

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 59th Legislature (2023)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 2819

By: Kendrix of the House

and

Bergstrom of the Senate

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9 COMMITTEE SUBSTITUTE

10 An Act relating to sunset; amending 70 O.S. 2021,
11 Section 3-173, which relates to the Oklahoma Advisory
12 Council on Indian Education; re-creating the Council;
13 and modifying termination date.

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

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

17 Section 3-173. A. There is hereby re-created to continue until
18 July 1, ~~2023~~ 2025, in accordance with the provisions of the Oklahoma
19 Sunset Law, the Oklahoma Advisory Council on Indian Education.

20 B. The Council shall:

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

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

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

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

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

9 1. Five members who shall each represent an Indian tribe in the
10 state, of which at least one shall represent an Indian tribe which
11 has an enrollment of less than ten thousand (10,000) members who
12 reside in the state, appointed by the Governor from a list of
13 nominations submitted by the different Indian tribes in the state;

14 2. Four members who shall each represent the tribal education
15 departments of an Indian tribe in the state, appointed by the
16 Governor from a list of nominations submitted by the different
17 Indian tribes in the state;

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

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

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

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

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

8 8. The Chancellor of Higher Education, or designee;

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

11 10. The State Superintendent of Public Instruction, or
12 designee.

13 D. Appointments to the Council shall be made by September 1,
14 2010. The first meeting of the Council shall be called by the State
15 Superintendent of Public Instruction. At the first meeting, the
16 members of the Council shall elect a chair and vice-chair from among
17 the members. Meetings of the Council shall be held at least
18 quarterly at the call of the chair. Members shall serve at the
19 pleasure of their appointing authorities. A majority of the members
20 of the Council shall constitute a quorum to transact business, but
21 no vacancy shall impair the right of the remaining members to
22 exercise all of the powers of the Council. A vacancy on the Council
23 shall be filled by the original appointing authority. The State
24 Department of Education, Oklahoma Department of Career and

1 Technology Education, and the Oklahoma State Regents for Higher
2 Education shall provide staff, support and information as requested
3 by the Council.

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

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

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

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

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

20 H. The Council shall have the following duties:

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

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

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

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

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

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

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22 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated
23 03/02/2023 - DO PASS, As Amended and Coauthored.

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