

Enrolled House Bill 2939

Sponsored by Representative DOHERTY; Representatives BARKER, BUCKLEY, FREDERICK, KOMP, MCLAIN, PARRISH, WEIDNER, WHISNANT, Senators DEMBROW, DEVLIN, HASS, MONROE, THATCHER (at the request of Oregon Substitute Teachers Association)

CHAPTER

AN ACT

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

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

SECTION 1. ORS 342.610 is amended to read:

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

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

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

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

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

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

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

(4) Notwithstanding subsections (1) and (3) of this section, if a school district has a class schedule based on a four-day week:

(a) The daily minimum salary computed under subsection (1) or (3) of this section must be multiplied by 1.125; and

(b) Calculations described in subsection (3) of this section must be made after a teacher has been employed as a substitute teacher for more than eight consecutive days in any one assignment for the same teacher.

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

SECTION 2. The amendments to ORS 342.610 by section 1 of this 2015 Act first apply to the 2015-2016 school year.

SECTION 3. This 2015 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2015 Act takes effect July 1, 2015.

Passed by House April 2, 2015

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Timothy G. Sekerak, Chief Clerk of House

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Tina Kotek, Speaker of House

Passed by Senate May 4, 2015

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Peter Courtney, President of Senate

Received by Governor:

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Approved:

.....M,....., 2015

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Kate Brown, Governor

Filed in Office of Secretary of State:

.....M,....., 2015

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Jeanne P. Atkins, Secretary of State