

House Bill 2939

Sponsored by Representative DOHERTY; Representatives BARKER, BUCKLEY, FREDERICK, KOMP, MCLAIN, PARRISH, WHISNANT, Senators DEMBROW, DEVLIN, HASS, MONROE, THATCHER (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 that has class schedule based on four-day week.

Declares emergency, effective July 1, 2015.

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*] **that** is no less than one-half of the daily minimum
14 salary [*as*] computed under subsection (1) of this section. However, if the substitute teacher is em-
15 ployed for 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
22 bachelor's degree; or

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

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

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

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

3 **(a) The daily minimum salary computed under subsection (1) or (3) of this section must**
4 **be multiplied by 1.25; and**

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

8 [(4)] **(5) [Subsections (1) to (3) of this section do] This section does not apply to substitute**
9 **teachers represented in a bargaining unit in the school district by which they are employed.**

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

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

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