

1 ENGROSSED HOUSE  
2 BILL NO. 3588

By: Roberts (Dustin) of the  
House

3 and

4 Bullard of the Senate

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8 An Act relating to education; amending 70 O.S. 2011,  
9 Section 3-173, as last amended by Section 1, Chapter  
10 131, O.S.L. 2014 (70 O.S. Supp. 2019, Section 3-173),  
11 which relates to the Oklahoma Advisory Council on  
12 Indian Education; modifying sunset date; and  
13 declaring an emergency.

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

15 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-173, as  
16 last amended by Section 1, Chapter 131, O.S.L. 2014 (70 O.S. Supp.  
17 2019, Section 3-173), is amended to read as follows:

18 Section 3-173. A. There is hereby ~~created~~ re-created to  
19 continue until July 1, ~~2020~~ 2026, in accordance with the provisions  
20 of the Oklahoma Sunset Law, the Oklahoma Advisory Council on Indian  
21 Education.

22 B. The Council shall:  
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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 educational opportunities 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, of which at least one shall represent an Indian tribe which  
14 has an enrollment of less than ten thousand (10,000) members who  
15 reside in the state, appointed by the Governor from a list of  
16 nominations submitted by the different Indian tribes in the state;

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

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

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

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

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

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

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

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

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

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

1 shall be filled by the original appointing authority. The State  
2 Department of Education, Oklahoma Department of Career and  
3 Technology Education, and the Oklahoma State Regents for Higher  
4 Education shall provide staff, support and information as requested  
5 by the Council.

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

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

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

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

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

22 H. The Council shall have the following duties:  
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1        1. Identify strategies for developing an efficient and reliable  
2 process of communications between Oklahoma education entities,  
3 educators, tribal organizations and other interested parties;

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

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

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

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

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

SECTION 2. 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 House of Representatives the 10th day of March, 2020.

Presiding Officer of the House  
of Representatives

Passed the Senate the \_\_\_\_ day of \_\_\_\_\_, 2020.

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Presiding Officer of the Senate