



JANET BARRESI
STATE SUPERINTENDENT OF PUBLIC INSTRUCTION
STATE OF OKLAHOMA

MEMORANDUM

TO: The Honorable Members of the State Board of Education

FROM: Janet Barresi

DATE: August 21, 2014

SUBJECT: District Employees Serving With Expired Certificates

Annually, each school district in the state is required to submit a Certified Personnel Report to the State Board of Education. In monitoring records submitted to the agency, OSDE identified several individuals employed as certified personnel but serving with lapsed/expired certifications. The attached report details the information identified by SDE staff.

Title 70, Section 6-108 states, in relevant part, "it shall be unlawful for any person to serve, or to contract or agree to serve, as superintendent, elementary superintendent, principal, supervisor, librarian, school nurse, classroom teacher or other instructional, supervisory or administrative employee of a school district unless the person holds a valid certificate of qualification issued in accordance with the rules of the State Board of Education to perform the services the person performs or agrees to perform."

Further, Title 70 § 6-101(B) states:

"Except as otherwise provided by subsection J of this section and any other law, no board of education shall have authority to enter into any written contract with a teacher who does not hold a valid certificate issued or recognized by the State Board of Education authorizing said teacher to teach the grades or subject matter for which the teacher is employed. Any board of education paying or authorizing the payment of the salary of any teacher not holding a certificate, as required herein, shall be adjudged to be guilty of a fraudulent expenditure of public funds and members voting for such payment shall be held jointly responsible for the return of the amount of any public monies thus expended, upon suit brought by the district attorney or by any interested citizen in the district where such funds have been expended."



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The Department has taken steps to correct personnel reports submitted by the district, designating each individual as non-certified employees for the 2013-2014 school year. The Department has notified each district, in writing, and provided the information to each local district attorney, and the Teacher Retirement System.

This report is for information purposes only.