



JANET BARRESI  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION  
STATE OF OKLAHOMA

## MEMORANDUM

**TO:** The Honorable Members of the State Board of Education

**FROM:** Janet Baressi

**DATE:** February 23, 2012

**SUBJECT:** Statutory Waiver for Noncertified Substitute Teachers

The following school is requesting a waiver of 70 O.S. § 6-105, which restricts total time a substitute teacher may be employed or the amount of time a substitute, who does not hold a valid certificate, may spend in the same assignment. This request is for the 2011-2012 school year. Approval is recommended.

<b>District</b>	<b>County</b>	<b>Duration of Waiver (Years)</b>
Strother Public School	Seminole (5)*	1

\* The number in the County category represents the Congressional District.  
See the attached map.

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Attachments

#### Section 144. Substitute Teachers - Military Leave for Teachers.

- A. If, because of sickness or other reason, a teacher is temporarily unable to perform regular duties, a substitute teacher may be employed for the position for the time of the absence. A substitute teacher shall be paid in an amount and under such terms as may be agreed upon in advance by the substitute teacher and the board of education or according to regulations of the board. If a teacher is absent for reason of personal business the school district shall deduct from the salary of the teacher only the amount necessary to pay the substitute.
- B. No substitute teacher shall be employed for a total period of time in excess of ninety (90) school days during a school year; or one hundred (100) school days during the school year if the substitute teacher holds a lapsed or expired certificate or has a bachelors level college degree; or no limit of school days during the school year if the substitute teacher holds a valid certificate. Except as provided in this section, a substitute teacher may not be employed for the same assignment for more than twenty (20) school days during a school year unless the substitute teacher holds a valid certificate.
- C. Substitute teachers who do not hold a valid certificate and who are employed to teach special education for students with physical disabilities or students with mental retardation shall not be subject to the restrictions on total time a substitute teacher may be employed or the restrictions on time in the same assignment if no certified teachers are available to teach such students and the students would be denied instruction in special education if the substitute teacher 152 were not employed. Beginning with the 2007-08 school year, any substitute teacher employed to teach special education for the same assignment for more than fifteen (15) consecutive or thirty (30) total school days during a school year who does not hold a valid certificate to teach special education shall be required to complete in-service training as prescribed by the State Board of Education. The training shall be provided at no cost to the substitute teacher. Availability of certified teachers shall be determined after the school has consulted the State Board of Education and any other resources for filling the vacant position with a certified teacher.
- D. A school district may request a waiver of the restrictions on total time a substitute teacher may be employed or the restrictions on time in the same assignment from the State Board of Education for a substitute teacher who does not hold a valid certificate. The school district shall submit evidence on the availability of certified substitute teachers and the qualifications of the substitute teacher. The Board shall develop procedures for the filing and processing of substitute teacher waivers pursuant to this subsection.
- E. Payment of salary to a substitute shall have no effect on the amount of salary to which the absent regular teacher is entitled under the applicable leave plan.
- F. Any substitute or cadet teacher employed in any school system on a monthly or annual basis shall hold a certificate and have a written contract in the manner and under the same conditions as for regular teachers.
- G. Teachers who are members of the Reserve Forces of the Army, the Navy, the Marine Corps, the Coast Guard, the Air Force, or any other component of the Armed Forces of the United States, including members of the Air or Army National Guard, shall, when ordered by the proper authority to active duty or service, be entitled to a leave of absence from such civil employment for the period of such active service without loss of status or efficiency rating and without loss of pay during the first thirty (30) days of such leave of absence.
- H. School districts in this state may contract with outside providers for the training and employment of substitute teachers. The State Board of Education shall promulgate guidelines to assist school districts in the sanctioning and approval of an outside provider in accordance with this section. (70-6-105)



ADMINISTRATION

Bob Gragg  
Superintendent  
(405) 382-4014  
Michael James  
Principal PK-12  
(405) 382-0982

**STROTHER PUBLIC SCHOOLS**

Independent District No. 14  
36085 EW 1140

Seminole, Oklahoma 74868  
Fax: (405) 382-3339

BOARD MEMBERS

Rhonda Coates, President  
Laura Kincade, Vice-President

Steve Shepherd, Clerk  
Tami Shelton, Member  
Justin Grego, Member

January 30, 2012

Superintendent Janet Barresi  
Oklahoma State Department of Education  
2500 North Lincoln Boulevard  
Oklahoma City, Oklahoma 73105-4599

Dear Superintendent Barresi,

Strother Public Schools is requesting a statutory waiver for one of our long-term certified substitute teachers to be the teacher of record in one of our elementary classes. She is currently assisting in that classroom under the direction of a teacher who is also assigned as the dean of students.

Misty L. Waller is the long-term certified substitute teacher, and she is scheduled to complete certification exams later this spring that will allow her to attain alternative certification as an elementary teacher. The approval of this waiver will allow us to move forward to allow this instructor to take more responsibility for the class and at the same time will free up some time in the school day for our dean of students to assist more students and teachers in behavior leadership.

We look forward to hearing from you regarding this statutory waiver for Strother Public Schools.

If you have further questions, please do not hesitate to call me at Strother School and/or by mobile @ 405.401-4902.

Sincerely,



Bob Gragg, Ph.D.  
Interim Superintendent  
Strother Public Schools

Attachments: Waiver requests  
Misty L. Waller college transcripts and teaching certification

OKLAHOMA STATE DEPARTMENT OF EDUCATION

ACCREDITATION DIVISION  
2500 North Lincoln Boulevard, Suite 210  
Oklahoma City, Oklahoma 73105-4599  
(405) 521-3333

SCHOOL SITE STATUTORY WAIVER/EXEMPTION APPLICATION  
FOR 20 11 - 20 12 SCHOOL YEAR

Name of Site(s): Strother Public Schools (Elementary 105)  
36085 EW 1140, Seminole, OK 74868-6213

Name of School District: Strother Public Schools I014

Signature of Principal(s):\* \_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_  
\_\_\_\_\_ Date \_\_\_\_\_

Signature of Superintendent:\* \_\_\_\_\_

County Name: Seminole County (#67)

I hereby certify that this deregulation application was approved by our  
local board of education at the meeting on February 13, , 20 12 .

\_\_\_\_\_  
Signature of Board President\*

Notary: \_\_\_\_\_

Date: \_\_\_\_\_ My Commission Expires: \_\_\_\_\_

**SDE USE ONLY**

PROJECT YEARS

1 of 1

ENROLLMENT

High School 100

Jr./Middle High 0

Elementary 270

District Total 370

Date Received \_\_\_\_\_

70 O.S. \_\_\_\_\_

**1. Statement of the Statute to be Waived: (specify statutory citation)**

Alternative Placement Program (70 O.S. Paragraph 6-122.3); and Long-Term Substitute Teacher (70 O.S. Paragraph 6-105).  
Specifically: Length of assignment for a certified long-term substitute teacher holding a valid certificate in physical education/  
health and safety education, pending state examinations to become alternatively certified as a highly qualified elementary education  
teacher. (Exams are scheduled later in the spring semester 2012)  
(Misty L. Waller, Oklahoma Teaching Certificate #410074, Valid 11/1/2011 through 6/30/2014)

\*Original signatures are required.

A. A description of the educational benefits to be derived (i.e., describe specific benefits to learning/achievement).

The long-term substitute teacher has a bachelors degree, has considerable work experience as a paraprofessional classroom teacher's assistant, along with having served as a substitute teacher, a mother of three and has been a home-school parent. She is currently assisting in the instructional delivery in an elementary class at Strother School with the designated "Dean of Students" serving as the teacher of record. The teacher has demonstrated a high level of competency and character as a professional educator. The waiver will allow this teacher to be the teacher of record, and will allow the dean of students to devote more time to the whole elementary school educational and disciplinary climate.

B. A definition of the standards of the plan (i.e., alternate strategies proposed).

The alternatively certified long-term substitute teacher has a plan to become certified as an elementary teacher. She is scheduled and registered to take the remaining certification tests later this spring. She seeks to be a professional educator in all aspects of teaching. She works with the teacher of record on a daily basis, and she also works with other very highly qualified elementary teachers and the instructional principal of the district. She has a teacher mentor three doors away, and the mentor teacher is highly qualified with a masters degree and almost 20 years of teaching experience.

C. Development of definitive work products, such as site improvement plans and progress reports (i.e., describe the expected student performance levels to be demonstrated or results of the Statutory Waiver).

Students in this particular classroom have been on an accelerated academic achievement level during the first semester, having particular assistance from this long-term substitute teacher and the teacher of record. We believe that this level of performance will continue, while the teacher of record will be freed to spend more quality time with all students and provide added structure and support to the elementary school in student behavior, which directly correlates with student achievement.

D. Demonstration of collaboration of teachers, administrators, higher education representatives, students, parents/families, and the community.

Misty L. Waller, has demonstrated a professional level as a teaching assistant, as a substitute teacher, a parent, community member and now as a long-term certified substitute teacher. The collaboration of teachers is evident at this site, and as stated previously it includes an active working relationship with other full-time teachers and teaching assistants, with a mentor-teacher, with the Elementary School Dean of Students/ Teacher of Record, and with the School Principal.

E. Development and the use of an assessment mechanism to determine progress in meeting the goals and objectives of the plan (i.e., method of evaluation).

Informal evaluation occurs on a daily and weekly basis through the collaboration with the long-term substitute teacher, the teacher of record and the mentor teacher. In addition, the school principal conducts walk through observations and formal/informal observation and evaluations using the districts teacher evaluation models for teacher effectiveness. These include pre-conference and post-conference evaluation assessments.

F. Development of an in-service training plan to be provided to personnel at the site who will participate in the projects.

The instructor is following a plan to attain alternative certification as an elementary teacher, and will take the remaining two exams as required, prior to June 30, 2012.

G. Report on the results of the plan to the State Board of Education and provision of appropriate technical assistance to other school districts and the State Department of Education as required (i.e., describe how you will report to the State Board of Education annually).

Progress and reports as appropriate and necessary will be provided to the State Department of Education through communication with the local SDE Regional Accrediting Officer. In addition the results of the pending certification exams will be shared with the local board of education, and noted on future district accreditation reports.

H. Explanation of how the plan will affect other schools, programs or sites in the district.

The plan will serve as a model for other degreed substitute teachers to begin a process of attaining teaching certification through the alternative certification processes.

I. Period of public review on the proposed plan.

There is no planned period of formal public review associated with this waiver request. The informal public review is an ongoing dialog with the parents of the students enrolled in the classes that are associated with this instructors assignments.



J. Notification and comments from the district bargaining agent, or if no bargaining agent exists, the teachers directly affected.

This district does not have an active bargaining unit. There is a collaborative-communicative negotiations agreement on file, with the local teachers through an affiliation with the Professional Oklahoma Educators association (Strother POE). The Strother teachers and professional staff are supportive of helping all students attain and achieve at a high level of academic performance/ achievement.

K. All comments, recommendations and objections made by the bargaining agent and others to the local board of education shall be forwarded to the State Board of Education for consideration prior to review of the plan.

There are no known objections to this waiver request.

L. Timeline for implementing the Statutory Waiver, specifying the period requested.

The current year accreditation period (2011-2012).



State Superintendent of Public Instruction

*Oklahoma State Department of Education Teaching Certificate*

The State Board of Education certifies and authorizes Misty L. Waller to serve in the accredited schools of Oklahoma as indicated below.

Teacher #:410074	Degree: Bachelor's Degree	Class: Teaching Credential	Certification Background Clearance: 10/20/2011		
Area Description	Level	Valid	Level	Valid	Expire
2019 PHYSICAL EDUCATION/HEALTH/SAFETY	PK-12	11/1/2011	6/30/2014	Area Description	
*****NO ENTRIES BELOW THIS LINE*****					
*****NO ENTRIES BELOW THIS LINE*****					