



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:	Senate Education/Higher Education	Date:	April 28, 2015
Introduced by:	Sen. J. Davis	Prepared by:	Drupti Chauhan and James Ritter
Analysis of:	PCS to First Edition S97-CSTW		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.*

The PCS for Senate Bill 97 would specify that NC state-recognized tribes and organizations and tribes and organizations recognized by the United States Department of the Interior (USDI), Bureau of Indian Affairs must be represented on the State Advisory Council on Indian Education.

[As introduced, this bill was identical to H522, as introduced by Reps. C. Graham, Pierce, Steinburg, Waddell, which is currently in Rules, Calendar, and Operations of the House.]

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:

The PCS for 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 clarifies 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 requires one member be a Title IV director or coordinator. The PCS defines a K-12 educator to include a school administrator, classroom teacher, resource teacher, or school counselor. The

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PCS also requires 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 state-recognized tribes and organizations and those recognized by the USDI, 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 PCS. The PCS also clarifies references to "Indian" as someone that 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 serves a vital role in advising 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.