

1 **SENATE FLOOR VERSION**

2 February 25, 2013

3 SENATE BILL NO. 91

By: Fields of the Senate

4 and

5 Casey of the House

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7  
8 An Act relating to school district boards of  
9 education; amending 70 O.S. 2011, Section 5-110, as  
10 last amended by Section 4, Chapter 354, O.S.L. 2012  
11 (70 O.S. Supp. 2012, Section 5-110), which relates to  
12 instructional requirements for new board members;  
13 requiring instruction in certain areas for members  
14 elected or appointed after a certain date; providing  
15 an effective date; and declaring an emergency.

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

17 SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-110, as  
18 last amended by Section 4, Chapter 354, O.S.L. 2012 (70 O.S. Supp.  
19 2012, Section 5-110), is amended to read as follows:

20 Section 5-110. A. A school district elector who is elected or  
21 appointed to be a member of a school district board of education  
22 prior to January 1, 2014, shall obtain instruction on education  
23 issues in accordance with rules promulgated by the State Board of  
24 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

1 education membership or is appointed to be a member of a school  
2 district board of education on or after January 1, 2014, the elector  
3 shall agree and pledge in writing that, within fifteen (15) months  
4 of election or appointment as a member of the district board of  
5 education, the member will complete at least twelve (12) hours of  
6 instruction on education issues, ~~including~~ in the following areas:  
7 school finance, ~~Oklahoma education laws~~; legal issues, which  
8 include but are not limited to employment, due process, new laws,  
9 the Oklahoma Open Records Act and the Oklahoma Open Meeting Act; and  
10 ~~ethics~~, duties and responsibilities, which include but are not  
11 limited to special education and ethics, of district board of  
12 education members. ~~This requirement~~ Each elector shall agree and  
13 pledge in writing to complete at least one (1) hour of instruction  
14 in school finance, one (1) hour of instruction in the Oklahoma Open  
15 Records Act and the Oklahoma Open Meeting Act and one (1) hour of  
16 instruction in ethics. The remaining hours may be satisfied by  
17 attending a two-day workshop to be held within the state by the  
18 State Department of Education, by the Oklahoma Department of Career  
19 and Technology Education, or by attending workshops, seminars or  
20 classes which address the above-mentioned subject matter, and which  
21 are sponsored by any organization approved by the State Board of  
22 Education, including but not limited to institutions of higher  
23 education. The State Board of Education shall promulgate rules by  
24 which an organization or particular courses offered by an

1 organization may be approved for purposes of fulfilling the  
2 instructional requirements set out in this section.

3 B. When an incumbent of a district board of education files a  
4 notification and declaration of candidacy for reelection to the  
5 district board of education, the member ~~shall not be required to~~  
6 ~~comply with the provisions of subsection A of this section but shall~~  
7 be required to agree and pledge in writing that upon reelection the  
8 member will complete six (6) hours of instruction, within fifteen  
9 (15) months of election, ~~emphasizing changes in school law,~~  
10 ~~particularly changes in the areas~~ including one (1) hour of  
11 instruction in school finance, one (1) hour of instruction in the  
12 Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one  
13 (1) hour of instruction in ethics. The remaining hours may be  
14 satisfied by attending a workshop, class or seminar addressing the  
15 education issues set forth in subsection A of this section.

16 C. The State Department of Education shall, immediately after  
17 the annual elections of various district board of education members,  
18 determine the members of the district boards of education pledged to  
19 complete the instructional requirements established in subsections A  
20 and B of this section, and shall notify the members of the time and  
21 place where workshops, classes and seminars are to be conducted.  
22 Upon completion of the instructional requirements, the certificate  
23 of completion shall be included in the public records of the school  
24 board's minutes. Each school board member, except for an incumbent

1 member, shall be required within fifteen (15) months following or  
2 preceding election to complete the workshop established by  
3 subsection A of this section or to attend twelve (12) hours of other  
4 state workshops, classes or seminars conducted as instruction on the  
5 subjects of school finance, ~~the Oklahoma School Code and related~~  
6 ~~laws~~ legal issues, and the ethics, duties and responsibilities of  
7 district board of education members, including at least one (1) hour  
8 of instruction in school finance, one (1) hour of instruction in the  
9 Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one  
10 (1) hour of instruction in ethics.

11 D. If a school board member, including an incumbent member, has  
12 not satisfied the instructional requirements as set forth in this  
13 section within fifteen (15) months of election, reelection or  
14 appointment, the district board of education shall declare the seat  
15 of the member vacant and fill the vacancy according to law. A  
16 school board member who is required to vacate a school board seat  
17 pursuant to this subsection shall be ineligible to be reappointed or  
18 to run for reelection to that respective board seat on the school  
19 district board of education or to run for election to any other  
20 board seat on the board of education for a three-year period for  
21 three-member boards, for a four-year period for seven-member boards  
22 or for a five-year period for five-member boards.

23 E. All government departments, agencies and institutions of  
24 this state are directed to lend assistance as may be required by the

1 State Department of Education for the proper conduct and  
2 administration of the workshops as authorized in subsection A of  
3 this section. The State Department of Education shall maintain a  
4 permanent record of each district board of education member who  
5 successfully completes a workshop and shall issue a certificate of  
6 completion to the member.

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

16 G. Any member of a district board of education or any  
17 individual elected, certified as the elected member by the county  
18 election board, but not sworn in and seated as a member of a  
19 district board of education at the time of a workshop, class or  
20 seminar presented by the State Board of Education, the Oklahoma  
21 Department of Career and Technology Education, or an organization or  
22 association representing district boards of education within the  
23 state who attends and successfully completes a workshop, class or  
24 seminar as required by subsection A or B of this section shall be

1 reimbursed by the school district in accordance with the travel  
2 reimbursement policy of the district.

3 SECTION 2. This act shall become effective July 1, 2013.

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

8 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION  
9 February 25, 2013 - DO PASS

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