as Section 5-141.1 of Title 70, unless
10 there is created a duplication in numbering, reads as follows:

11 A. It is the intent of the Legislature that any additional
12 revenue received by the state as a result of the reconfiguration or
13 repeal of an incentive which is enacted based on an evaluation of
14 the incentive or incentives that was conducted pursuant to the
15 Incentive Evaluation Act shall be made available to the State Board
16 of Education and shall be allocated to school districts for the
17 purpose of funding differential pay schedules adopted by school
18 districts as provided for in Section 5-141 of Title 70 of the
19 Oklahoma Statutes. It is further the intent of the Legislature that
20 any monies made available for differential pay schedules pursuant to
21 this section shall not be used by school districts for across-the-
22 board salary increases for all teachers in the district.

23 B. Nothing in this section shall preclude school districts from
24 supplementing any monies received pursuant to this section for the

1 purpose of funding differential pay schedules of the districts with
2 monies from the general funds for the districts.

3 SECTION 3. This act shall become effective July 1, 2016.

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

8
9 55-2-9107 KB 02/16/16
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24