

COMMITTEE AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2386 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by
inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Leslie Osborn

Adopted: _____

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 56th Legislature (2017)

COMMITTEE SUBSTITUTE
FOR

HOUSE BILL NO. 2386

By: Osborn (Leslie) and Wallace
of the House

and

David and Fields of the
Senate

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2011, Sections 1-116 and 6-101.3, as last amended by Sections 1 and 2, Chapter 360, O.S.L. 2016 (70 O.S. Supp. 2016, Sections 1-116 and 6-101.3), which relate to definitions; modifying terms; deleting term; and declaring an emergency.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 1-116, as last amended by Section 1, Chapter 360, O.S.L. 2016 (70 O.S. Supp. 2016, Section 1-116), is amended to read as follows:

Section 1-116. As used in this title:

1. "Teacher" means any person who is employed to serve as district superintendent, principal, supervisor, a counselor, librarian, school nurse or classroom teacher or in any other instructional, supervisory or administrative capacity. The person

1 shall not be deemed qualified unless the person holds a valid
2 certificate issued by and in accordance with the rules of the State
3 Board of Education or the rules of the State Board of Career and
4 Technology Education, to perform the particular services for which
5 the person is employed;

6 2. "Superintendent" or "superintendent of schools" means the
7 executive officer of the board of education and the administrative
8 head of the school system of a district maintaining an accredited
9 school, provided the person holds an administrator's certificate
10 recognized by the State Board of Education;

11 3. "Principal" means any person other than a district
12 superintendent of schools having supervisory or administrative
13 authority over any school or school building having two or more
14 teachers. A teaching principal shall be a principal who devotes at
15 least one-half (1/2) the time school is in session to classroom
16 teaching. Teaching principals shall be required to hold
17 administrative certificates;

18 4. "Teachers" means, for purposes of complying with the State
19 Aid Law and other statutes, but not any other provision of law,
20 which apportion money on the basis of teaching units or the number
21 of teachers employed or qualified, all persons holding proper
22 certificates and connected in any capacity with the instruction of
23 pupils;

1 5. "Resident teacher" means any certified teacher who is
2 employed in a local school to serve as a classroom teacher under the
3 guidance and assistance of a mentor teacher or teachers and
4 residency committee. A resident teacher shall have completed the
5 college or school of education program of the accredited institution
6 of higher learning from which the resident teacher graduated;

7 6. "Student teacher" means any student who is enrolled in an
8 institution of higher learning approved by the State Board of
9 Education for teacher training and who is jointly assigned by the
10 institution of higher learning and a board of education of a school
11 district to perform practice teaching under the direction of a
12 regularly employed and certified teacher. A student teacher, while
13 serving a nonsalaried internship under the supervision of a
14 certified teacher, shall be accorded the same protection of the laws
15 as that accorded the certified teacher;

16 7. "School nurse" means a person employed full time by a board
17 of education who is a registered nurse licensed by the Oklahoma
18 State Board of Nurse Registration and Nursing Education and is
19 certified the same as a teacher by the State Board of Education.
20 Provided, that any person who is employed as a full-time school
21 nurse in any school district in Oklahoma who is not registered on
22 the effective date of this act may continue to serve in the same
23 capacity; however, such person shall, under rules adopted by the
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1 State Board of Education, attend classes in nursing and prepare to
2 become registered.

3 A school nurse employed by a board of education shall be
4 accorded the same protection of laws and all other benefits accorded
5 a certified teacher; and

6 8. "Support employee" means an employee who provides those
7 services which are not performed by certified teachers, principals,
8 superintendents or administrators and which are necessary for the
9 efficient and satisfactory functioning of a school district.

10 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.3, as
11 last amended by Section 2, Chapter 360, O.S.L. 2016 (70 O.S. Supp.
12 2016, Section 6-101.3), is amended to read as follows:

13 Section 6-101.3 As used in Section 6-101 et seq. of this title:

14 1. "Administrator" means a duly certified person who devotes a
15 majority of time to service as a superintendent, elementary
16 superintendent, principal, supervisor, vice principal or in any
17 other administrative or supervisory capacity in the school district;

18 2. "Dismissal" means the discontinuance of the teaching service
19 of an administrator or teacher during the term of a written
20 contract, as provided by law;

21 3. "Nonreemployment" means the nonrenewal of the contract of an
22 administrator or teacher upon expiration of the contract;

23 4. "Career teacher" means a teacher who÷
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1 a. ~~is employed by a school district prior to the 2017-~~
2 ~~2018 school year and~~ has completed three (3) or more
3 consecutive complete school years as a teacher in one
4 school district under a written continuing or
5 temporary teaching contract, ~~or~~

6 b. ~~is employed for the first time by a school district~~
7 ~~under a written continuing or temporary teaching~~
8 ~~contract during the 2017-2018 school year and~~
9 ~~thereafter.~~

10 ~~(1) has completed three (3) consecutive complete~~
11 ~~school years as a teacher in one school district~~
12 ~~under a written continuing or temporary teaching~~
13 ~~contract and has achieved a district evaluation~~
14 ~~rating of "superior" as measured pursuant to the~~
15 ~~TLE as set forth in Section 6-101.16 of this~~
16 ~~title for at least two (2) of the three (3)~~
17 ~~school years,~~

18 ~~(2) has completed four (4) consecutive complete~~
19 ~~school years as a teacher in one school district~~
20 ~~under a written continuing or temporary teaching~~
21 ~~contract, has averaged a district evaluation~~
22 ~~rating of at least "effective" as measured~~
23 ~~pursuant to the TLE for the four year period, and~~
24 ~~has received district evaluation ratings of at~~

1 ~~least "effective" for the last two (2) years of~~
2 ~~the four-year period, or~~
3 ~~(3) has completed four (4) or more consecutive~~
4 ~~complete school years in one school district~~
5 ~~under a written continuing or temporary teaching~~
6 ~~contract and has not met the requirements of~~
7 ~~subparagraph a or b of this paragraph, only if~~
8 ~~the principal of the school at which the teacher~~
9 ~~is employed submits a petition to the~~
10 ~~superintendent of the school district requesting~~
11 ~~that the teacher be granted career status, the~~
12 ~~superintendent agrees with the petition, and the~~
13 ~~school district board of education approves the~~
14 ~~petition. The principal shall specify in the~~
15 ~~petition the underlying facts supporting the~~
16 ~~granting of career status to the teacher;~~

17 5. "Teacher hearing" means the hearing before a school district
18 board of education after a recommendation for dismissal or
19 nonreemployment of a teacher has been made but before any final
20 action is taken on the recommendation, held for the purpose of
21 affording the teacher all rights guaranteed by the United States
22 Constitution and the Constitution of Oklahoma under circumstances
23 and for enabling the board to determine whether to approve or
24 disapprove the recommendation;

1 6. "Probationary teacher" means a teacher who:

2 a. ~~is employed by a school district prior to the 2017-~~
3 ~~2018 school year and~~ has completed fewer than three
4 (3) consecutive complete school years as a teacher in
5 one school district under a written teaching contract,
6 or

7 b. is employed for the first time by a school district
8 under a written teaching contract ~~during the 2017-2018~~
9 ~~school year~~ and thereafter and has not met the
10 requirements for career teacher as provided in
11 paragraph 4 of this section;

12 7. "Suspension" or "suspended" means the temporary
13 discontinuance of the services of an administrator or teacher, as
14 provided by law; and

15 8. "Teacher" means a duly certified person ~~defined as a teacher~~
16 ~~in Section 1-116 of this title; and~~

17 9. ~~"District evaluation rating" means the rating issued based~~
18 ~~on the components of the TLE as set forth in subsection B of Section~~
19 ~~6-101.16 of this title~~ who is employed to serve as a counselor,
20 librarian or classroom teacher or in any other instructional
21 capacity.

22 SECTION 3. It being immediately necessary for the preservation
23 of the public peace, health or 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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