

1 ENGROSSED SENATE  
2 BILL NO. 299

By: Thompson (Roger) and  
Pemberton of the Senate

3 and

4 Vancuren of the House

5  
6 An Act relating to the Oklahoma Advisory Council on  
7 Indian Education; amending 70 O.S. 2021, Section 3-  
8 173, which relates to composition and duties of the  
9 Council; recreating the council until certain date;  
10 modifying appointment authority for certain members;  
11 modifying date by which appointments are to be made;  
12 providing for the filling of certain vacancies;  
13 updating statutory language; providing an effective  
14 date; and declaring an emergency.

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

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

18 Section 3-173. A. There is hereby re-created to continue until  
19 ~~July 1, 2023~~ July 1, 2026, in accordance with the provisions of the  
20 Oklahoma Sunset Law, the Oklahoma Advisory Council on Indian  
21 Education.

22 B. The Council shall:

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

1        2. Promote educational opportunities and improvement of the  
2 quality of education provided to Native American students throughout  
3 the state;

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

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

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

9        1. Five members who shall each represent an Indian tribe in the  
10 state, of which at least one shall represent an Indian tribe which  
11 has an enrollment of less than ten thousand (10,000) members who  
12 reside in the state, appointed by the ~~Governor~~ Speaker of the House  
13 of Representatives from a list of nominations submitted by the  
14 elected executive leaders of 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~~ President Pro Tempore of the Senate from a list of  
18 nominations submitted by the elected executive leaders of different  
19 Indian tribes in the state;

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

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

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~~ 2023. 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~~ vice chair  
16 from among the members. Meetings of the Council shall be held at  
17 least quarterly at the call of the chair. Members shall serve at  
18 the pleasure of their appointing authorities. A majority of the  
19 members of the Council shall constitute a quorum to transact  
20 business, but no vacancy shall impair the right of the remaining  
21 members to exercise all of the powers of the Council. A vacancy on  
22 the Council shall be filled by the original appointing authority. A  
23 vacancy on the Council in a seat representing an Indian tribe in the  
24 state or the tribal education department of an Indian tribe in the

1 state may be filled by the original appointing authority from a list  
2 of nominations submitted by the elected executive leaders of Indian  
3 tribes in the state. Appointments to fill any vacancy on the  
4 Council shall be made within three (3) months following the vacancy.

5 The State Department of Education, Oklahoma Department of Career and  
6 Technology Education, and the Oklahoma State Regents for Higher  
7 Education shall provide staff, support, and information as requested  
8 by the Council.

9 E. Members of the Council shall receive no compensation for  
10 serving on the Council, but shall receive travel reimbursement as  
11 follows:

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

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

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

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

1       H. The Council shall have the following duties:

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

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

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

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

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

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

SECTION 2. This act shall become effective July 1, 2023.

SECTION 3. 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 Senate the 8th day of March, 2023.

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Presiding Officer of the Senate

Passed the House of Representatives the \_\_\_\_ day of \_\_\_\_\_,  
2023.

Presiding Officer of the House  
of Representatives