



This Bill Analysis reflects the contents of the bill as it was presented in committee.

SENATE BILL 97: State Advisory Council on Indian Education

2015-2016 General Assembly

Committee:	Rules, Calendar, and Operations of the House	Date:	September 22, 2015
Introduced by:	Sen. J. Davis	Prepared by:	Drupti Chauhan
Analysis of:	Second Edition		Committee Counsel

SUMMARY: *Senate Bill 97 changes the composition of the State Advisory Council on Indian Education, with current members serving the remainder of their terms.*

CURRENT LAW:

Under G.S. 115C-210.1, the 15 members of the State Advisory Council on Indian Education (Council) are appointed as follows:

- Two legislative members (one from the Senate appointed by the President Pro Tempore, and one from the House of Representatives appointed by the Speaker).
- Two Indian members from higher education appointed by the Board of Governors of The University of North Carolina.
- One Indian member from the North Carolina Commission on Indian Affairs appointed by that Commission.
- Eight Indian parents of students enrolled in the public schools.
- Two Indian educators from the public schools appointed by the State Board of Education (SBE) from a list submitted by the NC Commission on Indian Affairs.

Under current law the Council should broadly represent North Carolina Indian tribes and organizations and any other tribe gaining State recognition in the future.

BILL ANALYSIS:

SB 97 would make changes to the composition of the Council as follows:

- Would direct the Board of Governors of The University of North Carolina and the State Board of Community Colleges to each appoint an American Indian member from higher education, preferably faculty members.
- Would reduce the number of American Indian parents from eight to five, and clarify that appointed parents must be of students enrolled in the K-12 public schools, including charter schools.
- Would increase the number of American Indian K-12 public school educators from two to five and require one member be a Title VII director or coordinator. (Title VII addresses Indian Education programs in the federal Elementary and Secondary Education Act). The bill would define a K-12 educator to include a school administrator, classroom teacher, resource teacher, or school counselor. The bill would also require that the appointed educators must have a current North Carolina educator's license.
- Would provide that members on the Council must be broadly representative of North Carolina's Indian tribes and organizations, State-recognized tribes and organizations, any Indian tribe



Senate Bill 79

Page 2

gaining State recognition in the future, and parents and educators from tribes recognized by the United States Department of the Interior, Bureau of Indian Affairs.

Members currently serving on the Council are to serve out the remainder of their terms and when a vacancy occurs a new member will be appointed under the changes set forth in this bill. The bill would also clarify references to "Indian" as someone who is an "American Indian".

EFFECTIVE DATE: This bill would become effective when it becomes law.

BACKGROUND: In 1988, the SBE adopted an Indian education policy to provide a process for identifying issues pertaining to the education of American Indian students in grades K–12. In the same year, the N.C. General Assembly enacted Article 13A (NCGS § 115C-210 et. seq.) to establish a fifteen member State Advisory Council on Indian Education to serve as the mechanism for advocating on the behalf of American Indian students. Membership consists of American Indian parents and educators, legislative members from the N.C. Senate and House of Representatives, representatives appointed by the UNC Board of Governors, and the North Carolina Commission of Indian Affairs.

The Council advises the SBE on issues pertaining to the education of American Indian students. More specifically, the Council is charged with the following duties:

- To advise the SBE on effective educational practices for American Indian students.
- To explore programs that raise academic achievement and reduces the dropout rate among American Indian students.
- To advise the SBE and the Department of Public Instruction on ways to improve coordination and communication for the benefit of American Indian students affected by state and federal programs administered at the state level.
- To prepare and present an annual report to the SBE, tribal organizations, and to conferees at the annual North Carolina Indian Unity Conference.
- To advise the SBE on any other aspect of American Indian education when requested by the SBE, educators, parents, students, business leaders, and other constituents.