

# House Bill 2788

Sponsored by Representative BARKER, Senator MORRISETTE; Representatives BUCKLEY, DEMBROW, D EDWARDS, HUFFMAN, KOMP, STIEGLER, THATCHER, WHISNANT, Senators DEVLIN, HASS, MONROE, STARR (at the request of Oregon Substitute Teachers Association)

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Prescribes salary calculation for substitute teachers in school district with four-day week class schedule.

Declares emergency, effective July 1, 2009.

## A BILL FOR AN ACT

1  
2 Relating to substitute teachers; creating new provisions; amending ORS 342.610; and declaring an  
3 emergency.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 342.610 is amended to read:

6 342.610. (1) Teachers employed as substitute teachers shall not be paid less per day than 85  
7 percent of 1/190th of the salary of a beginning teacher who holds a bachelor's degree. The salary  
8 of the substitute teacher shall be computed as required in this subsection based on the statewide  
9 average salary for beginning teachers who hold bachelor's degrees. The Department of Education  
10 shall compute the statewide average salary to be used for purposes of this subsection, using the  
11 latest data available to the department, but not data from earlier than the preceding school year.

12 (2) The school district shall set the working hours for a substitute teacher, and, when employed,  
13 shall pay the substitute teacher a salary which is no less than one-half of the daily minimum salary  
14 as computed under subsection (1) of this section. However, if the substitute teacher is employed for  
15 more than one-half day, the substitute teacher shall receive a full day's pay.

16 (3)(a) Notwithstanding subsection (1) of this section, teachers employed as substitute teachers  
17 for more than 10 consecutive days in any one assignment for the same teacher shall not be paid  
18 after the 10th day of the assignment less per day than 100 percent of 1/190th of the statewide av-  
19 erage salary computed in subsection (1) of this section for districts with no salary scale; or, for  
20 districts with a salary scale, the higher of:

21 (A) 1/190th of the employing school district's salary for a beginning teacher who holds a bach-  
22 elor's degree; or

23 (B) The statewide **daily** minimum [*per diem*] salary as computed in subsection (1) of this section.

24 (b) Used sick leave, whether paid or unpaid, and weekends, school holidays and days when  
25 schools are closed by weather or other conditions and when substitute teachers are not required to  
26 appear in person at the school shall not be considered in determining consecutive days for purposes  
27 of this subsection.

28 (c) When substituting for a part-time teacher, the part of the day worked by the substitute shall  
29 count as a full day in determining consecutive days for purposes of this subsection.

30 **(4) For the purpose of calculations made under this section, a school district that has a**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.  
New sections are in **boldfaced** type.

1 **class schedule based on a four-day week must multiply the daily minimum salary computed**  
2 **under subsection (1) of this section by 1.25.**

3 [(4)] (5) Subsections (1) to [(3)] (4) of this section do not apply to substitute teachers represented  
4 in a bargaining unit in the school district by which they are employed.

5 **SECTION 2. The amendments to ORS 342.610 by section 1 of this 2009 Act first apply to**  
6 **the 2009-2010 school year.**

7 **SECTION 3. This 2009 Act being necessary for the immediate preservation of the public**  
8 **peace, health and safety, an emergency is declared to exist, and this 2009 Act takes effect**  
9 **July 1, 2009.**

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