

FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB1491 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By deleting the content of the entire measure, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Ronny Johns

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE
FOR

HOUSE BILL NO. 1491

By: Johns of the House

and

Reinhardt of the Senate

FLOOR SUBSTITUTE

An Act relating to education; amending 70 O.S. 2021, Section 3-102, which relates to meetings of the State Board of Education; authorizing members to add items to agendas; providing procedure for adding requested item to an agenda; amending 70 O.S. 2021, Sections 5-107B and 5-118, which relate to school district boards of education; authorizing members to add items to agendas; providing procedure for adding requested item to an agenda; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-102, is amended to read as follows:

Section 3-102. A. The State Board of Education shall meet in regular session once each month. Special meetings may be called by the president or by a majority of the members of the Board.

B. Upon written request by at least two members of the Board, any member of the Board shall be authorized to place an item on a

1 Board agenda. The item shall be placed on the agenda for the next
2 meeting or a subsequent meeting, as decided by the requesting
3 members, in accordance with the Oklahoma Open Meeting Act.

4 SECTION 2. AMENDATORY 70 O.S. 2021, Section 5-107B, is
5 amended to read as follows:

6 Section 5-107B. A. The board of education of a district with
7 an average daily membership (ADM) of more than thirty thousand
8 (30,000) students may be expanded to add a member who shall be
9 elected at large for a term of four (4) years and who shall serve as
10 chair of the board. The chair of the board position may be added
11 upon a majority vote of the district board of education to add the
12 position. If the board opts to add the chair of the board position,
13 the chair of the board shall be elected at the next regular election
14 of board members, held pursuant to Section 13A-103 of Title 26 of
15 the Oklahoma Statutes, following the decision of the board.

16 B. The chair of the board of education shall possess the same
17 qualifications as required for other board members, shall assume
18 office as provided for other members of the board of education,
19 shall be a full, voting member of the board, and shall count for
20 purposes of a quorum or a majority, or other requirements based on
21 number of members on the board. The chair shall preside at all
22 meetings of the board of education in accordance with rules of
23 parliamentary procedure which have been adopted by a majority vote
24 of the board, provided that, in the absence of rules adopted by the

1 board, the chair shall determine and set forth the rules of
2 parliamentary procedure that shall apply at board meetings; assemble
3 and control the agenda for board meetings, ~~provided that, upon~~
4 ~~approval of a majority of the members of the board, an item shall be~~
5 ~~placed on the agenda for the same or a subsequent meeting, in~~
6 ~~accordance with the Oklahoma Open Meeting Act~~ except as provided by
7 subsection B of Section 5-118 of this title; appoint all committees
8 whose appointment is not otherwise provided for by law; and shall
9 sign all warrants ordered by the board of education to be drawn upon
10 the treasurer for school money. The chair of the board shall
11 possess all powers otherwise provided by law for a member of a board
12 of education, all powers provided by law for the president of a
13 board of education, and such other lawful powers as may be conferred
14 upon the chair by majority vote of the board. The chair shall
15 receive compensation and benefits as conferred upon other members of
16 the district board of education.

17 C. For a district in which a chair of the board has been
18 elected, the district board of education, during the meeting at
19 which the chair of the board assumes office, shall elect a vice-
20 chair who shall serve a one-year term and until a successor is
21 elected and qualified. The vice-chair shall perform all duties of
22 the chair of the board in case of the chair's absence or disability.
23 The board shall also elect clerks and deputies as provided in
24

1 Section 5-119 of this title. The board shall not elect a president
2 or vice president.

3 D. If a district board of education is expanded to include the
4 chair of the board position, the chair of the board position shall
5 not be abolished except by a majority vote of the voters of the
6 school district voting on such question at a special election called
7 for that purpose. The question may be presented only upon a
8 resolution adopted by three-fourths (3/4) of the board membership or
9 upon petition for an election on the question, that complies with
10 the requirements for petition and election set forth in Section 7-
11 101 of this title. If the question is approved, the chair of the
12 board position shall be abolished at the end of the term of the
13 chair who holds the office when the election is held or upon the
14 chair's resignation or vacancy of the office following the election
15 on the question.

16 SECTION 3. AMENDATORY 70 O.S. 2021, Section 5-118, is
17 amended to read as follows:

18 Section 5-118. A. Regular meetings of the board of education
19 of each school district shall be held upon the first Monday of each
20 month, or upon such day as may be fixed by the board. Special
21 meetings may be held from time to time as circumstances may demand.

22 B. Upon written request by at least two members for boards of
23 five or more members and one member of boards with four or fewer
24 members, any member of the board shall be authorized to place an

1 item on a board agenda. The item shall be placed on the agenda for
2 the next meeting or a subsequent meeting, as decided by the
3 requesting member or members, in accordance with the Oklahoma Open
4 Meeting Act. For the purposes of this subsection, the calculation
5 of the number of members of a board shall exclude any vacant
6 positions.

7 C. All meetings of the boards of education shall be public
8 meetings, and in all such meetings the vote of each member must be
9 publicly cast and recorded. Executive sessions will be permitted
10 only for the purpose of discussing the employment, hiring,
11 appointment, promotion, demotion, disciplining, or resignations of
12 any or all of the employees or volunteers of the school district,
13 and for the purpose of discussing negotiations concerning employees
14 and representatives of employee groups, and for the purpose of
15 hearing evidence and discussing the expulsion or suspension of a
16 student or students only when requested by the student involved or
17 his or her parent, attorney, or legal guardian; provided, however,
18 that any vote or action thereon must be taken in a public meeting
19 with the vote of each member publicly cast and recorded. It is
20 required that the board of education shall provide notice to the
21 student, his or her parent, attorney or legal guardian that said
22 student is entitled to an executive session regarding the discussion
23 of expulsion or suspension of said student.

1 D. Any action taken in violation of the provisions of this act
2 shall be invalid.

3 E. Each member of the board of education of a school district
4 with an average daily attendance exceeding fifteen thousand (15,000)
5 or a school district where boundaries encompass a total population
6 exceeding one hundred thousand (100,000) persons according to the
7 last preceding Federal Decennial Census may be paid from the
8 district's general fund a stipend of Twenty-five Dollars (\$25.00)
9 for each regular, special or adjourned meeting of the board of
10 education that he or she attends, but not for more than four
11 meetings in any calendar month.

12 SECTION 4. This act shall become effective November 1, 2025.

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14 60-1-13320 AQH 03/12/25
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