

1 ENGROSSED SENATE AMENDMENT
TO

2 ENGROSSED HOUSE
3 BILL NO. 2562

By: McBride, Baker, Moore, West
(Tammy), Fugate, and
Provenzano of the House

4
5 and

6 Murdock of the Senate
7

8 An Act relating to schools; amending 70 O.S. 2021,
9 Section 3-101, as amended by Section 1, Chapter 182,
10 O.S.L. 2023 (70 O.S. Supp. 2023, Section 3-101),
11 which relates to the State Board of Education;
12 modifying membership of the Board; requiring Senate
13 confirmation for certain appointments; providing for
14 members to serve at the pleasure of the appointing
15 authority; directing vacancies to be filled by the
16 appointing authority; providing for initial
17 appointments within specified time; establishing
18 termination date for initial appointments; and
19 providing an effective date.

20 AUTHOR: Add the following House Coauthor: Steagall

21 AMENDMENT NO. 1. Page 1, strike the title, enacting clause and
22 entire bill and insert

23 "An Act relating to the State Board of Education;
24 amending 70 O.S. 2021, Section 3-101, as amended by
Section 1, Chapter 182, O.S.L. 2023 (70 O.S. Supp.
2023, Section 3-101), which relates to membership of
the State Board of Education; modifying membership of
the Board; requiring certain members to be rural
residents; defining term; and providing an effective
date.

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

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

5 Section 3-101. A. The State Board of Education shall consist
6 of seven (7) members. The ~~State~~ Superintendent of Public
7 Instruction shall be a member and the chairperson of the Board. The
8 remaining six members shall be appointed by the Governor by and with
9 the advice and consent of the Senate. Except as otherwise provided
10 for in subsection B of this section, upon assuming office each
11 Governor shall appoint one member from each congressional district
12 and one member from the state at large. At least two members shall
13 be rural residents of this state. For the purposes of this section,
14 "rural resident" means a legal resident of a county having a
15 population of less than forty thousand (40,000) according to the
16 latest Federal Decennial Census. Each appointment shall be made to
17 take effect on April 2. The term of each appointed member shall be
18 four (4) years. Appointed members shall serve until a successor is
19 appointed. Appointed members shall serve at the pleasure of the
20 Governor. Upon the occurrence of a vacancy the same shall be filled
21 by the Governor, subject to confirmation by the Senate at the next
22 session of the Legislature. The appointment to fill a vacancy shall
23 be made for the unexpired term.

24

1 B. On ~~the effective date of this act~~ August 26, 2011, all
2 appointed positions of the current ~~State Board of Education~~ shall be
3 deemed vacant and the terms of persons serving on the Board shall be
4 deemed terminated. The Governor shall make initial appointments
5 pursuant to the provisions of this subsection within thirty (30)
6 days of ~~the effective date of this act~~ August 26, 2011, with one
7 member appointed from each congressional district and one member
8 appointed from the state at large. The appointments shall be
9 subject to confirmation by the Senate at the next session of the
10 Legislature. The terms for members appointed pursuant to this
11 subsection shall terminate on April 2, 2015. Thereafter, members
12 shall be appointed as provided for in subsection A of this section.

13 C. No person shall be eligible to be appointed to serve on the
14 Board unless the person has been awarded a high school diploma or
15 certificate of high school equivalency. No person shall be
16 appointed to serve on the Board if the person serves on a board of
17 education of a school district which is supervised by the Board
18 pursuant to Section 3-104 of this title. Any member appointed to
19 the Board shall complete the workshop requirements of a new school
20 board member pursuant to Section 5-110 of this title within thirteen
21 (13) months following or preceding the appointment of the member.
22 Notwithstanding any provision of law to the contrary, the State
23 Department of Education shall not charge any member of the ~~State~~
24 ~~Board of Education~~ a fee for any workshop provided by the Department

1 for board members pursuant to Section 5-110 of this title and shall
2 not pay a fee to any organization or institution of higher education
3 on behalf of a member of the ~~State Board of Education~~, or reimburse
4 any member of the Board for a fee paid to any organization or
5 institution of higher education, for attendance at a workshop or
6 courses to satisfy the requirements of Section 5-110 of this title.

7 D. Members of the Board shall receive necessary traveling
8 expenses while in the performance of their duties in accordance with
9 the State Travel Reimbursement Act.

10 SECTION 2. This act shall become effective November 1, 2024."

11 Passed the Senate the 25th day of April, 2024.

12

13

Presiding Officer of the Senate

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15 Passed the House of Representatives the ____ day of _____,

16 2024.

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Presiding Officer of the House
of Representatives

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10 O.S.L. 2023 (70 O.S. Supp. 2023, Section 3-101),
11 which relates to the State Board of Education;
12 modifying membership of the Board; requiring Senate
13 confirmation for certain appointments; providing for
14 members to serve at the pleasure of the appointing
15 authority; directing vacancies to be filled by the
16 appointing authority; providing for initial
17 appointments within specified time; establishing
18 termination date for initial appointments; and
19 providing an effective date.
20

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

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

Section 3-101. A. The State Board of Education shall consist
of ~~seven (7)~~ eleven (11) members. The State Superintendent of
Public Instruction shall be a member and the chairperson of the
Board. The remaining ~~six~~ ten members shall be appointed as follows:

1 1. Six members appointed by the Governor by and with the advice
2 and consent of the Senate. Except as otherwise provided for in
3 subsection B of this section, upon assuming office each Governor
4 shall appoint one member from each congressional district and one
5 member from the state at large;

6 2. Two members appointed by the Speaker of the Oklahoma House
7 of Representatives, one which shall be a rural resident of the state
8 and one which shall be a former school superintendent from a
9 district with an enrollment of less than ten thousand (10,000)
10 students; and

11 3. Two members appointed by the President Pro Tempore of the
12 Oklahoma State Senate, one which shall be a rural resident of the
13 state and one which shall be a former school superintendent from a
14 district with an enrollment of more than ten thousand (10,000)
15 students.

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

1 B. On the effective date of this act, all appointed positions
2 of the current ~~State Board of Education~~ shall be deemed vacant and
3 the terms of persons serving on the Board shall be deemed
4 terminated. The ~~Governor~~ appointing authority shall make initial
5 appointments pursuant to the provisions of this subsection within
6 thirty (30) days of the effective date of this act, ~~with one member~~
7 ~~appointed from each congressional district and one member appointed~~
8 ~~from the state at large.~~ Members appointed by the
9 Governor shall be subject to confirmation by the Senate at the next
10 session of the Legislature. The terms for members appointed
11 pursuant to this subsection shall terminate on April 2, ~~2015~~ 2024.
12 Thereafter, members shall be appointed as provided for in subsection
13 A of this section.

14 C. No person shall be eligible to be appointed to serve on the
15 Board unless the person has been awarded a high school diploma or
16 certificate of high school equivalency. No person shall be
17 appointed to serve on the Board if the person serves on a board of
18 education of a school district which is supervised by the Board
19 pursuant to Section 3-104 of this title. Any member appointed to
20 the Board shall complete the workshop requirements of a new school
21 board member pursuant to Section 5-110 of this title within thirteen
22 (13) months following or preceding the appointment of the member.
23 Notwithstanding any provision of law to the contrary, the State
24 Department of Education shall not charge any member of the ~~State~~

