

# Senate Bill 73

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Superintendent of Public Instruction Susan Castillo for Department of Education)

## 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**.

Calculates salary of substitute teacher based on salary for beginning teachers who hold master's degrees.

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]* **be**  
7 **paid per day at a rate that is at least 75** percent of 1/190th of the salary of a beginning teacher  
8 who holds a *[bachelor's]* **master's** degree. The salary of the substitute teacher shall be computed  
9 as required in this subsection based on the statewide average salary for beginning teachers who  
10 hold *[bachelor's]* **master's** degrees. The Department of Education shall compute the statewide av-  
11 erage salary to be used for purposes of this subsection, using the latest data available to the de-  
12 partment, but not data from earlier than the preceding school year.

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

17 (3)(a) Notwithstanding subsection (1) of this section, teachers employed as substitute teachers  
18 for more than 10 consecutive days in any one assignment for the same teacher shall *[not]* be paid  
19 after the 10th day of the assignment *[less]* per day *[than 100]* **at a rate that is:**

20 **(A) For districts without a salary scale, 90** percent of 1/190th of the statewide average salary  
21 computed in subsection (1) of this section *[for districts with no salary scale]; or,]*

22 **(B)** For districts with a salary scale, the higher of:

23 *[(A)]* **(i) 90 percent of** 1/190th of the employing school district's salary for a beginning teacher  
24 who holds a *[bachelor's]* **master's** degree; or

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

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

30 (c) When substituting for a part-time teacher, the part of the day worked by the substitute shall

**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 count as a full day in determining consecutive days for purposes of this subsection.

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

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

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

9

---