

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 3251

By: Pittman

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,
8 Section 5-107B, which relates to expansion of a board
9 of education; clarifying statutory language; and
10 declaring an emergency.

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

12 SECTION 1. AMENDATORY 70 O.S. 2001, Section 5-107B, is
13 amended to read as follows:

14 Section 5-107B. A. The board of education of a district with
15 an average daily membership (ADM) of more than thirty thousand
16 (30,000) students may be expanded to add a member who shall be
17 elected at large for a term of four (4) years and who shall serve as
18 chair of the board. The chair of the board position may be added
19 upon a majority vote of the district board of education to add the
20 position. If the board opts to add the chair of the board position,
21 the chair of the board shall be elected at the next regular election
22 of board members, held pursuant to Section 13A-103 of Title 26 of
23 the Oklahoma Statutes, following the decision of the board.
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1 B. The chair of the board of education shall possess the same
2 qualifications as required for other board members, shall assume
3 office as provided for other members of the board of education,
4 shall be a full, voting member of the board, and shall count for
5 purposes of a quorum or a majority, or other requirements based on
6 number of members on the board. The chair shall preside at all
7 meetings of the board of education in accordance with rules of
8 parliamentary procedure which have been adopted by a majority vote
9 of the board, provided that, in the absence of rules adopted by the
10 board, the chair shall determine and set forth the rules of
11 parliamentary procedure that shall apply at board meetings; assemble
12 and control the agenda for board meetings, provided that, upon
13 approval of a majority of the members of the board, an item shall be
14 placed on the agenda for the same or a subsequent meeting, in
15 accordance with the Oklahoma Open Meeting Act; appoint all
16 committees whose appointment is not otherwise provided for by law;
17 and shall sign all warrants ordered by the board of education to be
18 drawn upon the treasurer for school money. The chair of the board
19 shall possess all powers otherwise provided by law for a member of a
20 board of education, all powers provided by law for the president of
21 a board of education, and such other lawful powers as may be
22 conferred upon the chair by majority vote of the board. The chair
23 shall receive compensation and benefits as conferred upon other
24 members of the district board of education.

1 C. For a district in which a chair of the board has been
2 elected, the district board of education, during the meeting at
3 which the chair of the board assumes office, shall elect a vice-
4 chair who shall serve a one-year term and until a successor is
5 elected and qualified. The vice-chair shall perform all duties of
6 the chair of the board in case of the chair's absence or disability.
7 The board shall also elect clerks and deputies as provided in
8 Section 5-119 of this title. The board shall not elect a president
9 or vice president.

10 D. If a district board of education is expanded to include the
11 chair of the board position, the chair of the board position shall
12 not be abolished except by a majority vote of the voters of the
13 school district voting on such question at a special election called
14 for that purpose. The question may be presented only upon a
15 resolution adopted by three-fourths (3/4) of the board membership or
16 upon petition for an election on the question, that complies with
17 the requirements for petition and election set forth in Section 7-
18 101 of this title. If the question is approved, the chair of the
19 board position shall be abolished at the end of the term of the
20 chair who holds the office when the election is held or upon the
21 ~~chair's~~ resignation of the chair or vacancy of the office following
22 the election on the question.

23 SECTION 2. It being immediately necessary for the preservation
24 of the public peace, health and safety, an emergency is hereby

1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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