

1 STATE OF OKLAHOMA

2 1st Session of the 56th Legislature (2017)

3 COMMITTEE SUBSTITUTE  
4 FOR

5 SENATE BILL NO. 824

6 By: Stanislawski

7 COMMITTEE SUBSTITUTE

8 An Act relating to teachers; establishing minimum  
9 salary schedule for teachers; providing definitions;  
10 specifying certain recognition of college degrees;  
11 requiring the State Board of Education to accept  
12 certain teaching experience; limiting teaching credit  
13 for certain service and experience; allowing school  
14 district to offer more credit; directing the Board to  
15 recognize certain experiences; prohibiting  
16 application of minimum salary schedule to certain  
17 retired teachers; amending 70 O.S. 2011, Section 26-  
18 103, as amended by Section 1, Chapter 320, O.S.L.  
19 2012 (70 O.S. Supp. 2016, Section 26-103), which  
20 relates to the Larry Dickerson Flexible Benefit Act;  
21 modifying definition; amending 70 O.S. 2011, Section  
22 26-104, as amended by Section 1, Chapter 321, O.S.L.  
23 2012 (70 O.S. Supp. 2016, Section 26-104), which  
24 relates to funding for flexible benefit allowances;  
removing language prohibiting certain amount from  
being included in certain calculation; providing for  
codification; providing an effective date; and  
declaring an emergency.

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

SECTION 1. NEW LAW A new section of law to be codified  
in the Oklahoma Statutes as Section 18-114.15 of Title 70, unless  
there is created a duplication in numbering, reads as follows:

1 A. Beginning with the 2017-2018 school year, teachers in the  
 2 public schools of Oklahoma shall receive in salary and/or fringe  
 3 benefits not less than the amounts specified in the following  
 4 schedule:

5 MINIMUM SALARY SCHEDULE

6 National

7 Years of	Bachelor's	Board	Master's	Doctor's
8 Experience	Degree	Certification	Degree	Degree
9 0	\$38,800	\$39,800	\$40,000	\$41,200
10 1	\$39,175	\$40,175	\$40,375	\$41,575
11 2	\$39,550	\$40,550	\$40,750	\$41,950
12 3	\$39,925	\$40,925	\$41,125	\$42,325
13 4	\$40,300	\$41,300	\$41,500	\$42,700
14 5	\$40,700	\$41,700	\$41,900	\$43,100
15 6	\$41,100	\$42,100	\$42,300	\$43,500
16 7	\$41,500	\$42,500	\$42,700	\$43,900
17 8	\$41,900	\$42,900	\$43,100	\$44,300
18 9	\$42,300	\$43,300	\$43,500	\$44,700
19 10	\$43,150	\$44,150	\$44,775	\$46,825
20 11	\$43,575	\$44,575	\$45,200	\$47,250
21 12	\$44,000	\$45,000	\$45,625	\$47,675
22 13	\$44,425	\$45,425	\$46,050	\$48,100
23 14	\$44,850	\$45,850	\$46,475	\$48,525
24 15	\$45,275	\$46,275	\$46,900	\$48,950

1	16	\$45,700	\$46,700	\$47,325	\$49,375
2	17	\$46,125	\$47,125	\$47,750	\$49,800
3	18	\$46,550	\$47,550	\$48,175	\$50,225
4	19	\$46,975	\$47,975	\$48,600	\$50,650
5	20	\$47,400	\$48,400	\$49,025	\$51,075
6	21	\$47,825	\$48,825	\$49,450	\$51,500
7	22	\$48,250	\$49,250	\$49,875	\$51,925
8	23	\$48,675	\$49,675	\$50,300	\$52,350
9	24	\$49,100	\$50,100	\$50,725	\$52,775
10	25	\$49,525	\$50,525	\$51,150	\$53,200

11 Master's Degree +

12 Years of National Board

13 Experience Certification

14	0	\$41,000
15	1	\$41,375
16	2	\$41,750
17	3	\$42,125
18	4	\$42,500
19	5	\$42,900
20	6	\$43,300
21	7	\$43,700
22	8	\$44,100
23	9	\$44,500
24	10	\$45,775

1	11	\$46,200
2	12	\$46,625
3	13	\$47,050
4	14	\$47,475
5	15	\$47,900
6	16	\$48,325
7	17	\$48,750
8	18	\$49,175
9	19	\$49,600
10	20	\$50,025
11	21	\$50,450
12	22	\$50,875
13	23	\$51,300
14	24	\$51,725
15	25	\$52,150

16 B. For purposes of this section, "teacher" shall be defined as  
17 provided for in Section 1-116 of Title 70 of the Oklahoma Statutes.

18 C. When determining the Minimum Salary Schedule, "fringe  
19 benefits" shall mean all or part of retirement benefits, excluding  
20 the contributions made pursuant to subsection A of Section 17-108.1  
21 of Title 70 of the Oklahoma Statutes.

22 D. Any of the degrees referred to in this section shall be from  
23 a college recognized by the State Board of Education. The Board  
24 shall accept teaching experience from out-of-state school districts

1 that are accredited by the state board of education or appropriate  
2 state accrediting agency for the districts. The Board shall accept  
3 teaching experience from out-of-country schools that are accredited  
4 or otherwise endorsed by the appropriate national or regional  
5 accrediting or endorsement authority. Out-of-country certification  
6 documentation in a language other than English shall be analyzed by  
7 an educational credential evaluation service approved by the  
8 National Association of Credential Evaluation Services (NACES). The  
9 person seeking to have credit granted for out-of-country teaching  
10 experience shall be responsible for all costs of the analysis by a  
11 credential evaluation service. The Board shall accept teaching  
12 experience from primary and secondary schools that are operated by  
13 the United States Department of Defense or are affiliated with the  
14 United States Department of State.

15 E. For the purpose of state salary increments and retirement,  
16 no teacher shall be granted credit for more than five (5) years of  
17 active duty in the military service or out-of-state or out-of-  
18 country teaching experience as a certified teacher or its  
19 equivalent. Nothing in this section shall prohibit boards of  
20 education from crediting more years of experience on district salary  
21 schedules than those allowed for state purposes.

22 F. The State Board of Education shall recognize, for purposes  
23 of certification and salary increments, all the years of experience  
24 of a:

1 1. Certified teacher who teaches in the educational program of  
2 the Department of Corrections, beginning with fiscal year 1981;

3 2. Vocational rehabilitation counselor under the Department of  
4 Human Services if the counselor was employed as a certified teacher  
5 by the State Department of Education when the Division of Vocational  
6 Rehabilitation was transferred from the State Board of Career and  
7 Technology Education or the State Board of Education to the Oklahoma  
8 Public Welfare Commission on July 1, 1968;

9 3. Vocational rehabilitation counselor which were completed  
10 while employed by the Department of Human Services if such counselor  
11 was certified as a teacher or was eligible for certification as a  
12 teacher in Oklahoma;

13 4. Certified teacher which were completed while employed by the  
14 Department of Human Services Child Study Center at the University of  
15 Oklahoma Health Sciences Center, if the teacher was certified as a  
16 teacher in Oklahoma; and

17 5. Certified school psychologist or psychometrist which were  
18 completed while employed as a doctoral intern, psychological  
19 assistant, or psychologist with any agency of the State of Oklahoma  
20 if the experience primarily involved work with persons of school- or  
21 preschool-age and if the person was, at the time the experience was  
22 acquired, certified as, or eligible for certification as, a school  
23 psychologist or psychometrist.

24

1 G. The provisions of this section shall not apply to teachers  
2 who have entered into postretirement employment with a public school  
3 in Oklahoma and are still receiving a monthly retirement benefit.

4 SECTION 2. AMENDATORY 70 O.S. 2011, Section 26-103, as  
5 amended by Section 1, Chapter 320, O.S.L. 2012 (70 O.S. Supp. 2016,  
6 Section 26-103), is amended to read as follows:

7 Section 26-103. The following words and phrases as used in ~~this~~  
8 ~~act~~ Section 26-101 et seq. of this title, unless a different meaning  
9 is clearly required by the context, shall have the following  
10 meanings:

11 1. "Benefit" means any of the benefits which may be purchased  
12 or are required to be purchased under the cafeteria plan;

13 2. "Cafeteria plan" means a benefit plan established pursuant  
14 to 26 U.S.C. Section 125;

15 3. "Flexible benefit allowance" means amounts credited by the  
16 school district for each school district employee for the purchase  
17 of benefits under the cafeteria plan;

18 4. "Support personnel" means full-time employees of a school  
19 district as determined by the standard period of labor which is  
20 customarily understood to constitute full-time employment for the  
21 type of services performed by the employees who are employed a  
22 minimum of six (6) hours per day for a minimum of one hundred  
23 seventy-two (172) days or a minimum of six (6) hours per day for a  
24 minimum of one thousand thirty-two (1,032) hours per year and who

1 provide services not performed by certified personnel, which is  
2 necessary for the efficient and satisfactory functioning of a school  
3 district, and shall include cooks, janitors, maintenance personnel,  
4 bus drivers, noncertified or nonregistered nurses, noncertified  
5 librarians, and clerical employees of a school district but shall  
6 not include adult education instructors or adult coordinators  
7 employed by technology center school districts;

8 5. "Plan year" means the twelve-month period established by the  
9 school district for the cafeteria plan;

10 6. "School district" means the public school districts and  
11 technology center school districts of this state;

12 7. "School district employee" means certified or support  
13 personnel as defined in this act;

14 8. "Certified personnel" means a certified person employed on a  
15 full-time basis to serve as a ~~teacher~~, principal, supervisor,  
16 administrator, ~~counselor~~, ~~librarian~~, or certified or registered  
17 nurse, but shall not mean a superintendent of a school district; and

18 9. "Self-insured" means a health care program in which the  
19 school district funds the benefit plans from its own resources  
20 without purchasing insurance and which may be administered by the  
21 school district or by an outside administrator under contract with  
22 the school district for administrative services. The State Board of  
23 Education shall prepare by May 1st of each year a list of each  
24 school district in the state that is self-insured and the number of

1 support personnel and the number of certified personnel that are  
2 participating in each self-insured school district plan.

3 SECTION 3. AMENDATORY 70 O.S. 2011, Section 26-104, as  
4 amended by Section 1, Chapter 321, O.S.L. 2012 (70 O.S. Supp. 2016,  
5 Section 26-104), is amended to read as follows:

6 Section 26-104. A. Each fiscal year, the Legislature shall  
7 appropriate adequate funding to the State Board of Education and the  
8 State Board of Career and Technology Education for the purpose of  
9 providing a flexible benefit allowance to school district employees  
10 pursuant to this act. Unless the Legislature appropriates adequate  
11 funding specifically for the purpose of providing a flexible benefit  
12 allowance to school district employees, the Oklahoma State Board of  
13 Education shall allocate from the funds appropriated to the Oklahoma  
14 State Board of Education for the support of public school activities  
15 an amount to fully fund the flexible benefit allowance, which shall  
16 occur first prior to allocating the funds for any other purpose.  
17 The amount appropriated for funding and disbursed to school  
18 districts shall be calculated by multiplying the number of eligible  
19 school district employees employed by school districts which are  
20 participating in the health insurance plan offered by the State and  
21 Education Employees Group Insurance Board or are self-insured as  
22 counted in February of each year by the amount of the flexible  
23 benefit allowance credited to the eligible school employees as  
24 established in Section 26-105 of this title. Each Board shall

1 disburse the total amount appropriated for funding the flexible  
2 benefit allowance to school districts during the fiscal year. From  
3 the total amount appropriated, each Board shall disburse the  
4 appropriate amounts, based on the number of eligible school district  
5 employees employed by that school district, to each school district.

6 B. Every school district shall establish or make available to  
7 school district employees a cafeteria plan pursuant to 26 U.S.C.  
8 Section 125 of the United States Code. The plan shall offer, as a  
9 benefit, major medical health care plan coverage.

10 C. The flexible benefit allowance amount established pursuant  
11 to Section 26-105 of this title shall be credited to each eligible  
12 school district employee. School district employees shall elect  
13 whether to use the flexible benefit allowance to pay for coverage in  
14 the health insurance plan offered by the State and Education  
15 Employees Group Insurance Board or the self-insured plan offered by  
16 the school district and may receive the excess flexible benefit  
17 allowance as taxable compensation as provided in Section 26-105 of  
18 this title.

19 D. The administrator of the cafeteria plan shall maintain a  
20 separate account for each participating school district employee.  
21 School districts shall forward the school district employee flexible  
22 benefit allowance amounts to the administrator for elected purchases  
23 of cafeteria plan benefits.

24

1 E. Expenses included in an employee's salary adjustment  
2 agreement pursuant to the cafeteria plan shall be limited to  
3 expenses for:

4 1. Premiums for any health insurance, health maintenance  
5 organization, life insurance, long term disability insurance, dental  
6 insurance or high deductible health benefit plan offered to  
7 employees and their dependents; and

8 2. All other eligible benefit programs offered under 26 U.S.C.  
9 Section 125 of the United States Code.

10 F. The flexible benefit allowance amount established in Section  
11 26-105 of this title shall not be included as income in computation  
12 of state retirement contributions and benefits ~~or as part of the~~  
13 ~~Minimum Salary Schedule for teachers established in Section 18-~~  
14 ~~114.12 of this title.~~ School districts shall not consider the  
15 flexible benefit allowance amount as income for eligible support  
16 employees and thereby shall not reduce the salary of an eligible  
17 support employee.

18 SECTION 4. This act shall become effective July 1, 2017.

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

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