

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend SB646 _____
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: Dell Kerbs

Reading Clerk

STATE OF OKLAHOMA

1st Session of the 60th Legislature (2025)

FLOOR SUBSTITUTE
FOR ENGROSSED

SENATE BILL NO. 646

By: Paxton of the Senate

and

Kerbs of the House

FLOOR SUBSTITUTE

An Act relating to education; amending 70 O.S. 2021, Section 3-101, as amended by Section 1, Chapter 182, O.S.L. 2023 (70 O.S. Supp. 2024, Section 3-101), which relates to State Board of Education membership; increasing membership; modifying appointment of membership; creating vacancies and terminating terms; requiring appointing authorities fill vacancies; updating references; amending 70 O.S. 2021, Section 3-102, which relates to State Board of Education meetings; requiring forty-eight hour notice; prohibiting action on agenda item if certain changes occur; authorizing members to add items to agenda; requiring requested agenda item be added; permitting requested agenda item be added; amending 70 O.S. 2021, Section 3-103, which relates to State Board quorum requirements; increasing quorum; providing an effective date; and declaring an emergency.

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

1 SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-101, as
2 amended by Section 1, Chapter 182, O.S.L. 2023 (70 O.S. Supp. 2024,
3 Section 3-101), is amended to read as follows:

4 Section 3-101. A. The State Board of Education shall consist
5 of ~~seven (7)~~ ten (10) members. The State Superintendent of Public
6 Instruction shall be a member and the chairperson of the Board. The
7 remaining ~~six~~ nine members shall be appointed ~~by the Governor by and~~
8 ~~with the advice and consent of the Senate Except as otherwise~~
9 ~~provided for in subsection B of this section, upon assuming office~~
10 ~~each Governor shall appoint one member from each congressional~~
11 ~~district and one member from the state at large~~ as follows:

12 1. Five members shall be appointed by the Governor by and with
13 the advice and consent of the Senate;

14 2. Two members shall be appointed by the Pro Tempore of the
15 Oklahoma State Senate; and

16 3. Two members shall be appointed by the Speaker of the House
17 of Representatives.

18 Each appointment shall be made to take effect on April 2. The
19 term of each appointed member shall be four (4) years. Appointed
20 members shall serve until a successor is appointed. Appointed
21 members shall serve at the pleasure of the ~~Governor~~ member's
22 appointing authority. Upon the occurrence of a vacancy the same
23 shall be filled ~~by the Governor, subject to confirmation by the~~
24 ~~Senate at the next session of the Legislature~~ by the appointing

1 authority for that member within ninety (90) days of a vacancy
2 occurring. The appointment to fill a vacancy shall be made for the
3 unexpired term.

4 B. On the effective date of this act, all appointed positions
5 of the current State Board of Education shall be deemed vacant and
6 the terms of persons serving on the Board shall be deemed
7 terminated. The ~~Governor~~ appointing authorities shall make initial
8 appointments pursuant to the provisions of this subsection and
9 subsection A within thirty (30) days of the effective date of this
10 act, ~~with one member appointed from each congressional district and~~
11 ~~one member appointed from the state at large.~~ The Governor's
12 appointments shall be subject to confirmation by the Senate at the
13 next session of the Legislature. The terms for members appointed
14 pursuant to this subsection shall terminate on April 2, ~~2015~~ 2030.
15 ~~Thereafter, members shall be appointed as provided for in subsection~~
16 ~~A of this section.~~

17 C. No person shall be eligible to be appointed to serve on the
18 State Board unless the person has been awarded a high school diploma
19 or certificate of high school equivalency. No person shall be
20 appointed to serve on the State Board if the person serves on a
21 board of education of a school district which is supervised by the
22 State Board pursuant to Section 3-104 of this title. Any member
23 appointed to the State Board shall complete the workshop
24 requirements of a new school board member pursuant to Section 5-110

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

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

15 SECTION 2. AMENDATORY 70 O.S. 2021, Section 3-102, is
16 amended to read as follows:

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

20 B. The State Board shall, at least forty-eight (48) hours prior
21 to any such regularly scheduled or special meeting, prominently post
22 the agenda at the principal office of the State Board and on the
23 State Board's Internet website. If any agenda item or document
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1 posted by the Board is changed, altered, or otherwise different than
2 the posted agenda or documents, the agenda item shall:

3 1. Not be an actionable item and may only be discussed at the
4 meeting which the item was on the agenda for; and

5 2. Be placed as an actionable item on the agenda for the next
6 meeting.

7 C. Upon written request to add an item to an agenda by at least
8 three members of the Board, any member of the Board shall be
9 authorized to place an item for discussion on a Board agenda. The
10 item shall be placed on the agenda for discussion only for the next
11 meeting or a subsequent meeting as decided by the requesting
12 members. After the item has been discussed, the same item may then
13 be placed on a following agenda as an actionable item.

14 SECTION 3. AMENDATORY 70 O.S. 2021, Section 3-103, is
15 amended to read as follows:

16 Section 3-103. A quorum of the State Board of Education shall
17 consist of ~~four~~ six members. No business may be transacted at any
18 meeting unless a quorum is present and every act of said Board shall
19 be approved by a majority of the membership of said Board.

20 SECTION 4. This act shall become effective July 1, 2025.

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

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