

ENGROSSED HOUSE
BILL NO. 2063

BY: HAGER of the HOUSE

and

WILLIAMS (Don) of the
SENATE

(SCHOOLS - AMENDING 70 O.S. 1991, SECTION

5-113.1 -

NEPOTISM)

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 1991, Section 5-113.1, is amended to read as follows:

Section 5-113.1 A. ~~Except as otherwise provided herein, no~~ No teacher or other employee of any school district may be employed if that teacher or employee is related to a member of the board of education within the ~~third~~ second degree of consanguinity or affinity; ~~provided, a.~~ a. A teacher or employee already under contract to or otherwise employed by the school district at the time a member of the board of education to whom such teacher or employee is so related assumes office shall be eligible to continue the employment; provided further, a teacher or employee already under contract to or otherwise employed by the school district or a board member already serving at the time the relationship is established may continue in said employment or service. No member of the board of education who has resigned from the board before his or her term has expired may be reappointed to the board to complete the remainder of his or her term if a teacher or employee related to the resigned member of the board within the ~~third~~ second degree of

consanguinity or affinity was put under contract or otherwise employed by the school district after the board member resigned. The State Board of Education may exempt a teacher or other employee of a school district from the provisions of this subsection upon written request from a local board of education. These prohibitions shall not apply to school districts until the terms of the current members of boards of education have expired.

B. No member of a board of education who is related to a teacher or other employee of the district within the ~~third~~ second degree of consanguinity or affinity shall attend or participate in any regular or executive session of the board held to consider any personnel matter or litigation relating to said teacher or employee. A member of a board of education who is related within the second degree of consanguinity or affinity to a teacher or other employee of the district who has been exempted from the provisions of this act by the State Board of Education, shall not vote to renew the employee's contract where the employee is directly and individually affected or when the employee's contract is included in the renewal of contracts for teachers or other employees as a group; provided however, the member may vote on the renewal of contracts as a group if the vote is necessary to form a quorum of the board of education members. If more than one member of the board of education is related to a teacher or employee, only the minimum number of these member(s) which is necessary to form a quorum shall be allowed to vote. Each board of education shall adopt a written policy establishing procedures on when such a member may vote on the renewal of contracts. Nothing herein shall be construed to make any person ineligible to become a candidate for the board of education.

~~B.~~ C. Any member of a board of education who violates the provisions of this section shall be subject to the penalties prescribed by Sections 485 and 486 of Title 21 of the Oklahoma Statutes.

Passed the House of Representatives the 9th day of March, 1992.

Speaker of the House of
Representatives

Passed the Senate the ____ day of _____, 1992.

President of the Senate