

OKLAHOMA STATE SENATE  
CONFERENCE  
COMMITTEE REPORT

May 3, 2011

Mr. President:

Mr. Speaker:

The Conference Committee, to which was referred

SB 435

By: Bingman et al of the Senate and Steele et al of the House

Title: Education Board - modifying appointments to the Board.

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Together with Engrossed House Amendments thereto, beg leave to report that we have had the same under consideration and herewith return the same with the following recommendations:

1. That the Senate recedes from all Amendments.
2. That the attached Conference Committee Substitute be adopted.

Respectfully submitted,

SENATE CONFEREES:

\_\_\_\_\_  
Bingman

\_\_\_\_\_  
Jolley

\_\_\_\_\_  
Ford

\_\_\_\_\_  
Eason McIntyre

\_\_\_\_\_  
Stanislowski

\_\_\_\_\_  
Sparks

HOUSE CONFEREES:

Conference Committee on Education

SB435 CCR A

Senate Action\_\_\_\_\_Date\_\_\_\_\_House Action\_\_\_\_\_Date\_\_\_\_\_

STATE OF OKLAHOMA

1st Session of the 53rd Legislature (2011)

CONFERENCE COMMITTEE SUBSTITUTE  
FOR ENGROSSED

SENATE BILL NO. 435

By: Bingman, Ford, David,  
Shortey and Holt of the  
Senate

and

Steele, Nelson and Wright  
of the House

CONFERENCE COMMITTEE SUBSTITUTE

An Act relating to the State Board of Education;  
amending 70 O.S. 2001, Section 3-101, as last amended  
by Section 3 of Enrolled House Bill No. 2139 of the  
1st Session of the 53rd Oklahoma Legislature, which  
relates to the membership of the State Board of  
Education; modifying appointments to the State Board;  
setting effective date of a term; providing for term  
of membership; providing for appointments to fill  
vacancies; providing for termination of the terms of  
certain persons; providing for appointments to fill  
certain vacancies; deleting certain appointment  
requirements; and deleting provision for the  
continuation of certain terms.

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

SECTION 1. AMENDATORY 70 O.S. 2001, Section 3-101, as  
last amended by Section 3 of Enrolled House Bill No. 2139 of the 1st  
Session of the 53rd Oklahoma Legislature, is amended to read as  
follows:

1       Section 3-101. A. The State Board of Education shall consist  
2 of seven (7) members. The State Superintendent of Public  
3 Instruction shall be a member and the chairperson of ~~said~~ the Board.  
4 The remaining six members shall be appointed by the Governor by and  
5 with the advice and consent of the Senate. Except as otherwise  
6 provided for in subsection B of this section, upon assuming office  
7 each Governor shall appoint one member from each congressional  
8 district and one member from the state at-large. Each appointment  
9 shall be made to take effect on April 2. The terms of each  
10 appointed member shall be four (4) years. Appointed members shall  
11 serve until a successor is appointed. Appointed members shall serve  
12 at the pleasure of the Governor. Upon the occurrence of a vacancy  
13 the same shall be filled by the Governor, subject to confirmation by  
14 the Senate at the next session of the Legislature. The appointment  
15 to fill a vacancy shall be made for the unexpired term.

16       B. On the effective date of this act, all appointed positions  
17 of the current State Board of Education shall be deemed vacant and  
18 the terms of persons serving on the Board shall be deemed  
19 terminated. The Governor shall make initial appointments pursuant  
20 to the provisions of this subsection within thirty (30) days of the  
21 effective date of this act, with one member appointed from each  
22 congressional district and one member appointed from the state at-  
23 large. The appointments shall be subject to confirmation by the  
24 Senate at the next session of the Legislature. The terms for

1 members appointed pursuant to this subsection shall terminate on  
2 April 2, 2015. Thereafter, members shall be appointed as provided  
3 for in subsection A of this section.

4 C. No person shall be eligible to be appointed to serve on the  
5 State Board unless ~~said~~ the person has been awarded a high school  
6 diploma or certificate of high school equivalency. Any member  
7 appointed to the State Board ~~after May 20, 1994,~~ shall complete the  
8 workshop requirements of a new school board member pursuant to  
9 Section 5-110 of this title within thirteen (13) months following or  
10 preceding the appointment of the member. Notwithstanding any  
11 provision of law to the contrary, the State Department of Education  
12 shall not charge any member of the State Board of Education a fee  
13 for any workshop provided by the Department for board members  
14 pursuant to Section 5-110 of this title and shall not pay a fee to  
15 any organization or institution of higher education on behalf of a  
16 member of the State Board of Education, or reimburse any member of  
17 the Board for a fee paid to any organization or institution of  
18 higher education, for attendance at a workshop or courses to satisfy  
19 the requirements of Section 5-110 of this title.

20 ~~The Governor shall appoint one member to serve for one (1) year;~~  
21 ~~one member to serve for two (2) years; one member to serve for three~~  
22 ~~(3) years; one member to serve for four (4) years; one member to~~  
23 ~~serve for five (5) years; and one member to serve for six (6) years.~~  
24 ~~Said members shall serve until their successors are duly appointed~~

~~and qualified. Their successors shall be appointed for a term of six (6) years, and thereafter the term of each member of the Board shall be six (6) years. An appointment shall be made to take effect on April 2 of each year. Except for the State Superintendent of Public Instruction, a member shall be appointed from each congressional district, and any remaining members shall be appointed from the state at large, not to exceed more than one member from any one county, city or town. However, when congressional districts are redrawn each member appointed prior to July 1 of the year in which such modification becomes effective shall complete the current term of office and appointments made after July 1 of the year in which such modification becomes effective shall be based on the redrawn districts. Appointments made after July 1 of the year in which such modification becomes effective shall be from any redrawn districts which are not represented by a board member until such time as each of the modified congressional districts are represented by a board member. No appointments may be made after July 1 of the year in which such modification becomes effective if such appointment would result in more than two members serving from the same modified district. Upon the occurrence of a vacancy the same shall be filled by the Governor, subject to confirmation by the Senate at the next session of the Legislature, such appointments to be made for the unexpired term.~~

~~Terms of the members shall be staggered so that only one term expires each year.~~

D. Members of the Board shall receive necessary traveling expenses while in the performance of their duties in accordance with the State Travel Reimbursement Act.

~~Provided, that persons serving as members of the State Board of Education on May 20, 1994, shall continue to serve as members of the State Board of Education for the terms for which they were appointed.~~

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