

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 COMMITTEE SUBSTITUTE

4 FOR

HOUSE BILL NO. 2929

By: Coody

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7 COMMITTEE SUBSTITUTE

8 An Act relating to schools; creating the Oklahoma
9 Advisory Council on Indian Education Act; stating
10 purpose of the act; creating the Oklahoma Advisory
11 Council on Indian Education; directing the Council to
12 perform certain functions; stating membership of the
13 Council; requiring appointments be made by a certain
14 date; providing for meetings and election of
15 officers; providing for service, quorum, and filling
16 vacancies; providing for staff support; providing for
17 travel reimbursement; making the Council subject to
18 certain laws; making members of the Council exempt
19 from dual-office-holding prohibitions; listing duties
20 of the Council; requiring the Council to make an
21 annual report; specifying certain content of the
22 report; providing for codification; providing an
23 effective date; and declaring an emergency.

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

20 SECTION 1. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 3-171 of Title 70, unless there
22 is created a duplication in numbering, reads as follows:

23 This act shall be known and may be cited as the "Oklahoma
24 Advisory Council on Indian Education Act".

1 SECTION 2. NEW LAW A new section of law to be codified
2 in the Oklahoma Statutes as Section 3-172 of Title 70, unless there
3 is created a duplication in numbering, reads as follows:

4 The purpose of the Oklahoma Advisory Council on Indian Education
5 Act is to recognize the unique relationship that Oklahoma enjoys
6 with the Indian tribes located within the state and how Native
7 Americans and Indian tribes play a pivotal role in the educational
8 system of the state in light of this special relationship. The
9 further purpose of the act is to establish the Oklahoma Advisory
10 Council on Indian Education. The purpose of creating the Council is
11 to promote equitable and culturally relevant learning environments,
12 educational opportunities and instructional material for Native
13 American students enrolled in the public schools of the state.
14 Because of the number of Native American students enrolled in public
15 schools in the state, this objective will positively affect the
16 educational success of all public school students and encourage
17 further government-to-government cooperation between the State of
18 Oklahoma and the sovereign Indian tribes located in Oklahoma.

19 SECTION 3. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 3-173 of Title 70, unless there
21 is created a duplication in numbering, reads as follows:

22 A. There is hereby created the Oklahoma Advisory Council on
23 Indian Education.

24 B. The Council shall:

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

4 2. Promote equal educational opportunity and improvement of the
5 quality of education provided to Native American students throughout
6 the state;

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

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

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

12 1. Five members who shall each represent an Indian tribe in the
13 state, appointed by the Governor from a list of nominations
14 submitted by the different Indian tribes in the state;

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

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

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

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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 Superintendent of Public Instruction, or designee.

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

1 Education shall provide staff, support and information as requested
2 by the Council.

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

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

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

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

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

19 H. The Council shall have the following duties:

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

23 2. Identify and disseminate research-based, measurable
24 criteria, both behavioral and academic, by which the success and

1 efficacy of the education offered to Native American students in
2 Oklahoma may be measured;

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

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

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

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

19 SECTION 4. This act shall become effective July 1, 2010.

20 SECTION 5. It being immediately necessary for the preservation
21 of the public peace, health and safety, an emergency is hereby
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1 declared to exist, by reason whereof this act shall take effect and
2 be in full force from and after its passage and approval.

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