

1 **SENATE FLOOR VERSION**

2 April 12, 2023

3 ENGROSSED HOUSE  
4 BILL NO. 2819

By: Kendrix of the House

5 and

6 Bergstrom of the Senate

7  
8 An Act relating to sunset; amending 70 O.S. 2021,  
9 Section 3-173, which relates to the Oklahoma Advisory  
10 Council on Indian Education; re-creating the Council;  
11 and modifying termination date.

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

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

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

18 B. The Council shall:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

6           10. The State Superintendent of Public Instruction, or  
7 designee.

8           D. Appointments to the Council shall be made by September 1,  
9 2010. The first meeting of the Council shall be called by the State  
10 Superintendent of Public Instruction. At the first meeting, the  
11 members of the Council shall elect a chair and vice-chair from among  
12 the members. Meetings of the Council shall be held at least  
13 quarterly at the call of the chair. Members shall serve at the  
14 pleasure of their appointing authorities. A majority of the members  
15 of the Council shall constitute a quorum to transact business, but  
16 no vacancy shall impair the right of the remaining members to  
17 exercise all of the powers of the Council. A vacancy on the Council  
18 shall be filled by the original appointing authority. The State  
19 Department of Education, Oklahoma Department of Career and  
20 Technology Education, and the Oklahoma State Regents for Higher  
21 Education shall provide staff, support and information as requested  
22 by the Council.

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

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

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

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

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

17 H. The Council shall have the following duties:

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

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

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

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

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

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

17 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES  
18 April 12, 2023 - DO PASS  
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