

**STATE BOARD OF EDUCATION – ADMINISTRATIVE RULE SUMMARY****Title/OAR #: First Reading**—Minimum Pay For Substitute Teachers/ 581-005-0001**Date:** January 21, 2016**Staff/Office:** Jan McComb, Office of the Deputy Superintendent **New Rule**     **Amend Existing Rule**     **Repeal Rule****Hearing Date:** 1-22-16     **Hearings Officer Report Attached****Prompted by:**  **State law changes**     **Federal law changes**     **Other****Action Requested:** **First Reading/Second Reading**     **Adoption**     **Adoption/Consent**  
**Agenda**

**PROPOSED/AMENDED RULE SUMMARY:** Repeal the rule that sets for the minimum salary pay for substitute teachers and instead, post salary on the State School Funding website.

**BACKGROUND:** The minimum pay for a substitute teacher is set forth in state law. Substitutes shall not be paid less per day than 85% of the 1/190<sup>th</sup> of the salary of a beginning teacher who holds a bachelor’s degree. This pay is based on the statewide average salary for beginning teachers who hold bachelor’s degrees. The Department of Education does the calculation.

ODE originally sent districts this calculation each year by updating the administrative rule. The administrative rule process is lengthy and cumbersome, however. In 2000, the department began sending the districts the information via numbered memo. In 2010, the department switched to posting the salary information on its State School Fund web page, a site regularly consulted by districts. The administrative rule was never repealed. Repealing the rule is a housekeeping change that eliminates potentially conflicting information about substitute teacher salaries. It also frees up an entire division for new administrative rules, as this rule was its only rule.

**ISSUES/CONCERNS THAT SURFACED DURING RULE WORK:****CHANGED SINCE LAST BOARD MEETING?** (so members can focus on what’s different) N/A; first read—hasn’t been before board No; same as last month Yes – As follows:

Example: In response to public comment, the effective date was pushed back from February 2010 to September 2010.

**FISCAL IMPACT:** None.**EFFECT OF YES VOTE:** Repeals unnecessary, potentially confusing rule.**EFFECT OF NO VOTE:** Outdated information will remain posted.**STAFF RECOMMENDATION:**

- Adopt administrative rule as prepared this month
- Adopt administrative rule next month
- No recommendation at this time (rarely used)

**DIVISION 5**

**MINIMUM PAY FOR SUBSTITUTE TEACHERS**

**581-005-0001**

**Minimum Pay for Substitute Teachers**

- ~~(1) This rule does not apply to substitute teachers represented in a bargaining unit in the school district by which they are employed.~~
- ~~(2) The minimum pay for a substitute teacher shall be \$116.75 per day during the period July 1, 1998 through June 30, 1999.~~
- ~~(3) For districts with no salary scale, the minimum salary for a substitute teacher employed for more than ten consecutive days in any one assignment for the same teacher is to be \$137.36 per day during the period July 1, 1998 to June 30, 1999.~~
- ~~(4) This rule shall be repealed June 30, 1999.~~

~~Stat. Auth.: ORS 342.610~~

~~Stats. Implemented: ORS 342.610~~

~~Hist.: 1EB 12 1978, f. 4 3 78, ef. 7 1 78; 1EB 3 1979, f. 3 30 79, ef. 7 1 79; 1EB 6 1980, f. & ef. 4 17 80; 1EB 9 1981, f. 4 1 81, ef. 7 1 81; 1EB 14 1982, f. 5 13 82, ef. 7 1 82; 1EB 4 1983, f. 5 3 83, ef. 7 1 83; 1EB 8 1984, f. 4 13 84, ef. 7 1 84; 1EB 12 1985, f. 3 29 85, ef. 7 1 85; 1EB 20 1986, f. 5 20 86, ef. 5 23 86; 1EB 36 1986, f. & ef. 8 7 86; EB 8 1987, f. & ef. 5 12 87; EB 25 1988, f. & cert. ef. 5 25 88; EB 17 1989, f. & cert. ef. 5 15 89; EB 33 1990, f. & cert. ef. 7 10 90; EB 9 1991, f. & cert. ef. 7 15 91; EB 20 1992, f. & cert. ef. 6 23 92; EB 23 1993, f. & cert. ef. 7 30 93; EB 8 1994, f. & cert. ef. 6 28 94; EB 21 1995, f. & cert. ef. 9 15 95; EB 15 1996, f. & cert. ef. 9 26 96; EB 5 1997, f. & cert. ef. 6 9 97; ODE 16 1998, f. & cert. ef. 10 12 98~~