

OKLAHOMA STATE DEPARTMENT OF EDUCATION

SANDY GARRETT

STATE SUPERINTENDENT
OF PUBLIC INSTRUCTION



2008-2009

**SCHOOL BOARD MEMBER
ELECTION AND TRAINING
REQUIREMENTS**

This information is provided to you by the Oklahoma State Department of Education. If you have questions or need assistance, contact the Professional Development staff at (405) 521-4527, or visit our Web site at <<http://sde.state.ok.us>>.

FILING AND ELECTION DATES

FILING DATES

First Monday through Wednesday in December

December 1-3, 2008

ELECTION DATE

Second Tuesday in February*

February 10, 2009

RUNOFF DATE

First Tuesday in April

April 7, 2009

*When a Presidential Preferential Primary is held in February, then the election shall be held on the same day as the Presidential Preferential Primary.

It is the policy of the Oklahoma State Department of Education (OSDE) not to discriminate on the basis of race, color, religion, gender, national origin, age, or disability in its programs or employment practices as required by Title VI and VII of the Civil Rights Act of 1962, Title IX of the Education Amendments of 1972, and Section 504 of the Rehabilitation Act of 1973.

Civil rights compliance inquiries related to the OSDE may be directed to the Affirmative Action Officer, Room 111, 2500 North Lincoln Boulevard, Oklahoma City, Oklahoma 73105-4599, telephone number (405) 522-4930; or, the United State Department of Education's Assistant Secretary for Civil rights. Inquiries or concerns regarding compliance with Title IX by local school districts should be presented to the local school district Title IX coordinator.

This publication, printed by the State Department of Education Printing Services, is issued by the Oklahoma State Department of Education as authorized by 70 O.S. § 3-104. Three thousand eight hundred copies have been prepared at a cost of \$1,520.00. Copies have been deposited with the Publications Clearinghouse of the Oklahoma Department of Libraries. AUGUST 2008.

APPOINTED BOARD MEMBERS

Effective July 1, 1999, persons appointed to fill any vacancies in the first half of the term of office for the board position shall serve only until the next succeeding election, at which time the office which they hold shall be placed on the ballot for the balance of the unexpired term.

Persons appointed to fill any vacancies after the first half of the term of office for the board position shall serve for the balance of the unexpired term. (26 O.S. § 13A-110)

No person shall be appointed to a board of education who does not meet the eligibility qualifications needed to be a candidate for such position. (26 O.S. § 13A-110)

DECLARATION OF CANDIDACY

Candidates for member of the board of education of every school district or technology center shall file declarations of candidacy in the same place and with the same officials as candidates for county office. The declaration of candidacy shall have an attachment to be signed by the candidate listing the requirements of a candidate for election or reelection to a school board.

The candidate shall swear or affirm that he or she is eligible to run for such office or serve in such office if elected. Candidates shall file on the first Monday in December through the following Wednesday. (26 O.S. § 13A-105)

CONTEST OF CANDIDACY

Any candidate may contest the candidacy of any other candidate for the same office by filing a written petition with the secretary of the county election board with whom said candidate filed the declaration of candidacy. In the event only one candidate files for an office, a petition contesting the candidacy may be filed by any registered voter who is eligible to vote for the candidate. (26 O.S. § 5-118)

TIME FOR FILING CONTEST

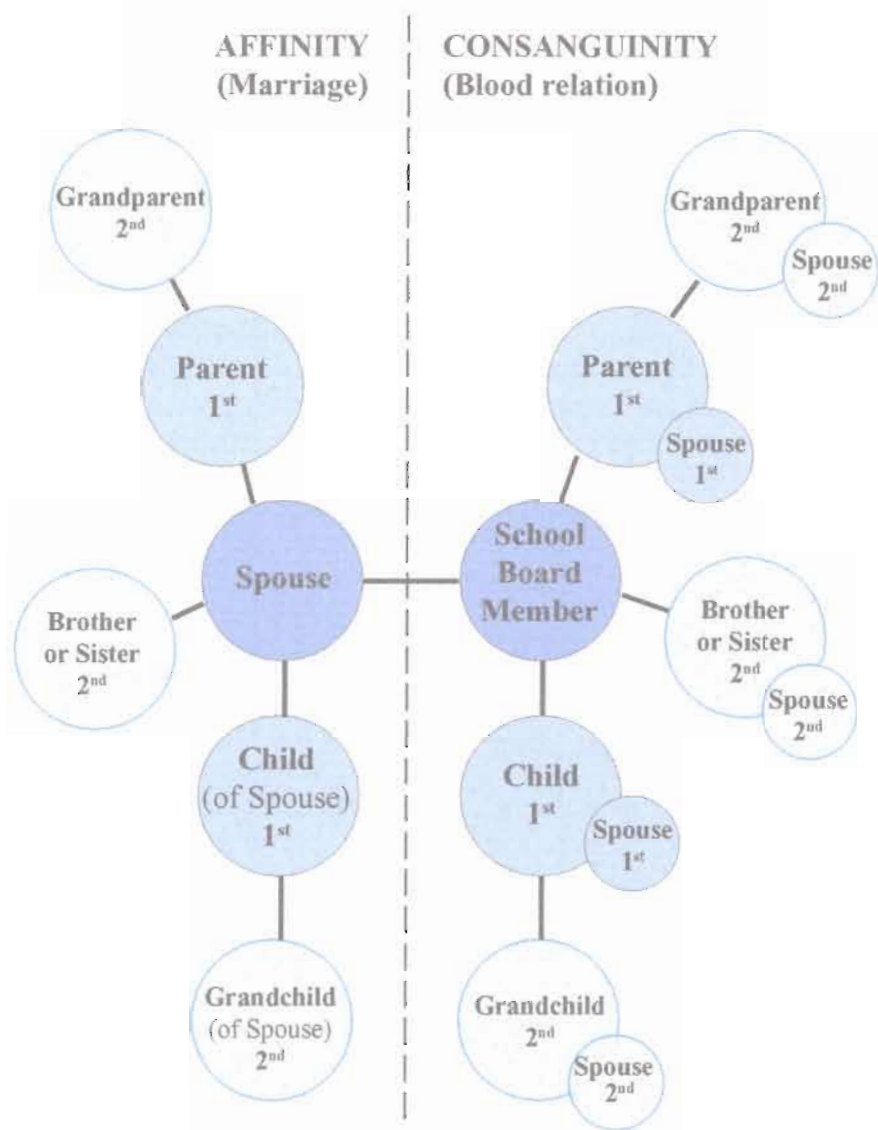
Petitions must be filed no later than 5 p.m. on the second day following the close of the filing period (December 5, 2008). (26 O.S. § 5-119)

SCHOOL BOARD CANDIDATE QUALIFICATIONS

- The individual must file for office at the county election board office between the hours of 8 a.m. on the first Monday in December and 5 p.m. on the following Wednesday. (26 O.S. § 13A-105)
- The individual must have resided within the school district for at least six months preceding the first day of the filing period. (26 O.S. § 13A-106)
- The individual must have been a registered voter registered with the county election board at an address located within the geographical boundaries of the district for six months preceding the first day of the filing period. (26 O.S. § 13A-106)
- In school districts that are divided into election districts, a candidate must have resided in the district for at least six months preceding the first day of the filing period and have been a registered voter registered with the county election board at an address located within the geographical boundaries of the election district for six months preceding the first day of the filing period. (26 O.S. § 13A-106)
- The individual cannot have been convicted of, or have pled guilty or no contest to, a felony under state or federal law or a misdemeanor involving embezzlement. Any person having a record of any of these crimes is ineligible to file for the school board position during the pending of any appeal or for a period of 15 years following completion of sentence. (26 O.S. § 5-105a)
- The individual must have been awarded a high school diploma or certificate of high school equivalency in order to be a candidate or elected to serve on a board of education. (26 O.S. § 13A-106)
- An incumbent school board member must have completed continuing education prior to the date set for filing for reelection to the same board seat. The requirement is 9 hours during a full 3-year term, 12 hours during a full 4-year term, and 15 hours during a full 5-year or 7-year term. Failure by the board member to have satisfied the continuing education requirement shall result in the ineligibility of the member to run for reelection. (70 O.S. § 5-110.1)
- The individual must not be related within the second degree by blood or marriage to a current school district employee or current member of the board of education of the district for which the candidate is seeking office. (It is also illegal to hire a relative within the second degree.) (70 O.S. § 5-113)

NEPOTISM CHART

Circles represent relatives in the 1st degree and 2nd degree.



Nepotism laws are found in Sections 60 and 61 of School Laws of Oklahoma, 2005.

SCHOOL BOARD MEMBER TRAINING REQUIREMENTS

New School Board Member* (70 O.S. § 5-110)

Requirement - Complete 12 hours of instruction on:

- School finance and reporting and/or Career Technology finance (2 hours);
- Oklahoma Open Meeting/Open Records Act (2 hours);
- New state and federal laws and their impact on local school districts (1 hour);
- Ethics, duties, and responsibilities of school board members (1 hour);
- Legal issues impacting local school districts (2 hours);
- School employment and due process law (1 hour);
- Specific instruction on the Individuals with Disabilities Education Act (IDEA) (2 hours); and,
- Educational issues (1 hour)

When - within 15 months preceding or following election

What Counts -

- State Department of Education New School Board Member Workshop
- State Board of Education approved workshops and seminars
- Higher education institution workshops/seminars/classes

Incumbent (Reelected) Member* (70 O.S. § 5-110)

Requirement - Complete six hours emphasizing changes in school finance, Oklahoma education laws and ethics, duties and responsibilities of district board of education members.

When - within 15 months following reelection

What Counts -

- State Department of Education New School Board Member Workshop
- State Board of Education approved workshops and seminars
- Higher education institution workshops/seminars/classes

**If a board member has not met the requirement within the allotted time, the local board shall declare the seat of such member vacant and shall fill the vacancy according to law. (70 O.S. § 5-110)*

Continuing Education* - All School Board Members
(70 O.S. § 5-110.1)

Requirement -

- 9 hours during a full 3-year term
- 12 hours during a full 4-year term
- 15 hours during a full 5-year or 7-year term

When - during any full term of office, to be completed prior to the date to file for reelection

What Counts -

1. Workshops, seminars, conferences and/or conventions conducted by the
 - State Department of Education
 - Oklahoma State School Boards Association
 - Higher education institutions
2. Local professional development programs of the board member's district.
3. All other programs must be approved by the Oklahoma State Department of Education and the Oklahoma Department of Career and Technology Education. For information, call (405) 521-4527.

**Failure by a board member to satisfy the continuing education requirement shall result in the ineligibility of the member to run for reelection. (70 O.S. § 85-110.1)*

**Oklahoma Department of Career and Technology Education
Board Member Training**

The Oklahoma Department of Career and Technology Education is authorized to provide new, incumbent, and continuing education workshop and training requirements which are required for technology center school district board of education members. (70 O.S. § 14-102.1)

VERIFICATION OF ATTENDANCE

The Oklahoma State Department of Education is responsible for maintaining records for each school board member who successfully completes workshops approved for board member training.

Records of attendance are submitted to the Oklahoma State Department of Education by individuals/organizations conducting workshops approved by the State Department of Education and the Oklahoma Department of Career and Technology Education for school board member training. (70 O.S. § 5-110 and 110.2)

School Board Member Training Chart

Elected/Reelected to a Full Term of Office

First Training Component - Must complete within 15 months, if not completed seat should be declared vacant by board and filled appropriately.

Newly Elected Member

2-day or 12 hours

Reelected Member

6 hours

Second Training Component - Complete before filing date

Continuing Education

3-year term

9 hours

4-year term

12 hours

5-year or 7-year term

15 hours

Elected to Less Than a Full Term of Office

First Training Component - Must complete within 15 months, if not completed seat should be declared vacant by board and filled appropriately.

Newly Elected Member

2-day or 12 hours