

1 ENGROSSED HOUSE
2 BILL NO. 3117

By: Newton of the House

3 and

4 Bice of the Senate
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7 An Act relating to boards of education; amending 70
8 O.S. 2011, Sections 5-110 and 5-110.1, as last
9 amended by Sections 2 and 3, Chapter 356, O.S.L. 2016
10 and 5-110.2, as amended by Section 4, Chapter 356,
11 O.S.L. 2016 (70 O.S. Supp. 2017, Sections 5-110, 5-
12 110.1 and 5-110.2), which relate to instruction and
13 continuing education for board members; modifying
14 time for declaring vacancies for failure to complete
15 requirements; specifying entity to send notice about
16 failure to complete requirements; providing statutory
reference; modifying time period for certain board
seat eligibility moratorium; specifying entity to
send certain notice; providing for determination by
State Board of Education; modifying time period for
certain board seat eligibility moratorium; expanding
notice requirement; allowing school board member
certain duration of time to complete continuing
education requirements; and providing an effective
date.

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

20 SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-110, as
21 last amended by Section 2, Chapter 356, O.S.L. 2016 (70 O.S. Supp.
22 2017, Section 5-110), is amended to read as follows:

23 Section 5-110. A. A school district elector who is elected or
24 appointed to be a member of a school district board of education

1 prior to January 1, 2014, shall obtain instruction on education
2 issues in accordance with rules promulgated by the State Board of
3 Education. Except as provided in subsection B of this section, at
4 the time a school district elector files a notification and
5 declaration of candidacy for the office of school district board of
6 education membership or is appointed to be a member of a school
7 district board of education on or after January 1, 2014, the elector
8 shall agree and pledge in writing that, within fifteen (15) months
9 of election or appointment as a member of the district board of
10 education, the member will complete at least twelve (12) hours of
11 instruction on education issues in the following areas: school
12 finance; legal issues, which include but are not limited to
13 employment, due process, new laws, the Oklahoma Open Records Act and
14 the Oklahoma Open Meeting Act; and duties and responsibilities,
15 which include but are not limited to special education and ethics,
16 of district board of education members. Each elector shall agree
17 and pledge in writing to complete at least one (1) hour of
18 instruction in school finance, one (1) hour of instruction in the
19 Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one
20 (1) hour of instruction in ethics. The remaining hours may be
21 satisfied by attending a two-day workshop to be held within the
22 state by the State Department of Education, by the Oklahoma
23 Department of Career and Technology Education, or by attending
24 workshops, seminars or classes which address the above-mentioned

1 subject matter, and which are sponsored by any organization approved
2 by the State Board of Education, including but not limited to
3 institutions of higher education. The State Board of Education
4 shall promulgate rules by which an organization or particular
5 courses offered by an organization may be approved for purposes of
6 fulfilling the instructional requirements set out in this section.

7 B. When an incumbent of a district board of education files a
8 notification and declaration of candidacy for reelection to the
9 district board of education, the member shall be required to agree
10 and pledge in writing that upon reelection the member will complete
11 six (6) hours of instruction, within fifteen (15) months of
12 election, including one (1) hour of instruction in school finance,
13 one (1) hour of instruction in the Oklahoma Open Records Act and the
14 Oklahoma Open Meeting Act and one (1) hour of instruction in ethics.
15 The remaining hours may be satisfied by attending a workshop, class
16 or seminar addressing the education issues set forth in subsection A
17 of this section.

18 C. The State Department of Education shall, immediately after
19 the annual elections of various district board of education members,
20 determine the members of the district boards of education pledged to
21 complete the instructional requirements established in subsections A
22 and B of this section, and shall notify the members of the time and
23 place where workshops, classes and seminars are to be conducted.
24 Upon completion of the instructional requirements, the certificate

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

12 D. If a school board member, including an incumbent member, has
13 not satisfied the instructional requirements as set forth in this
14 section within fifteen (15) months of election, reelection or
15 appointment, the district board of education shall declare the seat
16 of the member vacant within ~~thirty (30)~~ sixty (60) days of the final
17 date of receipt of that the member has to complete the requirements
18 as indicated by receipt of the certified notice that the member has
19 not completed the requirements from the State Board of Education as
20 provided for pursuant to Section 5-110.2 of this title and shall
21 fill the vacancy according to law. A school board member who is
22 required to vacate a school board seat pursuant to this subsection
23 and Section 5-110.2 of this title shall be ineligible to be
24 reappointed to, to run for reelection to or to hold that respective

1 board seat on the school district board of education or to run for
2 election to or to hold any other board seat on the board of
3 education for a ~~three-year~~ two-year period ~~for three-member boards,~~
4 ~~for a four-year period for seven-member boards or for a five-year~~
5 ~~period for five-member boards.~~

6 E. All government departments, agencies and institutions of
7 this state are directed to lend assistance as may be required by the
8 State Department of Education for the proper conduct and
9 administration of the workshops as authorized in subsection A of
10 this section. The State Department of Education shall maintain a
11 permanent record of the instructional hours and continuing education
12 hours earned for each district board of education member.

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

22 G. Any member of a district board of education or any
23 individual elected, certified as the elected member by the county
24 election board, but not sworn in and seated as a member of a

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

9 SECTION 2. AMENDATORY 70 O.S. 2011, Section 5-110.1, as
10 last amended by Section 3, Chapter 356, O.S.L. 2016 (70 O.S. Supp.
11 2017, Section 5-110.1), is amended to read as follows:

12 Section 5-110.1 A. In addition to the requirements of Section
13 5-110 of this title, every member of a school district board of
14 education elected to a full term of office of five (5) years or more
15 shall be required to attend a minimum of fifteen (15) hours of
16 continuing education, each member elected to a full four-year term
17 of office shall be required to attend a minimum of twelve (12) hours
18 of continuing education, and each member elected to a full three-
19 year term of office shall be required to attend a minimum of nine
20 (9) hours of continuing education, prior to the date set for filing
21 for reelection to that respective board seat. The continuing
22 education courses, workshops, seminars, conferences, and conventions
23 which shall satisfy the continuing education requirement shall be
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1 approved jointly by the State Department of Education and the
2 Oklahoma Department of Career and Technology Education.

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

9 C. This section shall not apply to those school board members
10 who file for reelection prior to July 1, 1991.

11 D. If a school board member has not satisfied the continuing
12 education requirements of this section, the school district board of
13 education shall declare the seat of the member vacant within ~~thirty~~
14 ~~(30)~~ sixty (60) days of the final date of receipt of that the member
15 has to complete the requirements as indicated by receipt of the
16 certified notice that the member has not completed the requirements
17 from the State Board of Education as provided for pursuant to
18 Section 5-110.2 of this title and shall fill the vacancy according
19 to law. ~~Failure~~ As determined by the State Board of Education
20 pursuant to Section 5-110.2 of this title, failure by a board member
21 to satisfy the continuing education requirements of this section
22 shall result in the ineligibility of the member to be reappointed
23 to, run for reelection to or to hold that respective board seat on
24 the school district board of education or to run for election to or

1 to hold any other board seat on the board of education for a ~~three-~~
2 ~~year~~ two-year period ~~for three-member boards, for a four-year period~~
3 ~~for seven-member boards or for a five-year period for five-member~~
4 ~~boards.~~

5 E. The State Department of Education, the Oklahoma Department
6 of Career and Technology Education, and any organization approved by
7 the State Board of Education, including but not limited to
8 institutions of higher education, may charge persons attending
9 continuing education courses a registration fee sufficient to defray
10 the estimated costs of presenting the course. The registration fees
11 for each course shall be announced prior to the date of such course.

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

21 SECTION 3. AMENDATORY 70 O.S. 2011, Section 5-110.2, as
22 amended by Section 4, Chapter 356, O.S.L. 2016 (70 O.S. Supp. 2017,
23 Section 5-110.2), is amended to read as follows:
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1 Section 5-110.2 The State Board of Education shall maintain
2 records of attendance by school board members at continuing
3 education events required pursuant to Sections 5-110 and 5-110.1 of
4 this title ~~and prior~~. Prior to the final opportunity for each
5 school board member who has not completed the continuing education
6 requirements to complete the same, the Board shall notify the school
7 board member and the school district superintendent by mail before
8 March 1 of each year of any final opportunity to complete these
9 requirements and the consequences of not completing the
10 requirements. Upon determining that a school board member did not
11 complete the continuing education requirements of Sections 5-110 or
12 5-110.1 within the respective period of time, the Board shall
13 immediately notify by certified mail the school ~~district~~ board of
14 ~~education~~ member and the school district superintendent ~~that~~ and
15 inform the member of the violation of the continuing education
16 requirements. The school board member shall have sixty (60) days
17 after the date of receipt of the certified notice to complete the
18 requirements. If the school board member ~~did~~ does not complete the
19 requirements ~~and that~~ by the end of the sixty-day time period, the
20 school district board of education is required to declare the seat
21 of that member vacant.

22 SECTION 3. This act shall become effective November 1, 2018.
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1 Passed the House of Representatives the 12th day of March, 2018.

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4 Presiding Officer of the House
of Representatives

5 Passed the Senate the ____ day of _____, 2018.

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8 Presiding Officer of the Senate