

EHB 2929

THE STATE SENATE
Monday, March 29, 2010

ENGROSSED

House Bill No. 2929

As Amended

ENGROSSED HOUSE BILL NO. 2929 - By: Coody and Billy of the House and Justice of the Senate.

(schools - Oklahoma Advisory Council on Indian Education Act - membership - codification - effective date - emergency)

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

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

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

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

The purpose of the Oklahoma Advisory Council on Indian Education Act is to recognize the unique relationship that Oklahoma enjoys with the Indian tribes located within the state and how Native Americans and Indian tribes play a pivotal role in the educational system of the state in light of this special relationship. The further purpose of the act is to establish the Oklahoma Advisory

1 Council on Indian Education. The purpose of creating the Council is
2 to promote equitable and culturally relevant learning environments,
3 educational opportunities and instructional material for Native
4 American students enrolled in the public schools of the state.
5 Because of the number of Native American students enrolled in public
6 schools in the state, this objective will positively affect the
7 educational success of all public school students and encourage
8 further government-to-government cooperation between the State of
9 Oklahoma and the sovereign Indian tribes located in Oklahoma.

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

13 A. There is hereby created **until December 31, 2015**, the
14 Oklahoma Advisory Council on Indian Education.

15 B. The Council shall:

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

19 2. Promote equal educational opportunity and improvement of the
20 quality of education provided to Native American students throughout
21 the state;

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

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

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

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

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

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

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

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

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

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

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

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

4 10. The Superintendent of Public Instruction, or designee.

5 D. Appointments to the Council shall be made by September 1,
6 2010. The first meeting of the Council shall be called by the
7 Superintendent of Public Instruction. At the first meeting, the
8 members of the Council shall elect a chair and vice-chair from among
9 the members. Meetings of the Council shall be held at least
10 quarterly at the call of the chair. Members shall serve at the
11 pleasure of their appointing authorities. A majority of the members
12 of the Council shall constitute a quorum to transact business, but
13 no vacancy shall impair the right of the remaining members to
14 exercise all of the powers of the Council. A vacancy on the Council
15 shall be filled by the original appointing authority. The State
16 Department of Education, Oklahoma Department of Career and
17 Technology Education, and the Oklahoma State Regents for Higher
18 Education shall provide staff, support and information as requested
19 by the Council.

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

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

5 2. All other members of the Council shall be reimbursed by the
6 Office of State Finance for travel expenses incurred in the
7 performance of their duties in accordance with the State Travel
8 Reimbursement Act.

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

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

14 H. The Council shall have the following duties:

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

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

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

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

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

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

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

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

20 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION, dated 3-22-10 - DO
21 PASS, As Amended.