

1 STATE OF OKLAHOMA

2 1st Session of the 53rd Legislature (2011)

3 HOUSE BILL 2139

By: Steele

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5
6 AS INTRODUCED

7 An Act relating to schools; amending 70 O.S. 2001,
8 Section 3-101, as amended by Section 15, Chapter 375,
9 O.S.L. 2002 (70 O.S. Supp. 2010, Section 3-101),
10 which relates to the State Board of Education;
11 updating statutory language; providing an effective
12 date; and declaring an emergency.

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

14 SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-101, as
15 amended by Section 15, Chapter 375, O.S.L. 2002 (70 O.S. Supp. 2010,
16 Section 3-101), is amended to read as follows:

17 Section 3-101. A. The State Board of Education shall be the
18 governing board of the State Department of Education and shall
19 consist of seven (7) members. The State Superintendent of Public
20 Instruction shall be a member and the chairperson of ~~said~~ the Board.
21 The remaining six members shall be appointed by the Governor by and
22 with the advice and consent of the Senate. No person shall be
23 eligible to be appointed to serve on the State Board unless ~~said~~ the
24 person has been awarded a high school diploma or certificate of high

1 school equivalency. Any member appointed to the State Board after
2 the effective date of this act shall complete the workshop
3 requirements of a new school board member pursuant to Section 5-110
4 of this title within thirteen (13) months following or preceding the
5 appointment of the member. Notwithstanding any provision of law to
6 the contrary, the State Department of Education shall not charge any
7 member of the State Board of Education a fee for any workshop
8 provided by the Department for board members pursuant to Section 5-
9 110 of this title and shall not pay a fee to any organization or
10 institution of higher education on behalf of a member of the State
11 Board of Education, or reimburse any member of the Board for a fee
12 paid to any organization or institution of higher education, for
13 attendance at a workshop or courses to satisfy the requirements of
14 Section 5-110 of this title.

15 B. The Governor shall appoint one member to serve for one (1)
16 year; one member to serve for two (2) years; one member to serve for
17 three (3) years; one member to serve for four (4) years; one member
18 to serve for five (5) years; and one member to serve for six (6)
19 years. Said members shall serve until their successors are duly
20 appointed and qualified. Their successors shall be appointed for a
21 term of six (6) years, and thereafter the term of each member of
22 ~~said~~ the Board shall be six (6) years. An appointment shall be made
23 to take effect on April 2 of each year. Except for the State
24 Superintendent of Public Instruction, a member shall be appointed

1 from each congressional district, and any remaining members shall be
2 appointed from the state at large, not to exceed more than one
3 member from any one county, city or town. However, when
4 congressional districts are redrawn each member appointed prior to
5 July 1 of the year in which ~~such~~ the modification becomes effective
6 shall complete the current term of office and appointments made
7 after July 1 of the year in which ~~such~~ the modification becomes
8 effective shall be based on the redrawn districts. Appointments
9 made after July 1 of the year in which ~~such~~ the modification becomes
10 effective shall be from any redrawn districts which are not
11 represented by a board member until such time as each of the
12 modified congressional districts are represented by a board member.
13 No appointments may be made after July 1 of the year in which ~~such~~
14 the modification becomes effective if ~~such~~ the appointment would
15 result in more than two members serving from the same modified
16 district. Upon the occurrence of a vacancy the same shall be filled
17 by the Governor, subject to confirmation by the Senate at the next
18 session of the Legislature, ~~such~~ the appointments to be made for the
19 unexpired term.

20 C. Terms of the members shall be staggered so that only one
21 term expires each year. Each member of the Board shall receive
22 necessary traveling expenses while in the performance of ~~his duties~~
23 duty in accordance with the State Travel Reimbursement Act, ~~Section~~
24 ~~500.1 et seq. of Title 74 of the Oklahoma Statutes.~~

1 ~~Provided, that persons~~

2 D. Persons serving as members of the State Board of Education
3 on the effective date of this act shall continue to serve as members
4 of the State Board of Education for the terms for which they were
5 appointed.

6 SECTION 2. This act shall become effective July 1, 2011.

7 SECTION 3. It being immediately necessary for the preservation
8 of the public peace, health and safety, an emergency is hereby
9 declared to exist, by reason whereof this act shall take effect and
10 be in full force from and after its passage and approval.

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