

1 ENGROSSED HOUSE
2 BILL NO. 1958

By: Staires of the House

3 and

4 Sacchieri of the Senate

5
6 An Act relating to schools; amending 70 O.S. 2021,
7 Section 5-118, which relates to meetings of district
8 boards of education; allowing a board of education to
9 submit an affidavit in lieu of meeting minutes in
10 certain circumstances; stating affidavit
11 requirements; requiring the State Department of
12 Education to accept certain affidavits; clarifying
13 duty of boards to keep meeting minutes; providing
14 affidavit components; and providing an effective
15 date.

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

17 SECTION 1. AMENDATORY 70 O.S. 2021, Section 5-118, is
18 amended to read as follows:

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

23 B. All meetings of the boards of education shall be public
24 meetings, and in all such meetings the vote of each member must be
publicly cast and recorded. Executive sessions will be permitted
only for the purpose of discussing the employment, hiring,
appointment, promotion, demotion, disciplining, or resignations of

1 any or all of the employees or volunteers of the school district,
2 and for the purpose of discussing negotiations concerning employees
3 and representatives of employee groups, and for the purpose of
4 hearing evidence and discussing the expulsion or suspension of a
5 student or students only when requested by the student involved or
6 his or her parent, attorney, or legal guardian; provided, however,
7 that any vote or action thereon must be taken in a public meeting
8 with the vote of each member publicly cast and recorded. It is
9 required that the board of education shall provide notice to the
10 student, his or her parent, attorney or legal guardian that said
11 student is entitled to an executive session regarding the discussion
12 of expulsion or suspension of said student.

13 C. Any action taken in violation of the provisions of this act
14 shall be invalid.

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

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1 E. 1. Unless otherwise provided by law, a board of education
2 may submit an Affidavit of Board Action to the State Department of
3 Education in lieu of approved board minutes to provide proof of an
4 action approved or taken at a board meeting. Such affidavit shall
5 be signed and sworn by the applicable personnel as provided in
6 paragraph 2 of this subsection. The State Department of Education
7 shall accept a signed Affidavit of Board Action as certification
8 that the district board has approved or taken a specific action at a
9 board meeting. Nothing in this subsection shall exempt a board of
10 education from keeping minutes of a meeting in accordance with
11 Section 312 of Title 25 of the Oklahoma Statutes.

12 2. The Affidavit of Board Action described in paragraph 1 of
13 this subsection shall include:

- 14 a. the county or district code,
- 15 b. the name of the school district,
- 16 c. the date of the board meeting,
- 17 d. the agenda item number approved,
- 18 e. a summary of the action approved,
- 19 f. an affirming signature representing the district from
20 the district superintendent or the assistant
21 superintendent, and
- 22 g. an affirming signature representing the district board
23 from the board president or chair, or from a board
24 officer.

