An Act

ENROLLED SENATE
BILL NO. 91

By: Fields of the Senate

and

Casey of the House

An Act relating to school district boards of education; amending 70 O.S. 2011, Section 5-110, as last amended by Section 4, Chapter 354, O.S.L. 2012 (70 O.S. Supp. 2012, Section 5-110), which relates to instructional requirements for new board members; requiring instruction in certain areas for members elected or appointed after a certain date; providing an effective date; and declaring an emergency.

SUBJECT: Instructional requirements for members of school district boards of education

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

SECTION 1. AMENDATORY 70 O.S. 2011, Section 5-110, as last amended by Section 4, Chapter 354, O.S.L. 2012 (70 O.S. Supp. 2012, Section 5-110), is amended to read as follows:

Section 5-110. A. A school district elector who is elected or appointed to be a member of a school district board of education prior to January 1, 2014, shall obtain instruction on education issues in accordance with rules promulgated by the State Board of Education. Except as provided in subsection B of this section, at the time a school district elector files a notification and declaration of candidacy for the office of school district board of education membership or is appointed to be a member of a school district board of education on or after January 1, 2014, the elector

shall agree and pledge in writing that, within fifteen (15) months of election or appointment as a member of the district board of education, the member will complete at least twelve (12) hours of instruction on education issues~~, including~~ in the following areas: school finance~~, Oklahoma education laws,~~; legal issues, which include but are not limited to employment, due process, new laws, the Oklahoma Open Records Act and the Oklahoma Open Meeting Act; and ~~ethics,~~ duties and responsibilities, which include but are not limited to special education and ethics, of district board of education members. ~~This requirement~~ Each elector shall agree and pledge in writing to complete at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a two-day workshop to be held within the state by the State Department of Education, by the Oklahoma Department of Career and Technology Education, or by attending workshops, seminars or classes which address the above-mentioned subject matter, and which are sponsored by any organization approved by the State Board of Education, including but not limited to institutions of higher education. The State Board of Education shall promulgate rules by which an organization or particular courses offered by an organization may be approved for purposes of fulfilling the instructional requirements set out in this section.

B. When an incumbent of a district board of education files a notification and declaration of candidacy for reelection to the district board of education, the member ~~shall not be required to comply with the provisions of subsection A of this section but~~ shall be required to agree and pledge in writing that upon reelection the member will complete six (6) hours of instruction, within fifteen (15) months of election, ~~emphasizing changes in school law, particularly changes in the areas~~ including one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics. The remaining hours may be satisfied by attending a workshop, class or seminar addressing the education issues set forth in subsection A of this section.

C. The State Department of Education shall, immediately after the annual elections of various district board of education members, determine the members of the district boards of education pledged to

complete the instructional requirements established in subsections A and B of this section, and shall notify the members of the time and place where workshops, classes and seminars are to be conducted. Upon completion of the instructional requirements, the certificate of completion shall be included in the public records of the school board's minutes. Each school board member, except for an incumbent member, shall be required within fifteen (15) months following or preceding election to complete the workshop established by subsection A of this section or to attend twelve (12) hours of other state workshops, classes or seminars conducted as instruction on the subjects of school finance, ~~the Oklahoma School Code and related laws~~ legal issues, and the ethics, duties and responsibilities of district board of education members, including at least one (1) hour of instruction in school finance, one (1) hour of instruction in the Oklahoma Open Records Act and the Oklahoma Open Meeting Act and one (1) hour of instruction in ethics.

D. If a school board member, including an incumbent member, has not satisfied the instructional requirements as set forth in this section within fifteen (15) months of election, reelection or appointment, the district board of education shall declare the seat of the member vacant and fill the vacancy according to law. A school board member who is required to vacate a school board seat pursuant to this subsection shall be ineligible to be reappointed or to run for reelection to that respective board seat on the school district board of education or to run for election to any other board seat on the board of education for a three-year period for three-member boards, for a four-year period for seven-member boards or for a five-year period for five-member boards.

E. All government departments, agencies and institutions of this state are directed to lend assistance as may be required by the State Department of Education for the proper conduct and administration of the workshops as authorized in subsection A of this section. The State Department of Education shall maintain a permanent record of each district board of education member who successfully completes a workshop and shall issue a certificate of completion to the member.

F. The State Department of Education, the Oklahoma Department of Career and Technology Education, and, upon approval of the State Board of Education, any organization or association representing

district boards of education in this state are authorized to charge persons pledged to attend a workshop, class or seminar for purposes of meeting the instructional requirements of this section, a registration fee sufficient to defray the estimated costs of presenting the workshop, class or seminar and to collect the fees at the time of registration.

G. Any member of a district board of education or any individual elected, certified as the elected member by the county election board, but not sworn in and seated as a member of a district board of education at the time of a workshop, class or seminar presented by the State Board of Education, the Oklahoma Department of Career and Technology Education, or an organization or association representing district boards of education within the state who attends and successfully completes a workshop, class or seminar as required by subsection A or B of this section shall be reimbursed by the school district in accordance with the travel reimbursement policy of the district.

SECTION 2. This act shall become effective July 1, 2013.

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

Passed the Senate the 5th day of March, 2013.

Presiding Officer of the Senate

Passed the House of Representatives the 3rd day of April, 2013.

Presiding Officer of the House of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this 4th day of April, 20 13, at 12:19 o'clock P M.

By: Audrey Rockwell

Approved by the Governor of the State of Oklahoma this 10th day of April, 20 13, at 3:56 o'clock P M.

Mary Fallin

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this 10th day of April, 20 13, at 5:10 o'clock P. M.

By: