

1 STATE OF OKLAHOMA

2 1st Session of the 58th Legislature (2021)

3 SENATE BILL 157

By: Dossett (J.J.)

6 AS INTRODUCED

7 An Act relating to the State Board of Education;
8 amending 70 O.S. 2011, Section 3-101, which relates
9 to membership of the State Board of Education;
10 removing language directing that members serve at the
11 pleasure of the Governor; allowing the Governor to
12 remove a member for cause; providing an effective
13 date; and declaring an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-101, is
16 amended to read as follows:

17 Section 3-101. A. The State Board of Education shall consist
18 of seven (7) members. The State Superintendent of Public
19 Instruction shall be a member and the chairperson of the Board. The
20 remaining six members shall be appointed by the Governor by and with
21 the advice and consent of the Senate. Except as otherwise provided
22 for in subsection B of this section, upon assuming office each
23 Governor shall appoint one member from each congressional district
24 and one member from the state at large. Each appointment shall be
25 made to take effect on April 2. The term of each appointed member

1 shall be four (4) years. Appointed members shall serve until a
2 successor is appointed. ~~Appointed~~ The Governor may remove appointed
3 ~~members shall serve at the pleasure of the Governor~~ for cause as
4 provided for in subsection D of this section. Upon the occurrence
5 of a vacancy the same shall be filled by the Governor, subject to
6 confirmation by the Senate at the next session of the Legislature.
7 The appointment to fill a vacancy shall be made for the unexpired
8 term.

9 B. On the effective date of this act, all appointed positions
10 of the current State Board of Education shall be deemed vacant and
11 the terms of persons serving on the Board shall be deemed
12 terminated. The Governor shall make initial appointments pursuant
13 to the provisions of this subsection within thirty (30) days of the
14 effective date of this act, with one member appointed from each
15 congressional district and one member appointed from the state at
16 large. The appointments shall be subject to confirmation by the
17 Senate at the next session of the Legislature. The terms for
18 members appointed pursuant to this subsection shall terminate on
19 April 2, 2015. Thereafter, members shall be appointed as provided
20 for in subsection A of this section.

21 C. No person shall be eligible to be appointed to serve on the
22 State Board unless the person has been awarded a high school diploma
23 or certificate of high school equivalency. Any member appointed to
24 the State Board shall complete the workshop requirements of a new

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

12 D. The Governor may remove an appointed member for cause which
13 shall include but not be limited to:

14 1. Being found guilty by a court of competent jurisdiction of a
15 felony or any offense involving moral turpitude;

16 2. Being found guilty of malfeasance, misfeasance or
17 nonfeasance in relation to Board duties;

18 3. Being found mentally incompetent by a court of competent
19 jurisdiction; or

20 4. Failing to attend three successive meetings of the Board
21 without just cause, as determined by the Governor.

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

1 SECTION 2. This act shall become effective July 1, 2021.

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