

STATE OF OKLAHOMA

1st Session of the 59th Legislature (2023)

HOUSE BILL 1903

By: Fugate

AS INTRODUCED

An Act relating to schools; amending 70 O.S. 2021, Section 3-101, which relates to the State Board of Education; modifying membership of the Board; requiring five-year terms for certain Board members; providing an exception; mandating Senate confirmation for certain appointments; deleting provision that members serve at the pleasure of the Governor; prohibiting removal of members except for cause; directing vacancies to be filled by the appointing authority; providing for initial appointments within specified time; specifying term limits for initial appointments; and providing an effective date.

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-101, is amended to read as follows:

Section 3-101. A. The State Board of Education shall consist of ~~seven (7)~~ fifteen (15) members. The State Superintendent of Public Instruction shall be a member and the chairperson of the Board. The remaining ~~six~~ fourteen (14) members shall be appointed ~~by the Governor by and with the advice and consent of the Senate.~~
~~Except as otherwise provided for in subsection B of this section,~~

1 ~~upon assuming office each Governor shall appoint one member from~~
2 ~~each congressional district and one member from the state at large.~~
3 as follows:

4 1. Six (6) members appointed by the Governor. No more than
5 three (3) of the members appointed by the Governor shall be
6 registered members of the same political party. At least one member
7 appointed by the Governor shall represent private schools, at least
8 one member shall represent home schools, and at least one member
9 shall represent charter schools;

10 2. Three (3) members who all have school-aged children in the
11 home, one appointed by the Speaker of the Oklahoma House of
12 Representatives, one appointed by the President Pro Tempore of the
13 Oklahoma State Senate, and one appointed by the other members of the
14 Board;

15 3. Five (5) members who are certified teachers, two selected by
16 the largest teacher association in the state, one which shall
17 represent urban school districts with an enrollment of ten thousand
18 (10,000) or more students, and one which shall represent rural
19 school districts located outside of the Oklahoma City and Tulsa
20 Metropolitan Statistical Areas, one selected by the second-largest
21 teacher association in the state, one selected by the largest
22 retired teacher association in the state, and one appointed by the
23 Oklahoma State Regents for Higher Education to represent the
24 colleges of education at higher education institutions in the state.

1 ~~Each appointment shall be made to take effect on April 2.~~ The term
2 of each appointed member shall be ~~four (4)~~ five (5) years, except
3 for members appointed by the Speaker and President Pro Tempore, who
4 shall serve for two-year terms. All appointments other than the
5 members appointed by the Speaker and President Pro Tempore shall be
6 subject to confirmation by the Senate at the next session of the
7 Legislature. Appointed members shall ~~serve until a successor is~~
8 ~~appointed.~~ ~~Appointed members shall serve at the pleasure of the~~
9 ~~Governor~~ only be removed by their appointing authority for cause.
10 Upon the occurrence of a vacancy the same shall be filled by the
11 ~~Governor~~ appointing authority, subject to confirmation by the Senate
12 at the next session of the Legislature. The appointment to fill a
13 vacancy shall be made for the unexpired term.

14 B. On ~~the effective date of this act~~ November 1, 2023, all
15 appointed positions of the current ~~State Board of Education~~ shall be
16 deemed vacant and the terms of persons serving on the Board shall be
17 deemed terminated. The ~~Governor~~ appointing authorities shall make
18 initial appointments pursuant to the provisions of this subsection
19 within thirty (30) days of the effective date of this act, ~~with one~~
20 ~~member appointed from each congressional district and one member~~
21 ~~appointed from the state at large.~~ The All initial appointments
22 other than the members appointed by the Speaker and President Pro
23 Tempore shall be subject to confirmation by the Senate at the next
24 session of the Legislature. The initial terms for members appointed

1 pursuant to this subsection shall ~~terminate on April 2, 2015~~ be as
2 follows:

3 1. Two (2) members appointed by the Governor shall serve an
4 initial term of one (1) year;

5 2. One (1) member appointed by the Governor shall serve an
6 initial term of two (2) years;

7 3. One (1) member appointed by the Governor shall serve an
8 initial term of three (3) years;

9 4. One (1) member appointed by the Governor shall serve an
10 initial term of four (4) years;

11 5. One (1) member appointed by the Governor shall serve an
12 initial term of five (5) years;

13 6. One (1) member appointed by other members of the Board shall
14 serve an initial term of five (5) years;

15 7. One (1) member appointed by the largest teacher association
16 in the state shall serve an initial term of one (1) year;

17 8. One (1) member appointed by the largest teacher association
18 in the state shall serve an initial term of five (5) years;

19 9. One (1) member appointed by the second-largest teacher
20 association in the state shall serve an initial term of two (2)
21 years;

22 10. One (1) member appointed by the largest retired teacher
23 association in the state shall serve an initial term of three (3)
24 years; and

1 11. One (1) member appointed by the Oklahoma State Regents for
2 Higher Education shall serve an initial term of four (4) years.

3 ~~Thereafter~~ Following completion of their initial term, members
4 shall be appointed as provided for in subsection A of this section.

5 C. No person shall be eligible to be appointed to serve on the
6 ~~State~~ Board unless the person has been awarded a high school diploma
7 or certificate of high school equivalency. Any member appointed to
8 the ~~State~~ Board shall complete the workshop requirements of a new
9 school board member pursuant to Section 5-110 of this title within
10 thirteen (13) months following or preceding the appointment of the
11 member. Notwithstanding any provision of law to the contrary, the
12 State Department of Education shall not charge any member of the
13 ~~State Board of Education~~ a fee for any workshop provided by the
14 Department for board members pursuant to Section 5-110 of this title
15 and shall not pay a fee to any organization or institution of higher
16 education on behalf of a member of the State Board of Education, or
17 reimburse any member of the Board for a fee paid to any organization
18 or institution of higher education, for attendance at a workshop or
19 courses to satisfy the requirements of Section 5-110 of this title.

20 D. Members of the Board shall receive necessary traveling
21 expenses while in the performance of their duties in accordance with
22 the State Travel Reimbursement Act.

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SECTION 2. This act shall become effective November 1, 2023.

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