



JANET BARRESI  
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION  
STATE OF OKLAHOMA

MEMORANDUM

**TO:** The Honorable Members of the State Board of Education  
**FROM:** Janet Barresi *JB*  
**DATE:** September 25, 2014  
**SUBJECT:** Deregulation for Planning Period

The following school is requesting deregulation from OAC 210:35-5-42 and OAC 210:35-9-43 for the 2014-2015 school year. This request allows teachers to voluntarily teach an additional class during their planning period with stipends being paid. Approval is recommended.

<b>District</b>	<b>County</b>	<b>Alternative Means</b>	<b>Previous Years Requested</b>
Bridge Creek	Grady* (4)	Five teachers will teach during their planning period. They will be compensated.	8
Burns Flat Dill City	Washita* (3)	One teacher will teach during their planning period. They will be compensated.	9
Dewar	Okmulgee* (2)	One teacher will teach during their planning period. They will be compensated.	3
Gracemont	Caddo* (3)	One teacher will teach during their planning period. They will be compensated.	3



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Jones	Oklahoma* (5)	One teacher will teach during their planning period. They will be compensated.	12
Lukfata	McCurtain* (2)	Two teachers will teach during their planning periods. They will be compensated.	2
Marietta	Love* (4)	One teacher will teach during their planning period. They will be compensated.	1
Mid-Del Kerr Middle	Oklahoma* (5)	One teacher will teach during their planning period. They will be compensated.	1
Mid-Del Monroney Middle	Oklahoma* (5)	Two teachers will teach during their planning period. They will be compensated.	2
Mid-Del High School	Oklahoma* (5)	One teacher will teach during their planning period. They will be compensated.	1
Ponca City East Middle	Kay* (3)	One teacher will teach during their planning period. They will be compensated.	2
Ponca City High School	Kay* (3)	One teacher will teach during their planning period. They will be compensated.	2
Ringling	Jefferson* (4)	Four teachers will teacher during their planning period.	1



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They will be compensated.

Stigler	Haskell* (1)	Two teachers will teach during their planning period. They will be compensated.	1
Stilwell	Adair* (2)	One teacher will teach during their planning period. They will be compensated.	1

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

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Attachments

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discovered during the course of the proceedings that the person is an employee of a school district.

(13)

### **70 O.S. § 6-101.22 – Reasons for Dismissal of Career Teachers**

*F. A teacher may be dismissed, refused employment or not reemployed after a finding that such person has engaged in criminal sexual activity or sexual misconduct that has impeded the effectiveness of the individual's performance of school duties. As used in this subsection:*

1. "Criminal sexual activity" means the commission of an act as defined in Section 886 of Title 21 of the Oklahoma Statutes, which is the act of sodomy; and
2. "Sexual misconduct" means the soliciting or imposing of criminal sexual activity.

H. A school district shall notify the State Board of Education within ten (10) days of the dismissal or nonreemployment of a probationary or career teacher for reasons outlined in subsection F of this section.

(13)

### ADDITIONAL STANDARDS FOR ELEMENTARY SCHOOLS

#### **210:35-5-41. Early childhood staffing and class size**

The number of children in an early childhood education class shall not exceed 20. The child:adult ratio shall not exceed 10:1. Any enrollment that exceeds 10 shall require the employment of a teacher assistant.

(92)

#### **210:35-5-42. Elementary School Class Size**

##### **(a) Kindergarten**

*For the purpose of computing and paying state appropriated funds, children in kindergarten shall not be assigned to a teacher or class that includes more than 20 students. If the creation of an additional class would cause the class to have fewer than 10 students, class size limitations shall not apply if a teacher's assistant is employed to serve full-time with each class which exceeds the class size limitation.*

##### **(b) Grades One, Two, and Three**

*For the purpose of computing and paying state-appropriated funds, children in Grades 1, 2, and 3 shall not be assigned to a teacher or class that includes more than 20 students. If the creation of an additional class would cause the class to have fewer than 10 students, class size limitations shall not apply if a teacher's assistant is employed to serve full-time with each class which exceeds the class size limitation.*

##### **(c) Grades Four, Five, and Six**

*For the purpose of computing and paying state-appropriated funds, children in Grades 4, 5, and 6 shall not be assigned to a teacher of a class that includes more than 20 students. If the creation of an additional class would cause the class to have fewer than 16 students, the class size penalty shall not apply. [70 O.S. § 18-113.1 (B)] For the purpose of computing and paying state-appropriated funds, if a school district groups its grades*

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as Grades 1 through 5, Grades 6 through 8, and Grades 9 through 12, then as to such district the class size provisions of (c) (1) of this section shall apply to Grades 4 and 5 rather than Grades 4 through 6 and the class size provisions of (d) (1) of this section shall apply to Grades 6 through 8 rather than Grades 7 through 9. [70 O.S. § 18-113.1 (D)]

(d) **Grades Seven and Eight**

No teacher who is counted in class size computation for Grades 7 and 8 shall be responsible for the instruction of more than 140 students on any given 6-hour school day. [70 O.S. § 18-113.3 (C)]

(e) **Physical Education, Chorus, Band, Orchestra, other similar Music classes.** Classes in Physical Education, Chorus, Band, Orchestra, and other similar music classes shall not be subject to the class size limitations. [70 O.S. § 18-113.1 (C)]

(f) **Minimum scheduled time for planning and/or preparation and consultation.** A minimum of 200 minutes of scheduled time shall be provided each week for each classroom teacher for individual planning and/or preparation and consultation. (98)

### 210:35-5-43. Administrative staffing

In order to permit the principal to have sufficient time to engage in improvement of instruction in the school, adequate administrative staffing is required. (92)

### 210:35-5-44. Counselor staffing

The school shall provide for guidance services. Such services may be provided by a guidance counselor or other personnel specially trained in the area of guidance. (92)

### 210:35-5-45. Qualifications

(a) **Teachers**

All elementary teachers shall meet the regular elementary certification standards of the state of Oklahoma for their specific assignments.

(1) Teachers of early childhood or kindergarten classes shall hold a valid Early Childhood Education License/Certificate.

(2) Teachers of first through third grade shall hold either a valid Early Childhood Education (PK-3) or a valid Elementary License/Certificate (1-8).

(3) Elementary Licenses/Certificates are valid for grades seven and eight in the elementary schools with the exception of seventh and eighth grade mathematics. Teachers of seventh or eighth grade mathematics are required to have intermediate mathematics certification or advanced/secondary mathematics certification. Secondary and elementary-secondary certified teachers in grades seven and eight in an accredited elementary school shall hold a credential in each subject area to be taught.

(b) **Specialists**

Specialists such as **library media specialists** (librarians), **reading specialists**, **guidance counselors**, **school psychologists**, and **speech-language pathologists** shall meet the certification requirements of the state of Oklahoma.

(1) School counselors shall hold a valid Oklahoma School Counselor Certificate appropriate for the grade levels to which they are assigned.

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- (2) All **athletic coaches** being assigned coaching duties shall have completed a course in the care and prevention of athletic injuries.
- (3) All **coaches** and **athletic directors** shall be employed by the school district and shall hold a valid teaching certificate. Their names shall appear on the class schedule.
- (c) **Principal or assistant principal**  
The principal or assistant principal shall hold a valid Oklahoma Elementary Principal's Certificate. A teaching principal or assistant teaching principal shall have an Elementary Principal's Certificate, shall teach at the school site and organizational level where the administrative assignment occurs, and shall devote a portion of the day to administration and supervision. (07)

### ADDITIONAL STANDARDS FOR MIDDLE LEVEL SCHOOLS

MS 210:35-7-41. **Staffing: pupil/professional staff ratio**

- (a) *For the purpose of computing and paying state-appropriated funds, if a school district groups its grades as grades 1 through 5, grades 6 through 8, and grades 9 through 12, then as to such district the class size provisions for grades 7 through 9 in 70 O.S. § 18-113.3 shall apply to grade 6. [70 O.S. § 18-113.1 (D)]*
- (b) *No teacher who is counted in class size computation for Grades 6, 7, 8, and 9 shall be responsible for the instruction of more than 140 students on any given 6 hour school day. [70 O.S. § 18-113.3 (C)]*
- (c) *Classes in Physical Education, Chorus, Band, Orchestra, and other similar music classes shall not be subject to the class size limitations. [70 O.S. § 18-113.1 (C)]*
- (d) To enhance the safety of students enrolled in industrial arts/technology education/TechConnect classes, consideration should be given to the facilities and only the number of students equal to the work stations shall be enrolled. No more than 24 students shall be assigned to any class.
- (e) A minimum of 200 minutes of scheduled time shall be provided each week for each classroom teacher for individual planning and/or preparation and consultation. (00)

210:35-7-42. **Administrative staffing**

In order to permit the principal to have sufficient time to engage in the improvement of instruction in the school, adequate administrative staffing is required. If a full-time principal administers more than one site, the combined enrollment at the sites should not exceed 450 students. (92)

210:35-7-43. **Counselor staffing**

All students will receive counseling and guidance services from certified school counselors. The guidance program shall provide one counselor for a maximum of 450 students, with no school district having less than one half-time counselor, with one exception: districts with fewer than 225 students may prorate the number of hours per week a certified school counselor is required by dividing the number of students enrolled by 450 and multiplying the quotient by 30. (05)

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### 210:35-7-44. Staff qualifications

- (a) Each teacher assigned to teach in an accredited middle level school must hold an Elementary Certificate, or Elementary-Secondary or Secondary Certificate, Library Media Specialist (Librarian) or Speech-Language Pathology License/Certificate with a credential in the area to be taught. Teachers of seventh or eighth grade mathematics are required to have intermediate mathematics certification or advanced/secondary mathematics certification. Teachers holding an Elementary Certificate shall be eligible to teach only Grades 7 and 8 in an accredited junior high school. Teachers teaching in the ninth grade must hold a secondary credential in the specific subject taught. Any teacher with certification or endorsement to teach mathematics at the secondary level may teach mathematics in grade five.
- (1) Teachers of **exploratory subjects**, work experience, precareer/career technology, and other subjects must hold a valid certificate for the respective field issued by the State of Oklahoma.
- (b) **School counselors** shall hold a valid Oklahoma School Counselor Certificate appropriate for the grade levels to which they are assigned.
- (c) The **library media specialist** (librarian) shall hold a valid Oklahoma Library Media Specialist (Librarian) Certificate.
- (d) The **middle school principal** or **assistant principal** shall hold a valid Oklahoma Elementary or Secondary Principal's Certificate. The junior high principal or assistant principal shall hold a valid Oklahoma Middle Level Principal's Certificate or Secondary Principal's Certificate. A teaching principal or assistant teaching principal shall have a Principal's Certificate appropriate to the grade level of the school; shall teach at the school site and organizational level where the administrative assignment occurs; and shall devote a portion of the day to administration and supervision.
- (e) All **athletic coaches** being assigned coaching duties shall have completed a course in the care and prevention of athletic injuries.
- (f) All **coaches** and **athletic directors** shall be employed by the school district and shall hold a valid teaching certificate. Their names shall appear on the class schedule. (07)

### ADDITIONAL STANDARDS FOR SECONDARY SCHOOLS

#### HS 210:35-9-41. Staffing: pupil/professional staff ratio

- (a) *No teacher who is counted in class size computation for Grades 9, 10, 11, and 12 shall be responsible for the instruction of more than 140 students on any given 6 hour school day. [70 O.S. §18-113.3 (C)]*
- (b) *Classes in Physical Education, Chorus, Band, Orchestra, and other similar music classes shall not be subject to the class size limitations. [70 O.S. §18-113.1 (C)]*
- (c) To enhance the safety of students enrolled in industrial arts/technology education classes, consideration should be given to the facilities and only the number of students equal to the work stations shall be enrolled. No more than 24 students shall be assigned to any class.



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