

STATE OF OKLAHOMA

2nd Session of the 58th Legislature (2022)

SENATE BILL 1579

By: Paxton

AS INTRODUCED

An Act relating to school employees; allowing a school district board of education to approve certain leave of absence request; requiring requesting employee to provide certain proof; requiring leave of absence to have certain beginning and end dates; providing for type of leave to be granted; prohibiting the maintenance of certain benefits during certain leave; allowing certain employee position to be maintained without accrual of certain leave or accumulation of certain service credit; requiring employee to agree in writing to return to certain position for certain time period; providing for reimbursement of certain expenses; prohibiting certain employee from accessing certain school district space, equipment, and supplies; directing an association that serves as certain organization that fails to comply with certain provisions to no longer be recognized; 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 509.12 of Title 70, unless there is created a duplication in numbering, reads as follows:

1       A. A school district board of education may approve a request  
2 from a school district employee for a leave of absence to hold  
3 office as an officer, director, trustee, or agent of a national,  
4 statewide, or school district employee association. The employee  
5 requesting the leave shall provide the school district  
6 superintendent with proof of election and proof of the term of  
7 office for the national, statewide, or school district employee  
8 association. Proof of election shall include but not be limited to  
9 certification by the national, statewide, or school district  
10 employee association of the date of the election and the results of  
11 the election. Board of education approval for leave requested  
12 pursuant to this section shall have definitive beginning and end  
13 dates.

14       B. Leave granted pursuant to this section shall be leave  
15 without pay. The school employee on leave shall not be entitled to  
16 maintain any benefits granted by the school district regardless of  
17 whether the benefit is paid by the employee on leave or the  
18 association for which the person is serving as an officer, director,  
19 trustee, or agent.

20       C. During the leave period, the school employee's position with  
21 the school district shall be maintained without advancement on the  
22 minimum salary schedule adopted pursuant to Section 5-141 of Title  
23 70 of the Oklahoma Statutes and with no accrual of sick leave,  
24 personal business leave, or personal leave. The employee on leave  
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1 shall not accumulate service credit within the Teachers' Retirement  
2 System of Oklahoma. Following the term of leave granted pursuant to  
3 the provisions of this section, the employee granted leave may  
4 return to his or her former position or a comparable position.

5 D. Leave shall only be granted pursuant to this section if the  
6 school employee agrees in writing that he or she will return to the  
7 school district, immediately following the leave of absence, for a  
8 period of time at least equal to the period of leave granted. Prior  
9 to the employee's return to the school district, the employee or the  
10 association to which he or she was elected shall reimburse the  
11 school district for any additional expenses incurred in staffing the  
12 position while the employee was on leave.

13 E. A school district employee granted leave pursuant to the  
14 provisions of this section shall be prohibited from accessing school  
15 district office space, equipment, or supplies.

16 F. If a national, statewide, or school district employee  
17 association that serves as a school district employee organization  
18 established pursuant to Section 509.2 of Title 70 of the Oklahoma  
19 Statutes fails to comply with the provisions of this section, the  
20 school district board of education shall no longer recognize the  
21 organization as a representative of employees.

22 SECTION 2. This act shall become effective July 1, 2022.

23 SECTION 3. It being immediately necessary for the preservation  
24 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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