STATE OF OKLAHOMA

2nd Session of the 54th Legislature (2014)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2696 By: Johnson

COMMITTEE SUBSTITUTE

An Act relating to schools; amending 70 O.S. 2011, Section 5-110, as last amended by Section 1, Chapter 17, O.S.L. 2013 (70 O.S. Supp. 2013, Section 5-110), which relates to educational requirements for school board members; making certain educational requirements optional for certain members; providing exception for certain types of instruction; amending 70 O.S. 2011, Section 5-110.1, as amended by Section 2, Chapter 192, O.S.L. 2012 (70 O.S. Supp. 2013, Section 5-110.1), which relates to continuing education requirements; making certain continuing education requirements optional for certain members; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-110, as last amended by Section 1, Chapter 17, O.S.L. 2013 (70 O.S. Supp. 2013, Section 5-110), is amended to read as follows:

Section 5-110. A. A school district elector who is elected or appointed to be a member of a school district board of education prior to January 1, 2014, shall obtain instruction on education issues in accordance with rules promulgated by the State Board of

Education. Except as provided in subsection B of this section, at the time a school district elector files a notification and declaration of candidacy for the office of school district board of education membership or is appointed to be a member of a school district board of education on or after January 1, 2014, the elector shall agree and pledge in writing that, within fifteen (15) months of election or appointment as a member of the district board of education, the member will complete at least twelve (12) hours of instruction on education issues in the following areas: school finance; legal issues, which include but are not limited to employment, due process, new laws, the Oklahoma Open Records Act and the Oklahoma Open Meeting Act; and duties and responsibilities, which include but are not limited to special education and ethics, of district board of education members. Each elector shall agree and pledge in writing to complete at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a two-day workshop to be held within the state by the State Department of Education, by the Oklahoma Department of Career and Technology Education, or by attending workshops, seminars or classes which address the above-mentioned subject matter, and which are sponsored by any organization approved by the State Board of Education, including but not limited to

institutions of higher education. The State Board of Education shall promulgate rules by which an organization or particular courses offered by an organization may be approved for purposes of fulfilling the instructional requirements set out in this section.

B. When an incumbent of a district board of education files a notification and declaration of candidacy for reelection to the district board of education, the member shall be required to agree and pledge in writing that upon reelection the member will complete six (6) hours of instruction, within fifteen (15) months of election, including one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a workshop, class or seminar addressing the education issues set forth in subsection A of this section. <u>A member who has previously served a minimum of ten (10) years on a school district board of education shall not be required to agree and pledge to complete the instruction required in this subsection, except for the one (1) hour of instruction in ethics and any instruction covering any new laws or changes to laws enacted in the years prior to reelection, and may attend the other instruction at the option of the member.</u>

C. The State Department of Education shall, immediately after the annual elections of various district board of education members, determine the members of the district boards of education pledged to

complete the instructional requirements established in subsections A and B of this section, and shall notify the members of the time and place where workshops, classes and seminars are to be conducted. Upon completion of the instructional requirements, the certificate of completion shall be included in the public records of the school board's minutes. Each school board member, except for an incumbent member, shall be required within fifteen (15) months following or preceding election to complete the workshop established by subsection A of this section or to attend twelve (12) hours of other state workshops, classes or seminars conducted as instruction on the subjects of school finance, legal issues, and the ethics, duties and responsibilities of district board of education members, including at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics.

D. If a school board member, including an incumbent member, has not satisfied the instructional requirements as set forth in this section within fifteen (15) months of election, reelection or appointment, the district board of education shall declare the seat of the member vacant and fill the vacancy according to law. A school board member who is required to vacate a school board seat pursuant to this subsection shall be ineligible to be reappointed or to run for reelection to that respective board seat on the school district board of education or to run for election to any other

board seat on the board of education for a three-year period for three-member boards, for a four-year period for seven-member boards or for a five-year period for five-member boards.

E. All government departments, agencies and institutions of this state are directed to lend assistance as may be required by the State Department of Education for the proper conduct and administration of the workshops as authorized in subsection A of this section. The State Department of Education shall maintain a permanent record of each district board of education member who successfully completes a workshop and shall issue a certificate of completion to the member.

F. The State Department of Education, the Oklahoma Department of Career and Technology Education, and, upon approval of the State Board of Education, any organization or association representing district boards of education in this state are authorized to charge persons pledged to attend a workshop, class or seminar for purposes of meeting the instructional requirements of this section, a registration fee sufficient to defray the estimated costs of presenting the workshop, class or seminar and to collect the fees at the time of registration.

G. Any member of a district board of education or any individual elected, certified as the elected member by the county election board, but not sworn in and seated as a member of a district board of education at the time of a workshop, class or

seminar presented by the State Board of Education, the Oklahoma Department of Career and Technology Education, or an organization or association representing district boards of education within the state who attends and successfully completes a workshop, class or seminar as required by subsection A or B of this section shall be reimbursed by the school district in accordance with the travel reimbursement policy of the district.

SECTION 2. AMENDATORY 70 O.S. 2011, Section 5-110.1, as amended by Section 2, Chapter 192, O.S.L. 2012 (70 O.S. Supp. 2013, Section 5-110.1), is amended to read as follows:

Section 5-110.1 A. In addition to the requirements of Section 5-110 of this title, every member of a school district board of education elected to a full term of office of five (5) years or more shall be required to attend a minimum of fifteen (15) hours of continuing education, each member elected to a full four-year term of office shall be required to attend a minimum of twelve (12) hours of continuing education, and each member elected to a full three-year term of office shall be required to attend a minimum of nine (9) hours of continuing education, prior to the date set for filing for reelection to that respective board seat. The continuing education courses, workshops, seminars, conferences, and conventions which shall satisfy the continuing education requirement shall be approved jointly by the State Department of Education and the Oklahoma Department of Career and Technology Education.

B. Local and state continuing education programs conducted pursuant to the provisions of this section shall be held in all regions of the state at institutions of higher learning, area technology centers or other approved sites. Notice of such courses and seminars shall be provided to all school board members and to the public schools.

C. ~~This section shall not apply to those school board members who file for reelection prior to July 1, 1991~~ A member who has previously served a minimum of ten (10) years on a school district board of education shall not be required to complete the minimum number of hours of continuing education as set forth in subsection A of this section but may attend the continuing education at the option of the member.

D. Failure by a board member to satisfy the continuing education requirements of this section shall result in the ineligibility of the member to be reappointed or run for reelection to that respective board seat on the school district board of education or to run for election to any other board seat on the board of education for a three-year period for three-member boards, for a four-year period for seven-member boards or for a five-year period for five-member boards.

E. The State Department of Education, the Oklahoma Department of Career and Technology Education, and any organization approved by the State Board of Education, including but not limited to

institutions of higher education, may charge persons attending continuing education courses a registration fee sufficient to defray the estimated costs of presenting the course. The registration fees for each course shall be announced prior to the date of such course.

F. Any member of a school district board of education who attends and completes a course which satisfies in part or in full the requirements of this section shall be reimbursed by the school district for expenses incurred. In addition, a school district board of education may reimburse members of the board of education for expenses incurred in registering and attending board member training programs or activities approved by the board which are in addition to the minimum school board training requirements established by law.

SECTION 3. This act shall become effective November 1, 2014.

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