

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 57th Legislature (2020)

4 COMMITTEE SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3588

By: Roberts (Dustin)

7
8 COMMITTEE SUBSTITUTE

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

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

16 SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-173, as
17 last amended by Section 1, Chapter 131, O.S.L. 2014 (70 O.S. Supp.
18 2019, Section 3-173), is amended to read as follows:

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

23 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.

COMMITTEE REPORT BY: COMMITTEE ON RULES, dated 02/25/2020 - DO PASS, As Amended.