

1 superintendent, principal, supervisor, vice principal or in any
2 other administrative or supervisory capacity in the school district;

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

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

8 4. "Career teacher" means a teacher who:

9 a. for teachers employed by a school district prior to
10 full implementation of the Oklahoma Teacher and Leader
11 Effectiveness Evaluation System (TLE) as set forth in
12 Section 6-101.10 of this title, has completed three
13 (3) or more consecutive complete school years as a
14 teacher in one school district under a written
15 continuing or temporary teaching contract, or

16 b. for teachers employed for the first time by a school
17 district under a written continuing or temporary
18 teaching contract after full implementation of the
19 Oklahoma Teacher and Leader Effectiveness Evaluation
20 System (TLE) as set forth in Section 6-101.10 of this
21 title:

22 (1) has completed three (3) consecutive complete
23 school years as a teacher in one school district
24 under a written continuing or temporary teaching

1 contract and has achieved ~~qualitative and~~
2 ~~quantitative ratings~~ a district evaluation rating
3 of "superior" as measured pursuant to the TLE as
4 set forth in Section 6-101.16 of this title for
5 at least two (2) of the three (3) school years,
6 with no rating below "effective",

7 (2) has completed four (4) consecutive complete
8 school years as a teacher in one school district
9 under a written continuing or temporary teaching
10 contract, has averaged ~~qualitative and~~
11 ~~quantitative ratings~~ a district evaluation rating
12 of at least "effective" as measured pursuant to
13 the TLE for the four-year period, and has
14 received ~~qualitative and quantitative~~ district
15 evaluation ratings of at least "effective" for
16 the last two (2) years of the four-year period,
17 or

18 (3) has completed four (4) or more consecutive
19 complete school years in one school district
20 under a written continuing or temporary teaching
21 contract and has not met the requirements of
22 subparagraph a or b of this paragraph, only if
23 the principal of the school at which the teacher
24 is employed submits a petition to the

1 superintendent of the school district requesting
2 that the teacher be granted career status, the
3 superintendent agrees with the petition, and the
4 school district board of education approves the
5 petition. The principal shall specify in the
6 petition the underlying facts supporting the
7 granting of career status to the teacher;

8 5. "Teacher hearing" means the hearing before a school district
9 board of education after a recommendation for dismissal or
10 nonreemployment of a teacher has been made but before any final
11 action is taken on the recommendation, held for the purpose of
12 affording the teacher all rights guaranteed by the United States
13 Constitution and the Constitution of Oklahoma under circumstances
14 and for enabling the board to determine whether to approve or
15 disapprove the recommendation;

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

- 17 a. for teachers employed by a school district prior to
18 full implementation of the Oklahoma Teacher and Leader
19 Effectiveness Evaluation System (TLE) as set forth in
20 Section 6-101.10 of this title, has completed fewer
21 than three (3) consecutive complete school years as a
22 teacher in one school district under a written
23 teaching contract, or
24

1 b. for teachers employed for the first time by a school
2 district under a written teaching contract after full
3 implementation of the Oklahoma Teacher and Leader
4 Effectiveness Evaluation System (TLE) as set forth in
5 Section 6-101.10 of this title, has not met the
6 requirements for career teacher as provided in
7 paragraph 4 of this section;

8 7. "Suspension" or "suspended" means the temporary
9 discontinuance of the services of an administrator or teacher, as
10 provided by law; ~~and~~

11 8. "Teacher" means a duly certified person who is employed to
12 serve as a counselor, librarian or school nurse or in any
13 instructional capacity; an administrator shall be considered a
14 teacher only with regard to service in an instructional,
15 nonadministrative capacity; and

16 9. "District evaluation rating" means the rating issued based
17 on the qualitative component of the TLE as set forth in paragraph 5
18 of subsection B of Section 6-101.16 of this title or the rating
19 issued based on qualitative and quantitative components of the TLE,
20 as set forth in paragraphs 4 and 5 of subsection B of Section 6-
21 101.16, issued by a school district that has chosen to implement the
22 quantitative component for employment purposes, as set forth in
23 subparagraph d of paragraph 1 of subsection A of Section 6-101.10 of
24 this title.

1 SECTION 2. AMENDATORY 70 O.S. 2011, Section 6-101.10, as
2 last amended by Section 2, Chapter 365, O.S.L. 2015 (70 O.S. Supp.
3 2015, Section 6-101.10), is amended to read as follows:

4 Section 6-101.10. A. Each school district board of education
5 shall maintain and annually review, following consultation with or
6 involvement of representatives selected by local teachers, a written
7 policy of evaluation for all teachers and administrators. In those
8 school districts in which there exists a professional negotiations
9 agreement made in accordance with Section 509.1 et seq. of this
10 title, the procedure for evaluating members of the negotiations unit
11 and any standards of performance and conduct proposed for adoption
12 beyond those established by the State Board of Education shall be
13 negotiable items. Nothing in this section shall be construed to
14 annul, modify or to preclude the renewal or continuing of any
15 existing agreement heretofore entered into between any school
16 district and any organizational representative of its employees.
17 Every policy of evaluation adopted by a board of education shall:

18 1. Be based upon a set of minimum criteria developed by the
19 State Board of Education, which shall be revised and based upon the
20 Oklahoma Teacher and Leader Effectiveness Evaluation System (TLE)
21 developed by the State Board of Education as provided in Section 6-
22 101.16 of this title. The revisions to each policy of evaluation
23 shall be phased in according to the following schedule:

24

1 a. for evaluations of teachers and administrators
2 conducted during the 2012-2013 school year, school
3 districts shall for purposes of testing the TLE
4 incorporate on a trial basis the qualitative
5 components of the TLE as provided for in subparagraph
6 b of paragraph 4 of subsection B of Section 6-101.16
7 of this title into the evaluations used in all or a
8 representative sampling of school sites within the
9 district and may at the option of the school district
10 incorporate on a trial basis the quantitative
11 components of the TLE as provided for in subparagraph
12 a of paragraph 4 of subsection B of Section 6-101.16
13 of this title into the evaluations used in all or a
14 representative sampling of school sites within the
15 district,

16 b. for evaluations of teachers and administrators
17 conducted during the 2013-2014 school year, school
18 districts shall incorporate and put into operation the
19 qualitative components of the TLE as provided for in
20 subparagraph b of paragraph 4 of subsection B of
21 Section 6-101.16 of this title into the evaluations
22 used in all school sites within the district. For the
23 2013-2014 school year the evaluation rating of
24 teachers and administrators shall be based on the

1 qualitative component of the TLE. In addition, for
2 evaluations of teachers and administrators conducted
3 during the 2013-2014 school year, school districts
4 shall for purposes of testing the TLE incorporate on a
5 trial basis the quantitative components of the TLE as
6 provided for in subparagraph a of paragraph 4 of
7 subsection B of Section 6-101.16 of this title into
8 the evaluations used in all or a representative
9 sampling of school sites within the district.
10 However, nothing in this subparagraph shall preclude a
11 school district with an average daily attendance of
12 more than thirty-five thousand (35,000) from
13 incorporating at its own expense the quantitative
14 components of the TLE into its evaluation system of
15 teachers and administrators, as defined by the
16 district's written policy, during the 2013-2014 school
17 year,

18 c. for evaluations of teachers and administrators
19 conducted during the 2014-2015 and 2015-2016 school
20 years, school districts shall for purposes of
21 establishing baseline data incorporate the
22 quantitative components of the TLE as provided for in
23 subparagraph a of paragraph 4 of subsection B of
24 Section 6-101.16 of this title into the evaluations

1 used in all school sites within the district. For the
2 2014-2015 and 2015-2016 school years, the evaluation
3 rating of teachers and administrators shall be based
4 on the qualitative component of the TLE. However,
5 nothing in this subparagraph shall preclude a school
6 district with an average daily attendance of more than
7 thirty-five thousand (35,000) from incorporating at
8 its own expense the quantitative components of the TLE
9 into its evaluation system of teachers and
10 administrators, as defined by the district's written
11 policy, during the 2014-2015 and 2015-2016 school
12 years, and

13 d. for evaluations of teachers and administrators
14 conducted during the 2016-2017 school year and each
15 school year thereafter, school districts shall fully
16 implement the TLE and incorporate and put into
17 operation both the qualitative and quantitative
18 components of the TLE as provided for in ~~paragraph~~
19 paragraphs 4 and 5 of subsection B of Section 6-101.16
20 of this title into the evaluations used in all school
21 sites within the district. For the 2016-2017 school
22 year and each school year thereafter, teachers and
23 administrators shall receive a ~~qualitative~~ district
24 evaluation rating based on:

- 1 (1) the qualitative component of the TLE ~~and a~~
2 ~~quantitative rating based on the quantitative~~
3 ~~component of the TLE~~ as set forth in paragraph 5
4 of subsection B of Section 6-101.16 of this
5 title, or
- 6 (2) the qualitative and quantitative components of
7 the TLE, as set forth in paragraphs 4 and 5 of
8 subsection B of Section 6-101.16 of this title
9 for a district that has chosen to implement the
10 quantitative component for employment purposes;

11 2. Be prescribed in writing at the time of adoption and at all
12 times when amendments to the policy are adopted. The original
13 policy and all amendments to the policy shall be promptly made
14 available to all persons subject to the policy;

15 3. Provide that all evaluations be made in writing and that
16 evaluation documents and responses thereto be maintained in a
17 personnel file for each evaluated person;

18 4. Provide that every probationary teacher receive formative
19 feedback from the evaluation process at least two times per school
20 year, once during the fall semester and once during the spring
21 semester;

22 5. Provide that every teacher be evaluated once every year,
23 except for career teachers receiving a qualitative district
24 evaluation rating of "superior" or "highly effective" ~~and a~~

1 ~~quantitative rating of "superior" or "highly effective"~~ under the
2 TLE, who may be evaluated once every two (2) years; and

3 6. Provide that, except for superintendents of independent and
4 elementary school districts and superintendents of area school
5 districts who shall be evaluated by the school district board of
6 education, all certified personnel shall be evaluated by a
7 principal, assistant principal, or other trained certified
8 individual designated by the school district board of education.

9 B. All individuals designated by the school district board of
10 education to conduct the personnel evaluations shall be required to
11 participate in training conducted by the State Department of
12 Education or training provided by the school district using
13 guidelines and materials developed by the State Department of
14 Education prior to conducting evaluations.

15 C. The State Department of Education shall develop and conduct
16 workshops pursuant to statewide criteria which train individuals in
17 conducting evaluations.

18 D. The State Board of Education shall monitor compliance with
19 the provisions of this section by school districts.

20 E. The State Board of Education, ~~in consultation with the~~
21 ~~Teacher and Leader Effectiveness Commission,~~ shall study continued
22 implementation of the TLE to produce a system that promotes
23 reflection and professional growth for teachers and leaders.

24

1 F. Refusal by a school district to comply with the provisions
2 of this section shall be grounds for withholding State Aid funds
3 until compliance occurs.

4 G. Data collected pursuant to this section shall not be subject
5 to the Oklahoma Open Meeting Act or the Oklahoma Open Records Act.

6 H. Full implementation of the TLE for the purposes of
7 employment shall occur during the 2017-2018 school year.

8 SECTION 3. AMENDATORY 70 O.S. 2011, Section 6-101.13, as
9 last amended by Section 3, Chapter 365, O.S.L. 2015 (70 O.S. Supp.
10 2015, Section 6-101.13), is amended to read as follows:

11 Section 6-101.13. A. Whenever the school district board of
12 education or the administration of a school district shall determine
13 that the dismissal or nonreemployment of a full-time certified
14 administrator from the administrative position within the school
15 district should be effected, the administrator shall be entitled to
16 the following due process procedures:

17 1. A statement shall be submitted to the administrator in
18 writing prior to the dismissal or nonreemployment which states the
19 proposed action, lists the reasons for effecting the action, and
20 notifies the administrator of his right to a hearing before the
21 school district board of education prior to the action; and

22 2. A hearing before the school district board of education
23 shall be granted upon the request of the administrator prior to the
24 dismissal or nonreemployment. A request for a hearing shall be

1 submitted to the board of education not later than ten (10) days
2 after the administrator has been notified of the proposed action.

3 B. Failure of the administrator to request a hearing before the
4 school district board of education within ten (10) days after
5 receiving the written statement shall constitute a waiver of the
6 right to a hearing. No decision of the board of education
7 concerning the dismissal or nonreemployment of a full-time certified
8 administrator shall be effective until the administrator has been
9 afforded due process as specified in this section. The decision of
10 the school district board of education concerning the dismissal or
11 nonreemployment, following the hearing, shall be final.

12 C. After full implementation of the Oklahoma Teacher and Leader
13 Effectiveness Evaluation System (TLE) as set forth in Section 6-
14 101.10 of this title, a principal who has received ~~qualitative and~~
15 ~~quantitative~~ district evaluation ratings of "ineffective" as
16 measured pursuant to the TLE as set forth in Section 6-101.16 of
17 this title for two (2) consecutive school years, shall not be
18 reemployed by the school district, subject to the due process
19 procedures of this section.

20 D. After full implementation of the TLE as set forth in Section
21 6-101.10 of this title, a principal who has received ~~qualitative or~~
22 ~~quantitative~~ district evaluation ratings of "ineffective" as
23 measured pursuant to the TLE as set forth in Section 6-101.16 of
24 this title for two (2) consecutive school years may be dismissed or

1 not reemployed by the school district, subject to the due process
2 procedures of this section.

3 SECTION 4. AMENDATORY 70 O.S. 2011, Section 6-101.16, as
4 last amended by Section 4, Chapter 365, O.S.L. 2015 (70 O.S. Supp.
5 2015, Section 6-101.16), is amended to read as follows:

6 Section 6-101.16. A. By December 15, 2011, the State Board of
7 Education shall adopt a new statewide system of evaluation to be
8 known as the Oklahoma Teacher and Leader Effectiveness Evaluation
9 System (TLE). The Board shall work cooperatively with school
10 districts to fully implement both the quantitative and qualitative
11 components of the TLE in all school districts by the 2016-2017
12 school year as provided for in Section 6-101.10 of this title,
13 ~~including determining the final calculation of the student academic~~
14 ~~growth measurement as provided for in subparagraph a of paragraph 4~~
15 ~~of subsection B of this section and developing a teacher/student~~
16 ~~assignment verification system.~~

17 B. The TLE shall include the following components:

18 1. Annual evaluations that provide feedback to improve student
19 learning and outcomes, except as provided for in subsection C of
20 this section;

21 2. Comprehensive remediation plans and instructional coaching
22 for all teachers who receive ~~qualitative or quantitative~~ district
23 evaluation ratings of "needs improvement" or "ineffective" in
24

1 accordance with the rating system established in paragraph 3 of this
2 subsection;

3 3. A five-tier district evaluation rating system ~~for both the~~
4 ~~qualitative and quantitative components set forth in paragraph 4 of~~
5 ~~this subsection~~ as follows:

- 6 a. superior,
- 7 b. highly effective,
- 8 c. effective,
- 9 d. needs improvement, and
- 10 e. ineffective;

11 4. ~~a.~~ The quantitative ~~ratings~~ evaluation of teachers and
12 leaders ~~shall be based on quantitative components~~
13 ~~which shall include performance measures of a teacher~~
14 ~~and leader that are based on student academic growth~~
15 ~~using multiple years of standardized test data, as~~
16 ~~available, and performance measures for teachers in~~
17 ~~grades and subjects for which there is no state-~~
18 ~~mandated testing measure~~ shall include a minimum of
19 one of the reliable, research-based measures, as
20 approved by the State Board of Education pursuant to
21 subsection ~~E~~ D of this section, ~~and~~

22 ~~b.~~ ~~The qualitative ratings of teachers and leaders shall~~
23 ~~be based on rigorous and fair qualitative assessment~~
24 ~~components;~~

1 5. An evidence-based qualitative assessment tool for the
2 teacher qualitative portion of the TLE that will include observable
3 and measurable characteristics of personnel and classroom practices
4 that are correlated to student performance success, including, but
5 not limited to:

- 6 a. organizational and classroom management skills,
- 7 b. ability to provide effective instruction,
- 8 c. focus on continuous improvement and professional
9 growth,
- 10 d. interpersonal skills, and
- 11 e. leadership skills;

12 6. An evidence-based qualitative assessment tool for the leader
13 qualitative portion of the TLE that will include observable and
14 measurable characteristics of personnel and site management
15 practices that are correlated to student performance success,
16 including, but not limited to:

- 17 a. organizational and school management, including
18 retention and development of effective teachers and
19 dismissal of ineffective teachers,
- 20 b. instructional leadership,
- 21 c. professional growth and responsibility,
- 22 d. interpersonal skills,
- 23 e. leadership skills, and
- 24 f. stakeholder perceptions;

1 7. ~~For those teachers in grades and subjects for which there is~~
2 ~~no state-mandated testing measure to create a quantitative~~
3 ~~assessment for the quantitative portion of the TLE, local school~~
4 ~~district boards of education shall choose evaluation methods from a~~
5 ~~list of reliable, research-based options approved by the State Board~~
6 ~~of Education pursuant to subsection E of this section. Emphasis~~
7 ~~shall be placed on the observed qualitative assessment as well as~~
8 ~~contribution to the overall school academic growth. For those~~
9 ~~teachers who have at least one tested grade or subject, school~~
10 ~~districts shall have the option of basing up to fifty percent (50%)~~
11 ~~of the quantitative rating on evaluation methods chosen from a list~~
12 ~~of reliable, research-based options approved by the State Board of~~
13 ~~Education pursuant to subsection E of this section;~~

14 ~~8.~~ For first-year and second-year teachers, evaluations shall
15 be based solely on qualitative components set forth in ~~subparagraph~~
16 ~~b~~ of paragraph 4 5 of this subsection; ~~and~~

17 ~~9.~~ 8. For teachers who were previously employed by a different
18 public school district and for teachers who enter into post-
19 retirement employment with a public school, school districts shall
20 have the option of basing those evaluations solely on the
21 qualitative components set forth in ~~subparagraph b~~ of paragraph 4 5
22 of this subsection during their first year of employment; and

23 9. Student performance on the statewide criterion-referenced
24 tests, if available, shall be discussed with the teacher and may be

1 one of the considerations for the quantitative component of the
2 teacher's district evaluation.

3 C. Career teachers receiving a ~~qualitative~~ district evaluation
4 rating of "superior" or "highly effective" ~~and a quantitative rating~~
5 ~~of "superior" or "highly effective"~~ under the TLE may be evaluated
6 once every two (2) years.

7 ~~D. The Teacher and Leader Effectiveness Commission shall adopt~~
8 ~~the student academic growth quantitative components of the TLE as~~
9 ~~provided for in subparagraph a of paragraph 4 of subsection B of~~
10 ~~this section by May 1, 2014. The Commission shall provide oversight~~
11 ~~and advise the State Board of Education on the development and~~
12 ~~implementation of the TLE.~~

13 ~~F.~~ By December 1, 2015, the Teacher and Leader Effectiveness
14 Commission shall recommend to the State Board of Education multiple
15 reliable, research-based measures for providing a quantitative
16 evaluation component for teachers ~~in grades and subjects for which~~
17 ~~there is no state mandated testing measure.~~ The State Board of
18 Education shall approve and publish a list of approved measures by
19 February 1, 2016.

20 ~~F.~~ E. A school district with an average daily attendance of
21 more than thirty-five thousand (35,000) which has incorporated
22 quantitative components of the TLE into its evaluation system of
23 teachers and administrators prior to the 2015-2016 school year may
24 continue using its evaluation system, as defined by the school

1 district's written policies, notwithstanding the provisions of this
2 section and regardless of the State Board of Education's adoption of
3 quantitative components pursuant to this section.

4 ~~G.~~ F. The State Department of Education shall provide to the
5 Oklahoma State Regents for Higher Education and the Oklahoma
6 Commission for Educational Quality and Accountability timely
7 electronic data linked to teachers and leaders derived from the TLE
8 for purposes of providing a basis for the development of
9 accountability and quality improvements of the teacher preparation
10 system. The data shall be provided in a manner and at such times as
11 agreed upon between the Department, the State Regents and the
12 Commission.

13 ~~H.~~ G. For purposes of this section, "leader" means a principal,
14 assistant principal or any other school administrator who is
15 responsible for supervising classroom teachers.

16 ~~I.~~ H. The State Department of Education shall keep all data
17 collected pursuant to the TLE and records of annual evaluations
18 received pursuant to this section confidential. Records created
19 pursuant to this section which identify, in any way, a current or
20 former public employee shall not be subject to disclosure under the
21 Oklahoma Open Records Act. Nothing in this subsection shall be
22 construed to prohibit disclosure otherwise required by this section;
23 provided, however, any provisions requiring disclosure of TLE
24 records shall be construed narrowly and all individually identifying

1 information shall be removed from such records to the fullest extent
2 possible.

3 SECTION 5. AMENDATORY 70 O.S. 2011, Section 6-101.22, as
4 last amended by Section 5, Chapter 365, O.S.L. 2015 (70 O.S. Supp.
5 2015, Section 6-101.22), is amended to read as follows:

6 Section 6-101.22. A. Subject to the provisions of the Teacher
7 Due Process Act of 1990, a career teacher may be dismissed or not
8 reemployed for:

- 9 1. Willful neglect of duty;
- 10 2. Repeated negligence in performance of duty;
- 11 3. Mental or physical abuse to a child;
- 12 4. Incompetency;
- 13 5. Instructional ineffectiveness;
- 14 6. Unsatisfactory teaching performance;
- 15 7. Commission of an act of moral turpitude; or
- 16 8. Abandonment of contract.

17 B. Subject to the provisions of the Teacher Due Process Act of
18 1990, a probationary teacher may be dismissed or not reemployed for
19 cause.

20 C. Upon full implementation of the Oklahoma Teacher and Leader
21 Effectiveness Evaluation System (TLE) as set forth in Section 6-
22 101.10 of this title:

- 23 1. A career teacher who has received a ~~qualitative and~~
24 ~~quantitative~~ district evaluation rating of "ineffective" for two (2)

1 consecutive school years shall be dismissed or not reemployed on the
2 grounds of instructional ineffectiveness by the school district,
3 subject to the provisions of the Teacher Due Process Act of 1990;
4 and

5 ~~2. A career teacher who has received a qualitative or~~
6 ~~quantitative rating of "ineffective" for two (2) consecutive school~~
7 ~~years may be dismissed or not reemployed on the grounds of~~
8 ~~instructional ineffectiveness by the school district, subject to the~~
9 ~~provisions of the Teacher Due Process Act of 1990;~~

10 ~~3.~~ A career teacher who has received a qualitative and
11 quantitative district evaluation rating of "needs improvement" or
12 lower for three (3) consecutive school years shall be dismissed or
13 not reemployed on the grounds of instructional ineffectiveness by
14 the school district, subject to the provisions of the Teacher Due
15 Process Act of 1990;

16 ~~4. A career teacher who has received a qualitative or~~
17 ~~quantitative rating of "needs improvement" or lower for three (3)~~
18 ~~consecutive school years may be dismissed or not reemployed on the~~
19 ~~grounds of instructional ineffectiveness by the school district,~~
20 ~~subject to the provisions of the Teacher Due Process Act of 1990;~~

21 ~~5. A career teacher who has not averaged a qualitative and~~
22 ~~quantitative rating of at least "effective" as measured pursuant to~~
23 ~~the TLE over a five-year period shall be dismissed or not reemployed~~
24 ~~on the grounds of instructional ineffectiveness by the school~~

1 ~~district, subject to the provisions of the Teacher Due Process Act~~
2 ~~of 1990; and~~

3 ~~6. A career teacher who has not averaged a qualitative or~~
4 ~~quantitative rating of at least "effective" as measured pursuant to~~
5 ~~the TLE over a five-year period may be dismissed or not reemployed~~
6 ~~on the grounds of instructional ineffectiveness by the school~~
7 ~~district, subject to the provisions of the Teacher Due Process Act~~
8 ~~of 1990.~~

9 D. Upon full implementation of the Oklahoma Teacher and Leader
10 Effectiveness Evaluation System (TLE) as set forth in Section 6-
11 101.10 of this title:

12 1. A probationary teacher who has received a ~~qualitative and~~
13 ~~quantitative~~ district evaluation rating of "ineffective" as measured
14 pursuant to the TLE for two (2) consecutive school years shall be
15 dismissed or not reemployed by the school district subject to the
16 provisions of the Teacher Due Process Act of 1990; and

17 2. ~~A probationary teacher who has received a qualitative or~~
18 ~~quantitative rating of "ineffective" as measured pursuant to the TLE~~
19 ~~for two (2) consecutive school years may be dismissed or not~~
20 ~~reemployed by the school district subject to the provisions of the~~
21 ~~Teacher Due Process Act of 1990; and~~

22 3. A probationary teacher who has not attained career teacher
23 status within a four-year period shall be dismissed or not
24

1 reemployed by the school district, subject to the provisions of the
2 Teacher Due Process Act of 1990.

3 E. A teacher shall be dismissed or not reemployed, unless a
4 presidential or gubernatorial pardon has been issued, if during the
5 term of employment the teacher is convicted in this state, the
6 United States or another state of:

7 1. Any sex offense subject to the Sex Offenders Registration
8 Act in this state or subject to another state's or the federal sex
9 offender registration provisions; or

10 2. Any felony offense.

11 F. A teacher may be dismissed, refused employment or not
12 reemployed after a finding that such person has engaged in criminal
13 sexual activity or sexual misconduct that has impeded the
14 effectiveness of the individual's performance of school duties. As
15 used in this subsection:

16 1. "Criminal sexual activity" means the commission of an act as
17 defined in Section 886 of Title 21 of the Oklahoma Statutes, which
18 is the act of sodomy; and

19 2. "Sexual misconduct" means the soliciting or imposing of
20 criminal sexual activity.

21 G. As used in this section, "abandonment of contract" means the
22 failure of a teacher to report at the beginning of the contract term
23 or otherwise perform the duties of a contract of employment when the
24 teacher has accepted other employment or is performing work for

1 another employer that prevents the teacher from fulfilling the
2 obligations of the contract of employment.

3 H. A school district shall notify the State Board of Education
4 within ten (10) days of the dismissal or nonreemployment of a
5 probationary or career teacher for reasons outlined in subsection F
6 of this section.

7 SECTION 6. This act shall become effective July 1, 2016.

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

12

13 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 03/29/2016
14 - DO PASS, As Amended and Coauthored.

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