

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 HOUSE BILL 2370

By: Kannady

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6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2011,
8 Section 6-101.23, as amended by Section 1, Chapter
9 92, O.S.L. 2013 (70 O.S. Supp. 2018, Section 6-
10 101.23), which relates to the Teacher Due Process Act
of 1990; excluding emergency-certified teachers from
dismissal, suspension and nonreemployment provisions
of the act; and providing an effective date.

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 6-101.23, as
17 amended by Section 1, Chapter 92, O.S.L. 2013 (70 O.S. Supp. 2018,
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; and

1 4. Teachers who are issued an emergency certificate, regardless
2 of length of employment as an emergency-certified teacher.

3 B. The dismissal and suspension provisions of the Teacher Due
4 Process Act of 1990 shall apply to teachers who are employed on
5 temporary contracts for a complete school year and to teachers who
6 are employed in positions fully funded by federal or private
7 categorical grants, except that such teachers shall be employed only
8 for the duration of the temporary contract or the grant.

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

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 teacher who
23 has worked a complete school year under a temporary contract in a
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1 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 four semesters or on multiple
5 temporary contracts by a school district that together are for more
6 than four semesters, except for a:

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

10 2. Teacher who is a retired member of the Teachers' Retirement
11 System of Oklahoma.

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

19 H. On and after the effective date of this act, no teacher who
20 is employed on a continuing contract basis by a school district
21 shall be reemployed on a temporary contract in that school district.

22 SECTION 2. This act shall become effective November 1, 2019.

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24 57-1-5197 EK 12/03/18