

1 STATE OF OKLAHOMA

2 1st Session of the 59th Legislature (2023)

3 SENATE BILL 833

By: Paxton

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5
6 AS INTRODUCED

7 An Act relating to school district boards of
8 education; amending 70 O.S. 2021, Section 5-110,
9 which relates to instruction for board of education
10 members; removing outdated language; removing
11 language requiring certain member to agree in writing
12 to education requirements; allowing rather than
13 requiring certain instruction; changing time period
14 in which member may complete certain training;
15 reducing number of hours of instruction; removing
16 requirement for training in certain topics; removing
17 ability for certain type of organization to offer
18 certain training; removing education requirements for
19 certain incumbent board members; directing board
20 members to represent certain interests; removing
21 language regarding penalties for failing to complete
22 certain instruction; allowing a board member's
23 district to be charged for certain attendance upon
24 completion; amending 70 O.S. 2021, Section 5-110.2,
which relates to attendance records of school board
members; directing school districts to maintain
records rather than the State Board of Education;
requiring records to be posted on certain website;
removing language regarding certain notification;
repealing 70 O.S. 2021, Section 5-110.1, which
relates to continuing education requirements for
board members; providing an effective date; and
declaring an emergency.

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

23 SECTION 1. AMENDATORY 70 O.S. 2021, Section 5-110, is
24 amended to read as follows:

1 Section 5-110. A. ~~A school district elector who is elected or~~
2 ~~appointed to be a member of a school district board of education~~
3 ~~prior to January 1, 2014, shall obtain instruction on education~~
4 ~~issues in accordance with rules promulgated by the State Board of~~
5 ~~Education. Except as provided in subsection B of this section, at~~
6 ~~the time a school district elector files a notification and~~
7 ~~declaration of candidacy for the office of school district board of~~
8 ~~education membership or is appointed to be a member of a school~~
9 ~~district board of education on or after January 1, 2014, the elector~~
10 ~~shall agree and pledge in writing that, within fifteen (15) Within~~
11 ~~six (6) months of election or appointment as a member of the~~
12 ~~district board of education, the member will may complete at least~~
13 ~~twelve (12) three (3) hours of instruction on education issues in~~
14 ~~the following areas: school finance; legal issues, which include but~~
15 ~~are not limited to employment, due process, new laws, the Oklahoma~~
16 ~~Open Records Act and the Oklahoma Open Meeting Act; and duties and~~
17 ~~responsibilities, which include but are not limited to special~~
18 ~~education and ethics, of district board of education members. Each~~
19 ~~elector shall agree and pledge in writing to complete at least one~~
20 ~~(1) hour of instruction in school finance, one (1) hour of~~
21 ~~instruction in the Oklahoma Open Records Act and the Oklahoma Open~~
22 ~~Meeting Act, and one (1) hour of instruction in school law and~~
23 ~~ethics. The remaining hours may be satisfied by attending a two-day~~
24 ~~workshop to be held within the state Training shall be provided by~~

1 the State Department of Education, ~~by and/or~~ the Oklahoma Department
2 of Career and Technology Education, ~~or by attending workshops,~~
3 ~~seminars or classes which address the above-mentioned subject~~
4 ~~matter, and which are sponsored by any organization approved by the~~
5 ~~State Board of Education, including but not limited to institutions~~
6 ~~of higher education. The State Board of Education shall promulgate~~
7 ~~rules by which an organization or particular courses offered by an~~
8 ~~organization may be approved for purposes of fulfilling the~~
9 ~~instructional requirements set out in this section.~~

10 B. ~~When an incumbent of a district board of education files a~~
11 ~~notification and declaration of candidacy for reelection to the~~
12 ~~district board of education, the member shall be required to agree~~
13 ~~and pledge in writing that upon reelection the member will complete~~
14 ~~six (6) hours of instruction, within fifteen (15) months of~~
15 ~~election, including one (1) hour of instruction in school finance,~~
16 ~~one (1) hour of instruction in the Oklahoma Open Records Act and the~~
17 ~~Oklahoma Open Meeting Act and one (1) hour of instruction in ethics.~~
18 ~~The remaining hours may be satisfied by attending a workshop, class~~
19 ~~or seminar addressing the education issues set forth in subsection A~~
20 ~~of this section. Each elected or appointed school district board of~~
21 ~~education member shall represent the interests of his or her~~
22 ~~constituents and hold the school district superintendent to the~~
23 ~~same.~~

1 C. The State Department of Education shall, immediately after
2 the annual elections of various district board of education members,
3 determine the members of the district boards of education ~~pledged to~~
4 ~~complete the instructional requirements established in subsections A~~
5 ~~and B of this section,~~ and shall notify the members of the time and
6 place where training workshops, classes, and seminars are to be
7 conducted. ~~Upon completion of the instructional requirements, the~~
8 ~~certificate of completion shall be included in the public records of~~
9 ~~the school board's minutes. Each school board member, except for an~~
10 ~~incumbent member, shall be required within fifteen (15) months~~
11 ~~following or preceding election to complete the workshop established~~
12 ~~by subsection A of this section or to attend twelve (12) hours of~~
13 ~~other state workshops, classes or seminars conducted as instruction~~
14 ~~on the subjects of school finance, legal issues, and the ethics,~~
15 ~~duties and responsibilities of district board of education members,~~
16 ~~including at least one (1) hour of instruction in school finance,~~
17 ~~one (1) hour of instruction in the Oklahoma Open Records Act and the~~
18 ~~Oklahoma Open Meeting Act and one (1) hour of instruction in ethics.~~

19 D. ~~If a school board member, including an incumbent member, has~~
20 ~~not satisfied the instructional requirements as set forth in this~~
21 ~~section within fifteen (15) months of election, reelection or~~
22 ~~appointment, the district board of education shall declare the seat~~
23 ~~of the member vacant within sixty (60) days of the final date that~~
24 ~~the member has to complete the requirements as indicated by receipt~~

1 ~~of the certified notice from the State Board of Education as~~
2 ~~provided for pursuant to Section 5-110.2 of this title and shall~~
3 ~~fill the vacancy according to law. A school board member who is~~
4 ~~required to vacate a school board seat pursuant to this subsection~~
5 ~~and Section 5-110.2 of this title shall be ineligible to be~~
6 ~~reappointed to, to run for reelection to or to hold that respective~~
7 ~~board seat on the school district board of education or to run for~~
8 ~~election to or to hold any other board seat on the board of~~
9 ~~education for a two-year period.~~

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

17 ~~F. E.~~ The State Department of Education, and/or the Oklahoma
18 Department of Career and Technology Education, ~~and, upon approval of~~
19 ~~the State Board of Education, any organization or association~~
20 ~~representing district boards of education in this state are~~
21 authorized to charge persons pledged to attend the school board
22 member's district for attendance at a workshop, class, or seminar
23 for purposes of meeting the instructional requirements components of
24 this section, a registration fee sufficient to defray the estimated

1 costs of presenting the workshop, class, or seminar and to collect
2 the fees at the time of ~~registration~~ completion of the workshop,
3 class, or seminar.

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

15 SECTION 2. AMENDATORY 70 O.S. 2021, Section 5-110.2, is
16 amended to read as follows:

17 Section 5-110.2. ~~The State Board of Education~~ Each school
18 district shall maintain and post on its website records of
19 attendance by school board members at ~~continuing education events~~
20 ~~required pursuant to Sections~~ the three (3) hours of training
21 described by subsection A of Section 5-110 ~~and 5-110.1~~ of this
22 title. ~~Prior to the final opportunity for each school board member~~
23 ~~who has not completed the continuing education requirements to~~
24 ~~complete the same, the Board shall notify the school board member~~

1 ~~and the school district superintendent by mail before March 1 of~~
2 ~~each year of any final opportunity to complete these requirements~~
3 ~~and the consequences of not completing the requirements. Upon~~
4 ~~determining that a school board member did not complete the~~
5 ~~continuing education requirements of Sections 5-110 or 5-110.1~~
6 ~~within the respective period of time, the Board shall immediately~~
7 ~~notify by certified mail the school board member and the school~~
8 ~~district superintendent and inform the member of the violation of~~
9 ~~the continuing education requirements. The school board member~~
10 ~~shall have sixty (60) days after the date of receipt of the~~
11 ~~certified notice to complete the requirements. If the school board~~
12 ~~member does not complete the requirements by the end of the sixty-~~
13 ~~day time period, the school district board of education is required~~
14 ~~to declare the seat of that member vacant.~~

15 SECTION 3. REPEALER 70 O.S. 2021, Section 5-110.1, is
16 hereby repealed.

17 SECTION 4. This act shall become effective July 1, 2023.

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

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