

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                               STATE OF OKLAHOMA

3                               1st Session of the 59th Legislature (2023)

4   ENGROSSED SENATE  
5   BILL NO. 299

                              By: Thompson (Roger),  
                              Pemberton, and **Boren** of the  
                              Senate

6   and

7   Vancuren and **Pittman** of the  
8   House

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

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

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

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

28           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 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~~ Speaker of the House  
16 of Representatives from a list of nominations submitted by the  
17 elected executive leaders of different Indian tribes in the state;

18       2. Four members who shall each represent the tribal education  
19 departments of an Indian tribe in the state, appointed by the  
20 ~~Governor~~ President Pro Tempore of the Senate from a list of  
21 nominations submitted by the elected executive leaders of different  
22 Indian tribes in the state;

23       3. One member who shall represent the Oklahoma Council ~~on~~ for  
24 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~~ 2023. 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~~ vice chair  
19 from among the members. Meetings of the Council shall be held at  
20 least quarterly at the call of the chair. Members shall serve at  
21 the pleasure of their appointing authorities. A majority of the  
22 members of the Council shall constitute a quorum to transact  
23 business, but no vacancy shall impair the right of the remaining  
24 members to exercise all of the powers of the Council. A vacancy on

1 the Council shall be filled by the original appointing authority. A  
2 vacancy on the Council in a seat representing an Indian tribe in the  
3 state or the tribal education department of an Indian tribe in the  
4 state may be filled by the original appointing authority from a list  
5 of nominations submitted by the elected executive leaders of Indian  
6 tribes in the state. Appointments to fill any vacancy on the  
7 Council shall be made within three (3) months following the vacancy.

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

12 E. Members of the Council shall receive no compensation for  
13 serving on the Council, but shall receive travel reimbursement as  
14 follows:

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

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

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

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

4 H. The Council shall have the following duties:

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

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

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

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

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

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

1 Council, a summary of the means by which all data was collected by  
2 the Council, and any other information deemed necessary by the  
3 Council.

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

5 SECTION 3. It being immediately necessary for the preservation  
6 of the public peace, health, or safety, an emergency is hereby  
7 declared to exist, by reason whereof this act shall take effect and  
8 be in full force from and after its passage and approval.

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10 COMMITTEE REPORT BY: COMMITTEE ON ADMINISTRATIVE RULES, dated  
11 04/13/2023 - DO PASS, As Coauthored.

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