

An Act

ENROLLED SENATE
BILL NO. 299

By: Thompson (Roger),
Pemberton, and Boren of the
Senate

and

Vancuren, Pittman, and
Munson of the House

An Act relating to the Oklahoma Advisory Council on Indian Education; amending 70 O.S. 2021, Section 3-173, which relates to composition and duties of the Council; recreating the council until certain date; modifying appointment authority for certain members; modifying date by which appointments are to be made; providing for the filling of certain vacancies; updating statutory language; providing an effective date; and declaring an emergency.

SUBJECT: Oklahoma Advisory Council on Indian Education

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

SECTION 1. AMENDATORY 70 O.S. 2021, Section 3-173, is amended to read as follows:

Section 3-173. A. There is hereby re-created to continue until ~~July 1, 2023~~ July 1, 2026, in accordance with the provisions of the Oklahoma Sunset Law, the Oklahoma Advisory Council on Indian Education.

B. The Council shall:

1. Make recommendations to the State Board of Education and the Superintendent of Public Instruction in educational matters affecting the education of Native American students;

2. Promote educational opportunities and improvement of the quality of education provided to Native American students throughout the state;

3. Advocate for Native American students in the state; and

4. Monitor and evaluate how the public education system of the state impacts Native American students.

C. The Council shall be composed of eighteen (18) members as follows:

1. Five members who shall each represent an Indian tribe in the state, of which at least one shall represent an Indian tribe which has an enrollment of less than ten thousand (10,000) members who reside in the state, appointed by the ~~Governor~~ Speaker of the House of Representatives from a list of nominations submitted by the elected executive leaders of different Indian tribes in the state;

2. Four members who shall each represent the tribal education departments of an Indian tribe in the state, appointed by the ~~Governor~~ President Pro Tempore of the Senate from a list of nominations submitted by the elected executive leaders of different Indian tribes in the state;

3. One member who shall represent the Oklahoma Council ~~on~~ for Indian Education, appointed by the Governor;

4. Two members who shall represent two different statewide organizations representing public school teachers, appointed by the President Pro Tempore of the Senate;

5. One member who shall represent a statewide organization representing public school superintendents, appointed by the Speaker of the House of Representatives;

6. One member who shall represent Oklahoma tribal colleges, appointed by the Chancellor of Higher Education;

7. The Director of the Native American Cultural and Educational Authority, or designee;

8. The Chancellor of Higher Education, or designee;

9. The Director of the Oklahoma Department of Career and Technology Education, or designee; and

10. The Superintendent of Public Instruction, or designee.

D. Appointments to the Council shall be made by September 1, ~~2010~~ 2023. The first meeting of the Council shall be called by the Superintendent of Public Instruction. At the first meeting, the members of the Council shall elect a chair and ~~vice-chair~~ vice chair from among the members. Meetings of the Council shall be held at least quarterly at the call of the chair. Members shall serve at the pleasure of their appointing authorities. A majority of the members of the Council shall constitute a quorum to transact business, but no vacancy shall impair the right of the remaining members to exercise all of the powers of the Council. A vacancy on the Council shall be filled by the original appointing authority. A vacancy on the Council in a seat representing an Indian tribe in the state or the tribal education department of an Indian tribe in the state may be filled by the original appointing authority from a list of nominations submitted by the elected executive leaders of Indian tribes in the state. Appointments to fill any vacancy on the Council shall be made within three (3) months following the vacancy. The State Department of Education, Oklahoma Department of Career and Technology Education, and the Oklahoma State Regents for Higher Education shall provide staff, support, and information as requested by the Council.

E. Members of the Council shall receive no compensation for serving on the Council, but shall receive travel reimbursement as follows:

1. State employees who are members of the Council shall be reimbursed for travel expenses incurred in the performance of their duties by their respective agencies in accordance with the State Travel Reimbursement Act; and

2. All other members of the Council shall be reimbursed by the Office of Management and Enterprise Services for travel expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

F. The Council shall act in accordance with the provisions of the Oklahoma Open Meeting Act and the Oklahoma Open Records Act.

G. Members who serve on the Council shall be exempt from the dual-office-holding prohibitions of Section 6 of Title 51 of the Oklahoma Statutes.

H. The Council shall have the following duties:

1. Identify strategies for developing an efficient and reliable process of communications between Oklahoma education entities, educators, tribal organizations, and other interested parties;

2. Identify and disseminate research-based, measurable criteria, both behavioral and academic, by which the success and efficacy of the education offered to Native American students in Oklahoma may be measured;

3. Analyze data to ensure that education agencies in Oklahoma continue to address the education needs of Native American students;

4. Encourage and promote Native American educational leadership at all levels of the education system; and

5. Make recommendations to the State Board of Education for programs that will help achieve the purposes of the Oklahoma Advisory Council on Indian Education Act.

I. The Council shall evaluate and make an annual report on the effectiveness of the public education system in Oklahoma in meeting the needs of Native American students in Oklahoma. The report shall be submitted to the State Board of Education. The report shall also contain a summary of the findings made by the Council pursuant to subsection H of this section, a summary of all data collected by the Council, a summary of the means by which all data was collected by the Council, and any other information deemed necessary by the Council.

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

SECTION 3. It being immediately necessary for the preservation of the public peace, health, or safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Passed the Senate the 8th day of March, 2023.

Presiding Officer of the Senate

Passed the House of Representatives the 25th day of April, 2023.

Presiding Officer of the House
of Representatives

OFFICE OF THE GOVERNOR

Received by the Office of the Governor this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____

Approved by the Governor of the State of Oklahoma this _____

day of _____, 20_____, at _____ o'clock _____ M.

Governor of the State of Oklahoma

OFFICE OF THE SECRETARY OF STATE

Received by the Office of the Secretary of State this _____

day of _____, 20_____, at _____ o'clock _____ M.

By: _____