



U.S. DEPARTMENT OF EDUCATION

TRIBAL LEADERS SPEAK: THE STATE OF INDIAN EDUCATION, 2010

Report of the Consultations with Tribal Leaders
in Indian Country



Tribal Leaders Speak: The State of American Indian Education, 2010

Report of the Consultations With Tribal Leaders in Indian Country

U.S. Department of Education
Office of the Secretary
Office of Elementary and Secondary Education, Office of Indian Education
White House Initiative on Tribal Colleges and Universities

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Nov. 18, 2011

Dear Tribal Leaders:

The Obama Administration is strongly committed to the education of American Indian and Alaska Native people. The President and I believe the future of Indian Country rests on ensuring that your children receive a high-quality education. Improving academic outcomes for Native American children has never been more important. Unfortunately, too many Native American children are not receiving an education that prepares them for college and career success, too few of them are going to college, and far too many of them drop out of high school. We need to do better.

As Secretary of Education, I have had the privilege of visiting the Northern Cheyenne Reservation in Montana and the Rosebud Sioux Reservation in South Dakota. I witnessed the problems that Indian Country faces with high unemployment, poor housing, and inadequate school facilities. But the children I talked with on those reservations gave me hope. They were smart, committed, and passionate. They said they want to be challenged. They want to be held to higher expectations.

To better serve Native students, we must collaborate with the people who know their students and communities the best—tribal leaders. I have traveled to tribal communities in Alaska, Montana, and South Dakota to learn from tribal officials about the challenges their students face. And I sent my senior staff to engage in consultations with tribal leaders in New Mexico, South Dakota, Oklahoma, Arizona, and Washington. Over the course of our travels, we have had meaningful discussions about the reauthorization of the Elementary and Secondary Education Act (ESEA); the teaching of Native languages, cultures, and history in our schools; and tribal sovereignty and self-determination. This report documents what we heard during those consultations.

We also understand that consultations are not an end in themselves. We must follow up with meaningful reforms. For instance, as a result of our consultations with tribal leaders, we have proposed a new pilot authority in our ESEA reauthorization proposal that would elevate the role of tribal educational agencies (TEAs). Under this authority, TEAs would work collaboratively with State educational agencies and have a potentially greater role in the education of their own children.

We are also working on creating a new senior Indian Affairs position at the Department. That appointee will be responsible for ensuring that the educational needs of Native students are met across the Department's education programs. In policy papers and at tribal consultations, tribal leaders and educators talked about the importance of giving tribal communities a voice at the highest levels of the Department.

Finally, the Department administers a number of federal education programs for American Indian students. The Department's Office of Indian Education, which implements the Indian Education programs authorized under Title VII, Part A of the Elementary and Secondary Education Act—the only comprehensive piece of federal Indian education legislation—provides funding to meet the unique educational needs of over 475,000 Indian students in over 1,200 public school districts, as well as students attending the schools funded by the Department of the Interior's Bureau of Indian Education.

I want to assure you that the Department understands its trust responsibility to improve educational outcomes for all American Indian and Alaska Native students. Thank you for your leadership. I look forward to working with you further in the years to come.

Sincerely,

Arne Duncan

Tribal Leaders Speak: The State of American Indian Education, 2010

Report of the Consultations With Tribal Leaders in Indian Country

Please let us know what the results of all this is because I've been to many of these over 40-some years and, in most cases, nothing happens.

—Ivan M. Ivan, Tribal Chief, Akiak Native Community¹

Together, working together, we're going to make sure that the first Americans, along with all Americans, get the opportunities they deserve.

—President Barack Obama²

The Department of Education has never, ever engaged in [its own] tribal consultations. ... We will prepare a report to the White House and to the Secretary on our conversations here.

—Charles P. Rose, General Counsel, U.S. Department of Education³

¹ Alaska Consultation, April 16, 2010.

² White House Tribal Nations Conference, Nov. 5, 2009.

³ South Dakota Consultation, April 28, 2010.

INTRODUCTION

We have to dramatically improve the quality of education in Indian country and for Native American students, whether they live on reservations or not.

—Arne Duncan, Secretary, U.S. Department of Education⁴

In accordance with President Obama's Nov. 5, 2009, memorandum requiring federal agencies to develop plans of action for consultation and coordination with American Indians/Alaska Natives,⁵ the U.S. Department of Education conducted six official consultations with tribal leaders and American Indian educators across the country in 2010. These were the first such sessions that the U.S. Department of Education sponsored in its history.

During the Department of Education's tribal consultations in Indian communities, tribal leaders and educators or American Indian children testified that American Indian students face a number of significant challenges, including lack of access to culturally appropriate curricula, educators without sufficient cultural training, and poor learning conditions. They spoke of organizational challenges, insufficient resources, and limited opportunities for members of tribal communities to meaningfully participate in the education of their own children. These challenges identified by tribal leaders and educators of American Indian children may act as barriers to a quality education and contribute to poor outcomes for American Indian students. As data from the 2009 National Assessment of Educational Progress (NAEP) show, unfortunately, American Indian students face significant achievement gaps as compared to their non-native peers. Tribal leaders testified that these outcomes perpetuate cycles of limited economic opportunity, resulting in significant health, welfare, and justice inequities in Indian country.

The National Indian Education Study, 2009

It is very important that we hold education important to our children, to our tribal membership, and today is going to be a day where we are going to voice our issues and our concerns to the representatives from the Department of Education. Because what is being said here today they will take back to Washington, and we're hoping that they listen with a good heart and a clear mind, that we are not only expressing what we want for our education for our children but in the future, a better education.

—Theresa Two Bulls, President, Oglala Sioux Tribe⁶

⁴ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

⁵ For brevity, we use "American Indian" to refer to American Indian and Alaska Native throughout.

⁶ South Dakota consultation, April 28, 2010.

The Department's NAEP program is the largest nationally representative and continuing assessment of what America's students know and can do in various subjects. Using the data from the NAEP, the National Center for Education Statistics (NCES) produced the *National Indian Education Study 2009*, finding that American Indian student scores in both reading and math at both fourth- and eighth-grade levels did not improve since 2005. In addition, Alaska Natives at the fourth-grade level actually scored lower on this survey than in 2005. Specifically, in the 2009 assessment, American Indian students attending local public schools lagged behind the general population in reading by an average of 17 points out of 500 in fourth grade and by 13 points in eighth grade. As for math, American Indian students averaged 15 points lower than the general population in grade 4 and 17 points lower in grade 8.

American Indian students attending Bureau of Indian Education (BIE) schools fared even worse in achievement. BIE students averaged 25 points lower in reading than the general population in fourth grade and 23 points lower in grade 8. In math, BIE students averaged 20 points lower than the general population in fourth grade and 19 points lower in eighth grade.⁷

The Dropout/Graduation Crisis Among American Indian and Alaska Native Students⁸

American Indian students also suffer from high dropout rates. For example, in 2008–09, 48 states and the District of Columbia reported sufficient data to calculate the Average Freshmen Graduation Rate (AFGR) by race/ethnicity.⁹ Across these reporting states and D.C., the AFGR for American Indian students (64.3 percent) falls between black, non-Hispanic students (63.3 percent) and Hispanic students (65.1); all of which are below the rates for whites and Asian / Pacific Islanders (81.5 percent and 92.3 percent, respectively). This dynamic changes somewhat when looking at states where the percentage of the 2008–09 graduation cohort made up of American Indian students exceeds the average percentage of all students in the reporting states who are American Indian (i.e., exceeds 1.25 percent).¹⁰ Across these states the AFGR for American Indian students was 62.3 percent. This falls below the rates for black, Hispanic, white, and Asian students across these same states (66.2 percent, 67.0 percent, 82.6 percent, and 91.3 percent respectively).

The Education System Serving American Indian Students

⁷ U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics, National Assessment of Educational Progress (NAEP), *National Indian Education Study 2009*.

⁸ U.S. Department of Education, National Center for Education Statistics, Common Core of Data (CCD), "NCES Common Core of Data State Dropout and Completion Data File," School Year 2008–09, Version 1a.

⁹ The AFGR could not be calculated by race/ethnicity in school year 2008-09 for Maine and Nevada.

¹⁰ Alaska, Arizona, Idaho, Kansas, Minnesota, Montana, Nebraska, New Mexico, North Carolina, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wisconsin, and Wyoming all have American Indian and Alaska Native populations that exceed 1.25 percent of their estimated 2008-09 graduation cohort population.

The complexity of [education] systems is daunting.
—Janine Pease, Crow Tribe¹¹

During the 2005–06 school year, American Indian students comprised some 644,000 public elementary and secondary school students, or about 1 percent of all public school students. If regarded as a state student population, American Indian students would represent the 27th largest state by student enrollment in the country, comparable in size to such states as Kentucky, Louisiana and Oklahoma. The great majority, some 92 percent, of American Indian students attend regular local public schools that fall under the jurisdiction of pertinent state and local educational authorities.

The U.S. Department of the Interior’s BIE schools enroll approximately 8 percent of all American Indian public school students in 184 BIE-funded schools. Sixty-one of these schools are operated by the BIE and 123 by tribal authorities themselves, either under BIE contracts or with grants. During the 2009–10 school year, BIE schools served 46,524 American Indian students. These schools were located on 63 reservations in 23 states.¹² If treated as its own school district, the BIE would rank, by enrollment, in the top 100 out of nearly 16,000 school districts in the nation.

The responsibility to provide education to American Indian youth is set out in federal statutes and treaties. Whereas the federal government maintains a unique trust obligation, brokered in the 19th century, which includes responsibility over delivery of education services, state and local authorities are not obligated by these federal statutes and treaties. As it is with public education generally, much of the discretion as to policies and resources affecting the vast majority of American Indian students—the more than 90 percent who attend regular public schools—is left to the judgment of state and local authorities, and, therefore, varies by jurisdiction.

In addition to the fragmentation that occurs within a federal-state-local education structure, there is further fragmentation within the federal agencies. For example, within the U.S. Department of Education there are several program offices that implement different programs and initiatives that operate under distinct Departmental authorities.

The BIE is located within the Office of Indian Affairs at the U.S. Department of the Interior. The Office of Indian Affairs is one of eight Interior bureaus, including the U.S. Fish and Wildlife Service; the National Park Service; the Office of Surface Mining; Reclamation and Enforcement; the Bureau of Land Management; the Office of Ocean Energy Management, Regulation and Enforcement; and the U.S. Geological Survey. Under the Office of Indian Affairs, the BIE is among several other offices, including the Office of Indian Energy and Economic Development; the Office of Justice Services; the

¹¹ Comment card submission, U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

¹² U.S. Department of Education, National Center for Education Statistics, *Status and Trends in the Education of American Indians and Alaska Natives*, September 2008, <http://nces.ed.gov/pubs2008/nativetrends/highlights.asp>, accessed March 16, 2011.

Office of Indian Services; and the Division of Tribal Government Services.¹³ The U.S. Department of the Interior employs 70,000 individuals. Of this total, 4,300 are employed by the BIE, approximately the same as the total number employed by the U.S. Department of Education.¹⁴

The U.S. Department of Education's 2010 Plan of Actions

American Indian issues today are primarily within the U.S. Department of Interior where we compete ... with animals, trees, rocks, etc.
Meeting with U.S. "people departments" is refreshing.
—Anonymous, South Dakota consultation comment card submission¹⁵

Following President Obama's November 2009 memorandum requiring federal agencies to develop plans of actions for consultation and coordination with American Indian tribal governments, the U.S. Department of Education began working with tribal nations and other federal agencies. Department of Education officials, including Senate-confirmed staff and senior-level office directors, attended seven interagency conferences across the country in Dec. 2009. These included conversations with the Departments of Commerce and Agriculture and tribal officials, a conference of the National Indian Impacted Schools Association, the South Dakota Indian Education Conference, a U.S. Department of the Interior tribal consultation, and the Department of the Interior, Bureau of Indian Education Safe Schools Summit.

These conferences and conversations laid the groundwork for the Department of Education's tribal consultations that followed.

On Feb. 3, 2010, Secretary Duncan then submitted to the Office of Management and Budget a Plan of Actions (the Plan) for implementing President Clinton's 2000 Executive Order 13175, which was intended to establish regular and meaningful consultation and collaboration with tribal officials in the development of federal policies that have tribal implications, to strengthen the United States government-to-government relationships with Indian Tribes, and to reduce the imposition of unfunded mandates upon Indian Tribes. The development of the Department of Education's Plan was guided by the following four principles:

- The U.S. recognizes the right of federally recognized Indian tribes to self-government, and supports tribal sovereignty and self-determination;
- In general, this right forms the basis of every federal policy or program that has tribal implications;

¹³ U.S. Department of the Interior, "What We Do," <http://www.bia.gov/WhatWeDo/index.htm>, accessed March 18, 2011.

¹⁴ U.S. Department of the Interior, "Bureaus & Offices," <http://interior.gov/bureaus/index.cfm>, accessed March 18, 2011.

¹⁵ Comment card submission, South Dakota consultation, April 28, 2010.

- Regular and meaningful dialogue is the appropriate vehicle for ensuring that this right is reflected in federal policies and programs; and
- The Department's role is to ensure that the unique educational and culturally related academic needs of American Indians and Alaska Natives are met.

The Plan outlined regular and ad hoc consultations with follow-through; intra-agency coordination, including the provision of training and formation of working groups; interagency collaboration, particularly with the BIE; and communications and outreach by federal agencies, to forge closer ties between the federal government and tribal contacts. The Plan designated then General Counsel Charles P. Rose as the senior Departmental official in charge of Plan implementation.

Nationwide Consultations With Tribal Leaders in Indian Communities in 2010

The whole notion of equity is something that has oftentimes not served native people. It has actually worked against us because we're not necessarily trying to be the same as all these other groups.
—David Iyall, Cowlitz Tribe; University of Washington¹⁶

As laid out in the Plan, the U.S. Department of Education independently organized, for the first time in its history, consultations with tribal leaders in Indian communities, one town hall in Washington, D.C., and two teleconferences between senior Department officials and federally recognized tribal leaders and American Indian educators in 2010. These consultations are documented in court reporter transcripts available on the Department's website, (<http://www.ed.gov/about/inits/ed/indianed/docs.html>). Senior officials from the U.S. Department of the Interior's Office of Indian Affairs also participated in many of these sessions. The 2010 consultation venues included Anchorage, Alaska; Espanola, New Mexico; Shawnee, Oklahoma; Pine Ridge, South Dakota; Window Rock, Arizona; and Puyallup, Washington; conference calls, as well, took place among tribal representatives, Secretary Duncan and other high-level Departmental officials. Many of the in-person consultations were held on tribally controlled lands.

During these consultations, representatives of federally recognized tribes and American Indian educators spoke, and Department officials listened and learned. Recommendations and comments generally depicted a challenging scenario notwithstanding several success stories. The testimony of tribal officials and educators of American Indian students is reflected in this report.

Among the objectives of these sessions was to seek input from American Indian leaders and educators on critical education issues, including for the reauthorization of the Elementary and Secondary Education Act so that policymakers would hear from

¹⁶ Washington consultation, July 15, 2010.

American Indian leaders and educators on how to revise the law so that it includes meaningful reform for the education of American Indian students.¹⁷

AMERICAN INDIANS SPEAK: MANY HISTORICAL CHALLENGES PERSIST

American Indians Speak of Failure to Fulfill Historic Trust Responsibility

So the funding that you bring towards us ... we look at this as a partial payment of the rental of our lands.

—Jesse Taken Alive, Tribal Council Representative, Standing Rock Sioux Tribe¹⁸

Summary

Federally recognized tribes and American Indian educators expressed outrage at perceived failures of the federal government to fulfill its “moral obligation of the highest responsibility and trust” to Indian tribes. The federal courts have long recognized the distinctive obligation of trust incumbent upon the federal government in its dealings with Indian peoples. Under its historic trust responsibility, the federal government must protect tribal self-governance, lands, assets, resources and treaty rights, and comply with applicable federal statutes, treaties and court decisions.¹⁹

The general rationale for this legal relationship has been that the federal government would be permitted to use American Indian tribal lands and other national resources in exchange for the provision of basic services, including health, education, and economic development to the Indian tribes.^{20,21} Both trust privileges and service-provision responsibilities were to be executed with the ongoing input of tribally affiliated American Indians.^{22,23,24,25}

¹⁷ U.S. Department of Education, “Plan of Actions for Implementation of Executive Order 13175: Consultation and Coordination with Indian Tribal Governments,” Feb. 3, 2010, <http://www.ed.gov/about/reports/annual/tribalplan-2010.pdf>, accessed Jan. 31, 2011.

¹⁸ South Dakota consultation, April 28, 2010.

¹⁹ *Seminole Nation v. United States*, 316 U.S. 286 (1942).

²⁰ *Snyder Act*, 1921.

²¹ Treaty of Point Elliot, Jan. 22, 1855.

²² Canby, Jr., William C., *American Indian Law in a Nutshell*, 1998, Eagan, Minn.: West Group.

²³ Cohen, Felix S., *Handbook of Federal Indian Law with Reference Tables and Index*, 1988, Buffalo, N.Y.: William S. Hein & Co.

²⁴ Pevar, Stephen L., *The Rights of Indians and Tribes: The Basic ACLU Guide to Indian Tribal Rights*, 1992, Carbondale, Ill.: Southern Illinois University Press.

²⁵ Prucha, Francis Paul, ed., *Documents of United States Indian Policy*, 2nd ed., 1990.

While federal treaty obligations continue, adequate oversight, including oversight over education programs for American Indian students funded by the federal government and channeled through various state, local and tribal authorities, is challenging. Additionally, state and local governments are not required to comply with federal treaty obligations.

During the consultations, tribal leaders indicated that their perception of the federal government's failure to provide quality education services to American Indian students, whether they attend BIE or local public schools, is another instance of the federal government failing to fulfill its trust responsibilities to sovereign American Indian nations. In their comments, American Indian educators and leaders of federally recognized tribes alike attributed this perceived government failure to meet its Indian trust responsibilities to a variety of factors, including the complexity of federal, state, local, and tribal education systems, a perceived failure of the federal government to consult with American Indians themselves, and, according to those leaders, insufficient and uncoordinated federal funding for Indian education.

Testimony

This responsibility of providing for the education of American Indian people is based on the unique status of Indian people and has been recognized over time through federal legislation, such as the *Snyder Act* as well as the Indian Education Act.

—Walter Dasheno, Governor, Santa Clara Pueblo²⁶

The role of states in upholding trust responsibility must be defined ... because a majority of Indian youth attend public school.

—Tulalip Tribes of Washington State²⁷

The U.S. government has a trust responsibility to all the tribes. And from what I've seen, they're partially negligent in that trust responsibility.

—Peter Garcia, Ohkay Owingeh²⁸

I want to emphasize the fact that education is a treaty obligation as cited in Article 7 of the [1868] Fort Laramie treaty that was established between our nation and the Congress of the United States of America. The education services that are provided by this treaty provision do not differentiate between the U.S. Departments of Education and Interior.

—Thomas Conroy, Chairman, Pine Ridge School Board²⁹

²⁶ New Mexico consultation, May 3, 2010.

²⁷ Written testimony, April 16, 2010.

²⁸ New Mexico consultation, May 3, 2010.

²⁹ Written testimony, April 28, 2010.

Many of those dollars that the states receive are federal flow-through dollars for the services and so, by way of receiving those federal dollars, those states also buy into that federal trust responsibility.
—Mary Jane Oatman-Wak Wak, Nez Perce Tribe; National Advisory Council on Indian Education; Director, Indian Education, State of Idaho³⁰

This was ours at one time. You've got to understand that there's an obligation. ... When are we going to quit begging?
—David Beaulieu, Lac du Flambeau Tribe, Wisconsin; Professor Emeritus, Arizona State University³¹

We ... concur with President Obama's conviction that the federal government has a trust relationship with all American Indian tribes, including a responsibility for providing educational services to American Indian students, because of the special government-to-government relationship between tribes as sovereign governments and the United States Government.
—Walter Dasheno, Governor, Santa Clara Pueblo³²

Congress ... declared its commitment ... to the maintenance of the federal government's unique and continuing trust relationship with and responsibility to the Indian people for the education of Indian children through the establishment of a meaningful Indian self-determination policy for education that will deter further ... perpetuation of federal bureaucratic domination of programs.
—Noreen Sakiestewa, Director for the Department of Education for the Hopi Tribe³³

American Indians Seek More Tribal Control Over Education

If we're going to be in control of our destiny, we have to be in control of our education.
—Everett Chavez, Governor, Pueblo of Kewa³⁴

Summary

Tribal leaders and American Indian educators indicated that state and local authorities do not consult them in meaningful and regular dialogue regarding American Indian

³⁰ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

³¹ Ibid.

³² New Mexico consultation, May 3, 2010

³³ Arizona consultation, June 30, 2010.

³⁴ New Mexico consultation, May 3, 2010.

education, resulting in what they view as a loss of control over their children's education.

Testimony

We want more local control ... not only for the Cherokee Nation but our public school districts. They're the ones who know the daily challenges they face.

—Corey Bunch, Cherokee Nation Education Services³⁵

We ask that districts be required to include tribal governments when applying for grants.

—Tulalip Tribes of Washington State³⁶

Maybe we could tie into the roles of state funding and make it mandatory that ... to accept that funding at the state level that they have to work with tribal consultation.

—Theresa Two Bulls, President, Oglala Sioux Tribe³⁷

Modern federal laws like ESEA need to reconnect these schools to tribal governments. ... It's about tribes helping to determine how Title I funds can be best used to help tribal students, no matter what the standards are in their particular state.

—Quinton Roman Nose, President, Tribal Education Departments National Assembly³⁸

The states have been operating to the complete exclusion of tribes within tribal jurisdiction areas for too many years.

—Ryan Wilson, Representative for Chairman Marcus Levings of Mandan, Hidatsa, Arikara and Arapahoe Tribes³⁹

I'm not really satisfied with how those dollars come to our reservation because you run them through the state of Wisconsin. Does the state like the Indian people? ... No! They don't.

—David Beaulieu, Lac du Flambeau Tribe, Wisconsin; Professor Emeritus, Arizona State University⁴⁰

³⁵ Oklahoma consultation, April 19, 2010.

³⁶ Written testimony, April 16, 2010.

³⁷ South Dakota consultation, April 28, 2010.

³⁸ Oklahoma consultation, April 19, 2010.

³⁹ South Dakota consultation, April 28, 2010.

⁴⁰ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

Need for Regular Government-to-Government Consultation

We are respectful and mindful that our work must be conducted from a framework that we're dealing with a nation to a nation, government to government.

—Charles P. Rose, General Counsel, U.S. Department of Education⁴¹

Summary

To facilitate American Indian control over education, tribal leaders recommended regular, meaningful, and ongoing consultation, dialogue, and coordination between federally recognized American Indian tribes, local public American Indian education providers and representative groups, and federal, state, and local governments. In order to obtain a clear picture of all American Indian students' needs, tribal leaders and educators expressed the view that officials from the Department of Education, the BIE, the states, and the local public school systems should listen and learn from the tribes.

Testimony

When decisions are being made on behalf of our Indian people, whether it's Indian education, socially or economically, it must be done at the highest level.

—Don Tofpi, Chairman, Kiowa Tribe⁴²

Government-to-government consultation between Department of Education, the BIE and tribes must precede implementation of new programs.

—Member Tribes of the Great Plains⁴³

Every March we, as tribes, go to Washington, D.C., and are given three minutes of testimony to tell about all of our needs.

—Jesse Taken Alive, Tribal Council Representative, Standing Rock Sioux Tribe.⁴⁴

Too many times the federal government and the agencies reorganize without any government-to-government consultation.

—Robert Benavides, Governor, Isleta Pueblo, Santa Clara Pueblo⁴⁵

The federal government, prior to No Child Left Behind, always had a one-to-one relationship with tribes. That was the first legislation that bypassed the one-to-one relationship and put the tribes into direct

⁴¹ Ibid.

⁴² Oklahoma consultation, April 19, 2010.

⁴³ Tribal Chairman's Association, written testimony, submitted April 28, 2010.

⁴⁴ South Dakota consultation, April 28, 2010.

⁴⁵ New Mexico consultation, May 3, 2010.

relationship with the states. Had tribes been involved in a consultation with this issue, perhaps many of the procedures of NCLB that completely ignored Native issues could have been revised before implementation.

—Emma Johns, Education Director of the Seminole Tribe of Florida⁴⁶

What we really need are multiple levels of consultation: At the school level, a stakeholder meeting with the [BIE education line officer] in attendance is a form of consultation; a meeting between the superintendents of a line office to direct the line office staff is a form of consultation; and a creation of policy with federal officials and tribes is a form of consultation.

—Theodore L. Hamilton, Superintendent of Tiospa Zina Tribal School⁴⁷

American Indian Leaders Perceive a Lack of Tribal Input and Inappropriate Standards, Assessments and Curricula

Captain Pratt used education to take away our language, culture, history. What we would like is for Obama to take education and use it to restore our language, culture and history.

—Tom Miller, Council Member, Chippewa Tribe; Superintendent, Hannahville Indian School⁴⁸

Summary

Federally recognized tribes and American Indian educators indicated that some school curricula are inappropriate for American Indian students. They stated that there is a general failure to include Native languages and histories as part of core school curricula and expressed the view that this failure has hastened the loss of indigenous culture and language and perpetuated feelings of poor self-worth among American Indian students. They reported a lack of school curricula that reinforce a positive image of American Indian cultures, a lack of programs for troubled youths and family, and a lack of culturally appropriate extracurricular activities.

They testified that many of the provisions of the Elementary and Secondary Education Act, as reauthorized by the No Child Left Behind Act of 2001, were particularly detrimental to American Indian education. They indicated that state standards and assessments fail to take into account American Indian students' unique environment and expressed the opinion that Native languages and histories must be included among core course work requirements in order for American Indian students to succeed. Tribal

⁴⁶ Email comment submission, Feb. 4, 2010.

⁴⁷ Written testimony, April 28, 2010.

⁴⁸ South Dakota consultation, April 28, 2010.

leaders expressed the view that a narrow focus on math, reading, and science thwarts American Indian students' educational attainment.

Tribal leaders also expressed the view that state assessments must measure student achievement in ways that credit American Indian students for achievements in culturally appropriate areas.

Testimony

Our hope and dream is to teach our children about our history, culture and language, and to instill in them the word called "hope." If they have that in their heart they're going to survive any kind of impact no matter what it is. ... These kids become so proud of the language they want to come to school to participate in that.

—Ivan M. Ivan, Tribal Chief, Akiak Regional Community⁴⁹

All students, not just the Native students, benefit from a curriculum which addresses local culture, history and language.

—Sealaska Heritage Institute⁵⁰

If my children are proud and my children know who they are, they'll be able to encounter anything in life. And so that's the core that I really think reflects the kind of education, or lack of education, that we have received from the western educational system.

—Lolly Carpluk, Yup'ik, Mountain Village⁵¹

Language and culture coming from the ideas and the base of who we are makes a difference. It isn't an addendum idea. It has to be the core and the base.

—Shirley Tuzroyluke, President, Alaska Native Education Association⁵²

I have a son who's going into eighth grade. There are many days he does not want to get up and go to school because the curriculum, the techniques are irrelevant to him. He's a hunter. He's a fisherman. He's a Native boy. He's a boy. He's a human being and oftentimes the whole child is not addressed.

—Doreen Brown, Title VII Education Program, Anchorage School District⁵³

Until we teach Lakota every day in the classroom, until we teach Lakota history from our perspective, along with American history every day in

⁴⁹ Alaska consultation, April 16, 2010.

⁵⁰ Written testimony, April 16, 2010.

⁵¹ Alaska consultation, April 16, 2010.

⁵² Alaska consultation, April 16, 2010.

⁵³ Ibid.

the classroom, until we teach tribal government every day along with U.S. government and civics in the classroom, it's not going to change; it's not going to get better. We're going to continue to struggle.
—Richard Tuffy Lunderman, Rosebud Sioux Tribe⁵⁴

We continue to fear that standardization of assessments and curriculum will result in a generic education that will exclude local tribal history and culture curriculum that is so vital to the success of our tribal students and their non-native peers.
—Leonard Forsman, Chairman, Squamish Tribe, Washington⁵⁵

The state school system does not have a Yup'ik-speaking high school to continue the language and classes taught K–6 at the high school level. They offer a class only if you want to take it, but it's not part of the curriculum.
—Bing Santamour, Orutsararmuit Native Council⁵⁶

In addition to language arts, science, and math required there should also be native studies as a core ... not as a foreign language.
—Sandra Freeland, Dine Education Administrator⁵⁷

Utilizing our language in every subject will return the spirit of who they are. With that comes holistic learning—mental, physical, emotional, spiritual learning.
—Beverly Tuttle, Porcupine School Board, Oglala Sioux Tribe⁵⁸

The standards are terrible. They have a terrible effect on us.
—Dave Archambault, Chief Executive Officer, Sitting Bull School⁵⁹

The reauthorized ESEA should encourage proper inclusion of English Language Learners in state assessment in a manner that is most meaningful that considers the full range of an ELL student.
—Ramah Navajo School Board of Trustees, New Mexico⁶⁰

Current regulations for determining Adequate Yearly Progress do not allow small schools to represent their accomplishments properly. One

⁵⁴ South Dakota consultation, April 28, 2010.

⁵⁵ Email submission, letter to Secretary of Education Arne Duncan, April 16, 2010.

⁵⁶ Alaska consultation, April 16, 2010.

⁵⁷ Comment card submission, New Mexico consultation, May 3, 2010.

⁵⁸ Comment card submission, South Dakota consultation, April 28, 2010.

⁵⁹ South Dakota consultation, April 28, 2010.

⁶⁰ Recommendations Regarding the Reauthorization of the Elementary & Secondary Education Act & Regarding Bureau of Indian Education-Funded School System, Board of Trustees, Ramah Navajo School Board, New Mexico, email submissions, June 30, 2010.

or two children can skew a baseline when the grade band only has twenty children.

—Ryland Bowechop, Makah Tribal Council⁶¹

Accountability methods must include recognizing that students come from different environments, have different support bases and learn at different rates.

—Ferne Yazzie, Navajo Nation⁶²

American Indian Leaders Perceive a “Disconnect” Between Federal, State, and Local Governments

There is a huge disconnect. In order to truly meet the needs of our people in our society at large, we need to connect the dots better between the federal government, the state, and finally, the local governance and the community stakeholders.

—Deborah Jackson-Dennison, Arizona State Impact Aid Association⁶³

Summary

In the consultations, federally recognized tribes and American Indian educators described a patchwork of programs and offices at the federal, state, and local levels that limits local control, effective funding, and programmatic success. As a result of this complicated structure and shared federal, state, local, and tribal control over education, American Indian students as a group attend not one type of school, but receive education through a diverse array of providers and authorities. In the consultations, federally recognized tribes and American Indian educators indicated that “disconnects” between these different education systems and funding streams cause a significant disruption in accountability, efficient resource allocation, and quality education delivery.

They expressed frustrations regarding educational outcomes, processes, and the perceived exclusion of American Indian input into education policy. They expressed their strong view that lack of collaboration and coordination between government agencies hampers the tribal- and local-level pursuit of funding to fuel educational success for American Indian students.

In particular, federally recognized tribes and American Indian educators indicated that education services provided to the 48,500 American Indian students attending BIE

⁶¹ Email submission, March 8, 2010.

⁶² New Mexico consultation, May 3, 2010.

⁶³ Arizona consultation, June 30, 2010.

schools were subpar, attributing some problems, at least in part, to their falling under a federal authority that they believe is isolated from other federal education programs.⁶⁴

Testimony

Here we are, out in the school system, being affected by lack of direction and leadership because the seamless approach has not been sewn together. ... We, in our schools, get marching orders from different directions on any given day, and they could change any given day. And sometimes when you change on any given day or any given hour, it's disruptive. It is really disruptive. We have to get beyond the politics.

—Ray Lorton, Superintendent, Chief Leschi Schools⁶⁵

An example of the disconnect are the many presidential executive orders indicating and supporting culture and language programs for American Indian children, yet state law, such as in Arizona, dictate to public schools the philosophy of English only.

—Deborah Jackson-Dennison, Arizona State Impact Aid Association⁶⁶

It's going to take the federal government to work with the states and the tribes and the local education agencies to all come together and drop those borders ... and to say, "We've all got to do this together."

—Jerome Jainga, Tsimshian Native⁶⁷

Sometimes it really gets mixed up even here in D.C. that the Bureau of Indian Education is a separate entity from the U.S. Department of Education, and we're over in the Department of [the] Interior, and do our work there. We want to have a tight-knit relationship with U.S. Department of Education.

—Keith Moore, Director, Bureau of Indian Education, U.S. Department of the Interior⁶⁸

The need for a point of contact within agencies to communicate information to eliminate duplication is a priority.

—Todd Honyaoma, Hopi Tribe⁶⁹

⁶⁴ U.S. Department of Education, National Center for Education Statistics, *Status and Trends in the Education of American Indians and Alaska Natives*, September 2008, http://nces.ed.gov/pubs2008/nativetrends/ind_2_2.asp, accessed March 16, 2011.

⁶⁵ Washington consultation, July 15, 2010.

⁶⁶ Arizona consultation, June 30, 2010.

⁶⁷ Washington consultation, July 15, 2010.

⁶⁸ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

⁶⁹ New Mexico consultation, May 3, 2010.

It comes back to communication. It comes back to how we sit down and get on that drawing board; how we can move it a little faster, more efficient.

—Don Tofpi, Chairman, Kiowa Tribe⁷⁰

We have just dropped the ball, all of us. We have to take responsibility to collaborate, get outside of our funding silos, and work at how does education connect. ... How do we think holistically outside the box to connect the different pieces that should be working together?

—Andrea Alexander, Makah Tribe; Energy Program, Affiliated Tribes of Northwest Indians⁷¹

I would ask us all, everyone in this room, to be of one *tawacin wanjila*—one heart, one mind, one spirit—to work to find solutions so that we can improve the lives of *wakanheja*, our children.

—Wizipan Garriott, Policy Advisor to the Assistant Secretary, Office of Indian Affairs, U.S. Department of the Interior⁷²

So we're always having to piecemeal our efforts together. I always think about Dolly Parton and her song when she sings about the coats of many colors or fabric. ... We have to wear this coat of many colors in the work that we do.

—Patricia Whitefoot, President, National Indian Education Association⁷³

Our students are served by state public schools, tribally run schools, and BIA schools. There needs to be more coordination among these schools. And all three systems need to be encouraged to formally require more tribal involvement.

—Walter Dasheno, Governor, Santa Clara Pueblo⁷⁴

The Department of the Interior students, BIE students, Department of Education public school students, and Head Start. ... If President Obama is truly talking about education—that goes across the board, no matter where the funds come from.

—Lloyd Tortalita, Governor, Acoma Pueblo⁷⁵

You have contract schools. You have private schools. You have all these different schools. We have state public school systems from Arizona, from New Mexico, and from Utah, and all those three states

⁷⁰ Oklahoma consultation, April 19, 2010.

⁷¹ Washington consultation, July 15, 2010.

⁷² South Dakota consultation, April 28, 2010.

⁷³ Washington consultation, July 15, 2010.

⁷⁴ New Mexico consultation, May 3, 2010.

⁷⁵ New Mexico consultation, May 3, 2010.

have their own rules that govern those public schools on this reservation.

—Peterson Zah, Navajo Nation⁷⁶

The Department of Education needs to monitor the Bureau of Indian Education. The Oglala Sioux Tribe is requesting that the BIE restructure at the administrative level.

—Lydia Bear Killer, Oglala Sioux Tribe⁷⁷

I work at a BIA-funded school. We are a government school. We should have the best school on this Pine Ridge Indian Reservation, I would like to think it is, but it is not. We are way behind.

—Ruth Pourier, Teacher, Pine Ridge Elementary School, South Dakota⁷⁸

If we can initiate a partnership, a partnership between the tribes, NCAI, NIEA, the White House, and the Department of Education, as well as the BIE, then we've got the right group of people moving toward a common goal.

—Joe Garcia, Chairman, All Indian Pueblo Council^{79,80}

There's no communication with the Bureau of Indian Education. ... We were looked down on. We weren't being heard.

—Theresa Two Bulls, President, Oglala Sioux Tribe⁸¹

Collaboration and working together is the most effective means of getting things done. Until we get all that pulled together and take the right approach to educating kids, we're going to be sitting here 10 years from now talking about the same thing.

—Ray Lorton, Superintendent, Chief Leschi Schools⁸²

No Overarching Education Authority

We're actively considering elevating or creating sort of a senior-level position around [American Indian] education here in our Department to help drive this on a day-to-day basis.

—Arne Duncan, Secretary, U.S. Department of Education⁸³

⁷⁶ Arizona consultation, June 30, 2010.

⁷⁷ South Dakota consultation, April 28, 2010.

⁷⁸ Email submission, April 25, 2010.

⁷⁹ New Mexico Consultation, May 3, 2010.

⁸⁰ National Congress of American Indians (NCAI) and National Indian Education Association (NIEA).

⁸¹ South Dakota consultation, April 28, 2010.

⁸² Washington consultation, July 15, 2010.

⁸³ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

Summary

During the consultations, federally recognized tribes and American Indian educators expressed serious concerns about the lack of cross-cutting authority in American Indian education policy positions at the highest federal levels. Specifically, tribal leaders indicated that current positions at the U.S. Department of Education, including the Director of the Office of Indian Education, lacked sufficient authority to direct coherent American Indian education policy beyond the programs that the officials in those positions administer.

Testimony

The Indian education director in the Department of Education has a purview currently of a grant program that they oversee, but if we were to really look at the whole activities of the Department of Education, the whole ESEA bill, everything that they do, everywhere Indians are touched, that should be under the portfolio of that director. It should be expanded.

—Ryan Wilson, Representative for Chairman Marcus Levings of the Mandan, Hidatsa, Arikara and Arapaho Tribes⁸⁴

Elevate the position for the director of Indian Education at the Department of Education to assistant secretary. When the Department of Education was created, the current director of the Indian Education position was the deputy assistant secretary of Indian Education. This position formally changed in 1981 to director of Indian Education Programs and under the Bush Administration was demoted from an SES position to a GS position. The assistant secretary should review and monitor all of the education programs within the Department of Education that Native students' access, in addition to the Title VII programs. The assistant secretary should also facilitate the coordination of states, tribal governments and communities, neighboring areas, and the federal government working together in developing educational standards and related assessments.

—National Indian Education Association, National Tribal Priorities for Indian Education⁸⁵

With the many programs of the Department that impact Native education, we would envision that the position of a deputy assistant secretary for Indian Education with authority to facilitate collaboration across programs would be more appropriate.

—Patricia Whitefoot, President, National Indian Education Association⁸⁶

⁸⁴ South Dakota consultation, April 28, 2010.

⁸⁵ http://www.ncela.gwu.edu/files/uploads/18/NCAI_NIEA_jointESEAreauth.pdf, Dec. 2010.

Lack of Accountability

Who will listen to us? Who will listen and implement change in our school? ... Who will finally listen and be accountable? The educated hear each other. They speak with words full of many meanings.
—Jennifer Flatlip, Tribal Education Director, Crow Tribe Education⁸⁷

Summary

During the consultations, a number of federally recognized tribes and American Indian educators expressed the view that there were shortcomings in accountability for educational outcomes in the education of American Indian students. They reported a lack of continuity among federal administrations; a general inability to translate into federal education policy what little input American Indians have been allowed to provide; and communication breakdowns that generate inefficiencies.

Testimony

The Department has to have processes in place that guarantee that those mechanisms and procedures that ensure that the tribes are dealt adequately with stay, and that the people who are there have to follow those regardless of who's at the helm.
—Tom Miller, Council Member, Chippewa Tribe; School Administrator, Hannahville Indian School⁸⁸

When you, the officials in Washington, make a decision on how or when our tribal schools should do something, and even distributing the money that the tribal schools receive, everything is channeled through the [BIE] Albuquerque Service Center in Albuquerque. And whatever it is that will be affecting our tribal schools, is held up in Albuquerque for any extended amount of time.
—Tammy Lafferty, Oglala Sioux Tribe⁸⁹

We just encountered one thing after another trying to work with BIE. ... Every time we meet, we get a different direction or something has been thrown up just to prolong it or not even get it done, and we were promised a decision that never came or will come several years later.
—Raymond Maxx, Navajo Nation Department of Dine Education⁹⁰

⁸⁶ Written testimony, April 12, 2010.

⁸⁷ South Dakota consultation, April 28, 2010.

⁸⁸ Ibid.

⁸⁹ Ibid.

⁹⁰ Arizona consultation, June 30, 2010.

The personnel that are assigned to our schools, they're not held accountable. Each time different people come, and so it's really hard to have that consistency.

—Gloria Wilkinson, Assistant Superintendent, Browning Public School District #11⁹¹

Tribal councils ... depend on different entities to help them resolve the issues. But yet, because of the system, the way it's set up, they use that to sidestep the issues for us instead of facing it head-on.

—Tom Miller, Council Member, Chippewa Tribe; Superintendent, Hannahville Indian School⁹²

The laws ... have changed through each decade, and these laws are put there and are not adhered to from the Washington level and Office of Indian Education Programs first, and now BIE.

—Tom Miller, Council Member, Chippewa Tribe; Superintendent, Hannahville Indian School⁹³

American Indians Testify Regarding Insufficient Funding

It's always about funding. That's the only way we can do anything for our children, and yet we are denied that.

—Karen Archambeau, Vice Chairman, Yankton Sioux Tribe⁹⁴

Summary

Federally recognized tribes and American Indian educators expressed their view that existing federal, state and local funding is insufficient to provide a quality education to American Indian students. They criticized mandates and programs that, according to the participants, can remain unfunded due to gaps among federal agencies, state, local, and tribal education authorities, and legislatures.

Testimony

The biggest thing, I think, is the funding. We are underfunded, and until the funding comes in and the people here on the Pine Ridge Reservation are in charge of the money, I don't think there's going to be very many changes, and I think that's the bottom line.

—Marnee White Wolf, Principal, Wounded Knee District School⁹⁵

⁹¹ South Dakota consultation, April 28, 2010.

⁹² Ibid.

⁹³ Ibid.

⁹⁴ South Dakota consultation, April 28, 2010.

⁹⁵ South Dakota consultation, April 28, 2010.

It takes a lot of money to do things in a small community, a lot more per person, than it does in a large city.
—Alexandra Lindgren, Kenaitze Tribe⁹⁶

Federal and state funding for education is critical to carrying out this shared responsibility.
—Perry M. Martinez, Governor, Pueblo de San Ildefonso⁹⁷

I cannot emphasize enough the importance of stable funding. ... The state of Alaska manages our school district's funds. And with all respect to the state of Alaska, what they are providing is not adequate. ... We're trying to change systems that are clearly not meeting the needs of the most at risk and in need. The only way that we're going to be able to do that is if we have stable funding.
—Kristin English, Cook Inlet Tribal Council⁹⁸

Underpinning all the other themes is the overall, clear need for coordination among funding streams to reduce the isolated progress of related programs.
—Oglala Sioux Tribal Council⁹⁹

We've been operating our school system—contracted it since 1989. Since that time, what we have seen is pretty much the dismantling of contract support for the tribe. What we have to do in order to get that contract support, we take it out of direct costs. And that means taking a teacher out ... so as we operate it we want to make sure that we have support there at the administration level.
—Miko Beasley Denson, Choctaw, Mississippi¹⁰⁰

If we do not show the proper support and funding to those programs, we are not doing right by our children.
—Jerome Jainga, Tsimshian Native¹⁰¹

A lot of these policies that come down from the higher levels have no money attached to it, and yet we're expected to do and cooperate and make, you know, things happen with no money at all.
—Lydia Bear Killer, Councilwoman/Education Committee Chair, Oglala Sioux Tribe¹⁰²

⁹⁶ Alaska consultation, April 16, 2010.

⁹⁷ Position paper on the reauthorization of ESEA, email submission, June 2, 2010.

⁹⁸ Alaska consultation, April 16, 2010.

⁹⁹ Ibid.

¹⁰⁰ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

¹⁰¹ Washington consultation, July 15, 2010.

¹⁰² South Dakota consultation, April 28, 2010.

Some of the mandates, they put on us, but do not fund. And so we have to do with what we have in order to stay in compliance.

—Tom Miller, Council Member, Chippewa Tribe; School Administrator, Hannahville Indian School¹⁰³

According to the Code of Federal Regulations, 25-CFR, which is primarily Indian programs, they were supposed to fully fund all operation and maintenance costs by 1981. Well, it's 2010. We've got 29 years of being underfunded.

—Michael Brooks, Business Manager, Wounded Knee District School¹⁰⁴

You know, what everybody has talked about all day is funding, funding. ... Once we start a program, we need the funding to keep it going.

—C.J. Clifford, Crazy Horse School¹⁰⁵

Lack of Direct Funding to Tribes

Fund our programs directly. When you funnel funds through the state or its systems they wash out and we absolutely get nothing.

—Jaylene Petersen-Nyren, Kenaitze Tribe¹⁰⁶

Summary

Federally recognized tribes and American Indian educators reported a general inability to receive federal grants directly, without having their funds channeled through state or local education authorities. They decried federal grants that could permit state and local authorities to allocate the funding without the specific input of tribal leaders.

They also expressed indignation that funding they believe is intended to serve their students can instead be dedicated to alternative purposes. They attribute this diversion to several causes, including an administrative structure that permits them little voice among federal agencies, state and local authorities and legislatures, lack of meaningful consultation, failure to consider recommendations from parent committees, and lack of “cultural competency.”

Testimony

Other than the indirect costs and administration monies they make off of channeling federal programs to Indians and Indian tribes, the states

¹⁰³ Ibid.

¹⁰⁴ Ibid.

¹⁰⁵ Ibid.

¹⁰⁶ Comment card submission, U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

really have little interest in carrying out federal programs or seeing successes on Indian reservations.

—Member Tribes of the Great Plains Tribal Chairman's Association¹⁰⁷

I put forward a bill saying the state shall send allocation dollars straight to the tribal school, if that's what the tribal school wants. Some tribal schools have wonderful working relationships with their local school districts, some don't. ... I just want the dollars to go straight.

—Claudia Kauffman, Senator, Nez Perce Tribe¹⁰⁸

Maybe we can sort of think about redefining some of the parameters where tribes can go for those funds directly, and we can manage them ourselves.

—Matthew Martinez, Ohkay Owingeh¹⁰⁹

Instead of being part of the state's Title I education plan, the tribal education agencies should be allowed to develop a reservation-wide or a tribal-wide plan for Title I funds, which the tribe should submit directly to the U.S. Department of Education.

—Dayna Brave Eagle, Tribal Education Director, Oglala Sioux Tribe¹¹⁰

I saw when I was in the accounting department and managed federal programs and grants for the money that came through, it was always disheartening to me that dollars that came in for migrant education, for PL 974 for Title VII, that were based on villages and our Indian education, that [those dollars] went to programs that were spread out over the whole district and were not actually specific to Indian education.

—Alexandra Lindgren, Kenaitze Tribe¹¹¹

The public schools, they receive a lot of funding for our Indian children, and yet our Indian school receives hardly anything. The money is funneled down, and we can't even have a football stadium for our students.

—Rachel Bernie, Tribal Secretary, Yankton Sioux Tribe¹¹²

In the state of Alaska, we get forgotten. Look at the students up there: There's no running water, no toilets, no nothing. ... In Kenai, Alaska, I'm constantly fighting with the borough to use our Title VII monies. ... We

¹⁰⁷ Written testimony, April 28, 2010.

¹⁰⁸ Washington consultation, July 15, 2010.

¹⁰⁹ New Mexico consultation, May 3, 2010.

¹¹⁰ South Dakota consultation, April 28, 2010.

¹¹¹ Written testimony, April 16, 2010.

¹¹² South Dakota consultation, April 28, 2010.

need your help in order for the state of Alaska to tell them they have a fiduciary responsibility to the tribes in education.

—Rosalie Tepp, Kenai, Alaska¹¹³

Require school districts that receive Title VII funds to contribute half, quarter or one-to-one matching.

—Bruce LeClaire, Durango School District 9-R, Colorado¹¹⁴

Strengthen the requirement for tribal inclusion in district plans for Impact Aid dollars so that tribes have a say in how these dollars are spent.

—Tulalip Tribes of Washington State¹¹⁵

There are a lot of parents and people that are concerned they don't have any say-so in what's happening with Impact Aid funds.

—Valeria Littlecreek, Director of Tribal Affairs, Oklahoma State Department of Education¹¹⁶

Lack of Tribal Grant-Writing Capacity

It's too complicated for me. I don't know the CFRs, the state regulations, all that, that comes with this money. Audit us, yes. We're ready to be audited at any time. But let us teach.

—Ivan M. Ivan, Tribal Chief, Akiak Native Community¹¹⁷

Summary

Federally recognized tribes and American Indian educators indicated that they struggle to successfully garner federal funds when required to compete against districts with higher grant-writing capacity. They emphasized that schools with large numbers of American Indian students are precisely the institutions addressing the needs of the most disadvantaged student populations and, therefore, are deserving of federal funds. They suggested that, until districts with large American Indian student populations are succeeding at the same level as comparable districts, competition may not be an equitable means to allocate resources.

¹¹³ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

¹¹⁴ Comment card submission, South Dakota consultation, April 28, 2010.

¹¹⁵ Written testimony, April 16, 2010.

¹¹⁶ Oklahoma consultation, April 19, 2010.

¹¹⁷ Alaska consultation, April 16, 2010.

Testimony

Some of the small schools in the state of Oklahoma can't afford professional grant writers. And because of that, they don't even apply for the grant.

—Jim Parrish, Choctaw Nation¹¹⁸

You need to give funding by grants to a basic level—to get everybody on an even plane or plane where it's level. Beyond that, then you should get competitive grants.

—Lisa John, Public Division Administrator, Chickasaw Nation¹¹⁹

Why are those rules so stringent for the funds that are available? ... If we're going to go to a competitive process, how can a small rural district compete with the bigger state?

—Laurine Domke, Mat-Su Borough School District¹²⁰

You've outlined as a guiding principle the recognition and support of self-governance and self-determination. ... What we're saying is direct and recurring funds, not something that we have to compete for, which speaks to that guiding principle you've outlined.

—Tara Bourdukofsky, Aleutian-Pribilof Islands Association¹²¹

Out of those 560 tribes, there are only 25 tribes who actually applied ... They weren't ready. The tribes did not have the capacity.

—Quinton Roman Nose, National Indian Education Association¹²²

Due to Limited Funds, Facilities and Transportation May Be Severely Subpar

If you're going to a school with dilapidated buildings, a building as old as back in the 1900s, cracks all over in the walls, you name it, you're not going to feel good about your school.

—Brandon Sazue, Chairman, Crow Creek Sioux Tribe¹²³

Summary

Federally recognized tribes and American Indian educators reported receiving inadequate funding to maintain quality facilities and transportation, and attributed this to little American Indian input in state and local distribution of federal education funding.

¹¹⁸ Oklahoma consultation, April 19, 2010.

¹¹⁹ Ibid.

¹²⁰ Alaska consultation, April 16, 2010.

¹²¹ Ibid.

¹²² Oklahoma consultation, April 19, 2010.

¹²³ South Dakota consultation, April 28, 2010.

They pointed to facilities as one of several reasons for poor student morale and disappointing educational outcomes. They also testified that BIE schools are in disrepair and that, oftentimes, inadequate funding leads to diversion of resources intended for instructional purposes to be used for urgent facilities maintenance instead.

Testimony

We need to build a new high school. The school we have is outdated. ... If you have a nice educational environment, you can help your kids get ready for a good education.

—Miko Beasley Denson, Choctaw, Mississippi¹²⁴

All BIE-funded schools use government buildings. Unlike other government buildings, however, they do not receive proper funding for their operation and maintenance and are not replaced on a schedule consistent with appropriate health, safety and educational standards. The backlog of construction and repair needs is so enormous that the BIA has even stopped estimating it in the annual budget request.

—Faye Blue Eyes, Navajo Nation¹²⁵

As you look down the street, there are not adequate sidewalks. There are not adequate bike paths for our students to get to work or to school, even [to] the teachers.

—Ron Shutiva, Pueblo of Acoma¹²⁶

The other issue is the operation maintenance fund for our facilities at local schools. It is a shortfall of around 56 percent every year. So you can see a deterioration of facilities at the local schools every year.

—Jamie Sibide, President, Board of Education, Navajo Nation¹²⁷

In the place where I'm from, it's currently 55 below. That's a problem when you have people building California-style schools in a place where it's going to get [to] -60 this week. So what does that have to do with equity in education? Eighty-four percent of our local budget goes to overhead—84 percent. Only 16 percent of the dollars that are allocated for our school actually reach the instructional level.

—Edward Alexander, Second Chief, Gwichyaa Zhee Gwich'in Tribe, Yukon, Alaska; Teacher; Principal, Arctic Village School¹²⁸

¹²⁴ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

¹²⁵ Comment card submission, New Mexico consultation, May 3, 2010.

¹²⁶ New Mexico consultation, May 3, 2010.

¹²⁷ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

¹²⁸ Ibid.

[There are] safety and health code violations in many of these schools that have been ignored. ... Children are in remote areas and are really in harm's way when those facilities have not been kept up.

—Chairman Joe Garcia, San Juan Pueblo¹²⁹

The facility in which we reside at ... is 50 years old. It's outlasted its useful life. It's uninsurable. ... We're forced to use our Indian School Equalization Program (ISEP) dollars, our title funds in ways in which they're not beneficial to the children in order to keep our facilities operational.

—Michael Brooks, Business Manager, Wounded Knee District School¹³⁰

If you have an education place that is really conducive to learning and also a place where they go that they can feel proud of, the learning could happen because it'll boost the morale of our students.

—Tom Miller, Council Member, Chippewa Tribe; School Administrator, Hannahville Indian School¹³¹

There are many issues that have to do with environmental health ... asbestos and lead.

— Everett Chavez, Governor, Pueblo of Kewa¹³²

Instructional Materials and Access to Technology May Be Severely Inadequate

Summary

Federally recognized tribes and American Indian educators indicated that funding deficits limited their ability to acquire adequate instructional materials and access technology to ensure American Indian students are prepared for the 21st-century economy.

Testimony

We need funds to develop electronic and digital materials, those kinds of things that can be used to enhance the teaching of language in our immersion schools.

—Margaret Raymond, Cherokee Nation¹³³

¹²⁹ New Mexico consultation, May 3, 2010.

¹³⁰ South Dakota consultation, April 28, 2010.

¹³¹ Ibid.

¹³² New Mexico consultation, May 3, 2010.

¹³³ Oklahoma consultation, April 19, 2010.

It takes the government so long to honor our orders that we order every spring for the following year. Our students go without textbooks and materials for almost a half of a year.

—Ruth Pourier, Teacher, Pine Ridge Elementary School, South Dakota¹³⁴

Because of this isolation we need our libraries just full of information. ... We don't have a library in our community.

—Jennifer Flatlip, Tribal Education Director, Crow Tribe Education¹³⁵

Tribes must be equipped with the necessary resources and tools to improve their tribal education agencies and the education of their students.

—Navajo Nation Statement¹³⁶

You don't have to extend wires to every Navajo home or community now. You could do it by way of wireless communication. ... Why can't we do it for Indian country? It is easy now.

—Leonard Tsosie, Senator, Navajo Nation Council¹³⁷

American Indians Stress Need to Recruit and Retain Highly Effective Teachers and Leaders

When my youngest daughter was in high school and told one of the teachers that she wanted to be a teacher, the response from an educator was, “Oh, Jeanette, you could be so much more.”

—Susan Murphy, Lower Kuskokwim School District¹³⁸

Summary

Federally recognized tribes and American Indian educators indicated that now there is a severe shortage of “culturally competent” and effective teachers in schools with large American Indian student populations. They cited the areas of teacher recruitment, training, certification, and cultural competence as falling particularly short.

They also testified that there are ongoing barriers to certifying and training staff so that they have an adequate understanding of American Indian students’ unique cultural contexts and needs. Without a culturally qualified staff, they indicate, educators will remain unable to appropriately support American Indian students’ learning. They report

¹³⁴ Email submission, April 25, 2010.

¹³⁵ South Dakota consultation, April 28, 2010.

¹³⁶ Written testimony, May 3, 2010.

¹³⁷ Arizona consultation, June 30, 2010.

¹³⁸ Alaska consultation, April 16, 2010.

a need for training to increase the cultural competency of all staff to adequately address American Indian students' unique cultural and socioeconomic needs.

Testimony

I tried to get a math teacher two years ago, and finally, in September, I found one.

—Keith McVay, Superintendent, Smee School District¹³⁹

There are not enough teachers in the classrooms. ... We're overcrowded, and we need to have more funds come down so that we are hiring capable teachers.

—Tom Conroy, Pine Ridge School Board¹⁴⁰

There are many variables of recruiting highly qualified staff, one being the commitment to living in a remote location without the advantages of owning a home. In our recruiting efforts, highly qualified teachers become nomads.

—Deborah Jackson-Dennison, Arizona State Impact Aid Association¹⁴¹

We're way out in the middle of nowhere. There are a lot of good teachers out there that want to come, but nowhere to stay.

—Brandon Sazue, Chairman, Crow Creek Sioux Tribe¹⁴²

On paper they're highly qualified, but they don't know how to deal with a Yup'ik child. ... Then we have really good Yup'ik teachers who don't have the paper credentials, and yet can teach a child almost anything.

—Susan Murphy, Lower Kuskokwim School District¹⁴³

Current regulations for determining highly qualified teacher (HQT) status work against small schools. Teachers fluent in another language, with proficient art talent or with musical ability, often do not have transcript hours in these subjects. For example, Neah Bay High School has a teacher who came from a German-speaking home, but he does not meet HQT requirements to teach high school German.

—Ryland Bowechop, Makah Tribal Council¹⁴⁴

We are in dire need of finding ways to look to do alternative certification for language teachers, to find a way that they will be recognized and that they can teach in public schools.

¹³⁹ South Dakota consultation, April 28, 2010.

¹⁴⁰ Ibid.

¹⁴¹ Arizona consultation, June 30, 2010.

¹⁴² South Dakota consultation, April 28, 2010.

¹⁴³ Alaska consultation, April 16, 2010.

¹⁴⁴ Email submission, March 8, 2010.

—Margaret Raymond, Cherokee Nation¹⁴⁵

We tried getting Natives hired and it was very difficult to do. It is recorded in the history and it's still difficult to do.

—Charles Degnan, Unalakleet Tribal Councilman¹⁴⁶

I'm the only Native language teacher in the whole district where students can get credit for taking my class. They're anxious to learn a Native language, even if it's not their own.

—Shirley Kendall, Tlingit Language Instructor, Anchorage School District¹⁴⁷

There are many indigenous-language teachers out there that are not certified, but they know and can teach their language.

—Marilyn Balluta, Athabaskan, Title VII Indian Education Program and Dena'ina Language Instructor, Anchorage School District¹⁴⁸

The grandparents are the wisest of Indian communities, and they should be allowed to teach culture and language, and they should be respected as regular teachers and be compensated as regular teachers. Develop a program to where you could give them the equivalency of an education.

—Leonard Tsosie, Senator, Navajo Nation Council¹⁴⁹

When the teachers come in to teach our children, they're not trained or taught our learning styles.

—Tom Miller, Council Member, Chippewa Tribe; School Administrator, Hannahville Indian School¹⁵⁰

We need ongoing staff development to deal with educating our American students, our high rate of alcoholism and drug use and the damages it does to the unborn child. These are the types of children that we, on the reservations in South Dakota, are educating today.

—Ruth Pourier, Teacher, Pine Ridge Elementary School, South Dakota¹⁵¹

Something's happening within our schools; our students aren't engaged. And I think that really does relate back to cultural relevance and the teachers that are teaching them.

¹⁴⁵ Oklahoma consultation, April 19, 2010.

¹⁴⁶ Alaska consultation, April 16, 2010.

¹⁴⁷ Ibid.

¹⁴⁸ Ibid.

¹⁴⁹ Ibid.

¹⁵⁰ South Dakota consultation, April 28, 2010.

¹⁵¹ Email submission, April 25, 2010.

—Josephine Edwards-Vollertsen, Title VII Indian Education, Anchorage School District¹⁵²

There is a need for a national initiative to ensure that the people charged with educating our children are themselves educated—highly educated—about the cultural differences of all children.

—Rochelle Garcia-Gomez, Adams 12 Five Star Schools¹⁵³

The ESEA reauthorization should promote providing incentives to Bureau-funded schools to create a best-teacher pool of Native American teachers that continually promotes highly qualified teacher standards. The incentives should come in terms of professional development and performance base.

—Ramah Navajo School Board of Trustees, New Mexico¹⁵⁴

The poverty among our families means that being an educator today requires that we know and understand and deal with, as educators, the sociological problems of our families. We can't just say, "Let's have education, high standards, and goals" in isolation of not knowing and understanding the social circumstance of the students and their families.

—Bernie Thomas, Lummi Indian Business Council¹⁵⁵

Administrators and teachers need to be more aware of the Native culture of their students because, if we do acknowledge their culture, it makes them feel valued and gives them self-identity.

—Jean Froman, Tulsa Public Schools¹⁵⁶

Preparation for teachers working successfully with Native students is different. ... Native students expect culturally integrated instructional methodology and content, and the majority of teachers coming to our schools don't have a clue.

—Theodore L. Hamilton, Superintendent of Tiospa Zina Tribal School¹⁵⁷

¹⁵² Alaska consultation, April 16, 2010.

¹⁵³ Comment card submission, South Dakota consultation, April 28, 2010.

¹⁵⁴ Recommendations Regarding the Reauthorization of the Elementary & Secondary Education Act & Regarding Bureau of Indian Education-Funded School System, Board of Trustees, Ramah Navajo School Board, New Mexico, email submission, June 30, 2010.

¹⁵⁵ Washington consultation, July 15, 2010.

¹⁵⁶ Oklahoma consultation, April 19, 2010.

¹⁵⁷ Written testimony, April 28, 2010.

Cultivating Students as Future Teachers and Leaders

It is essential that we continue to work and grow our own—not just teachers, but our own administrators.

—Deborah Jackson-Dennison, Arizona State Impact Aid Association¹⁵⁸

Summary

Federally recognized tribes and American Indian educators noted a lack of American Indian representation among teachers and administrators. They suggest working with interested students and helping direct them toward the teaching profession. This, tribal leaders say, would also facilitate recruitment and retention in remote areas.

Testimony

One of our prevailing issues in Alaska is the turnover of teachers. We have 100 percent turnover in some districts. Recruiting from the base, recruiting from our people guarantees that we're going to have a base that will stay for the duration of their life.

—Shirley Tuzroyluke, President, Alaska Native Education Association¹⁵⁹

I listen to young people talk about what they would like to do. And low on the priority is teaching, mainly because the amount of work going into it and the amount of money coming out of that work.

—Charles Degnan, Unalakleet Tribal Councilman¹⁶⁰

In this district we only have about 80 Native teachers for 10,000 Native students. It's appalling. ... How do we increase that? Utilizing our paraprofessionals. Developing professional development plans so that they can become teachers. ... Many of them are working parents. We need to make some flexibility within our educational systems so that they can go to school and still get paid.

—Doreen Brown, Title VII Education, Anchorage School District¹⁶¹

It needs to be seen as an honorable profession, not something that you do if you can't do anything else.

—Susan Murphy, Lower Kuskokwim School District¹⁶²

¹⁵⁸ Arizona consultation, June 30, 2010.

¹⁵⁹ Alaska consultation, April 16, 2010.

¹⁶⁰ Ibid.

¹⁶¹ Alaska consultation, April 16, 2010.

¹⁶² Ibid.

For Native American students to be able to feel safe and included in Tecumseh, I think we ... need that in all of our schools to be able to have more Native American teachers, principals, counselors, teacher's aides.

—Victor Cope, Tecumseh Public Schools¹⁶³

American Indians Express Need to Collect and Analyze Student Data

We've got too many rules, too many regulations, too many statutes that prohibit us from doing some of the things that are necessary in order for us to educate our children.

—Gil Vigil, Governor, Pueblo of Tesuque¹⁶⁴

Summary

Tribal officials and American Indian educators emphasized that they should be able to access data on student achievement maintained by state and local educational agencies. They express frustration that the Family Educational Rights and Privacy Act and its implementing regulations at times prevent them from collecting and analyzing student data, and stress that such regulations need to account for mobile American Indian households. Tribal leaders and American Indian educators also state they need resources and training in order to effectively collect and analyze data so as to improve educational achievement of American Indian students in tribal and local public schools.

Testimony

The focus needs to be on student progress and growth over time rather than test scores.

—Mary Brown, Teacher, Standing Rock Sioux Tribe¹⁶⁵

[The Family Educational Rights and Privacy Act] allows federal, state and local education agencies access to student's school records without the advance consent of parents. Tribal governments, however, must have a signed parent release form to access those same records.

— Perry M. Martinez, Governor, Pueblo de San Ildefonso¹⁶⁶

Data is important to tribal governments. ... With good data, we can help meet the needs of American Indian/Alaska Native students.

—Lisa John, Chickasaw Nation¹⁶⁷

¹⁶³ Oklahoma consultation, April 19, 2010.

¹⁶⁴ New Mexico consultation, May 3, 2010.

¹⁶⁵ South Dakota consultation, April 28, 2010.

¹⁶⁶ Email submission, June 2, 2010.

¹⁶⁷ Comment card submission, Federal Technical Assistance Workshop on Data Collection, Oct. 6, 2010.

There are large data gaps on Indian students because the numbers are often hidden to protect individuals.

—Tulalip Tribes of Washington State¹⁶⁸

Right now we can only imagine accurate and current tribe-wide or statewide or national database reports on tribal students. But if we really had these reports, it would help agencies and Congress make data-driven decisions regarding tribal students consistent with Title I standards.

—Dayna Brave Eagle, Tribal Education Director, Oglala Sioux Tribe¹⁶⁹

An investment in the development of a data collection system will ensure that the programs and services being provided to our students are effective and successful.

—Noreen Sakiestewa, Director, Department of Education, Hopi Tribe¹⁷⁰

There's also a strong need for more data and research on Native language retention and also tribal achievement gap issues. ... There's a lot of money going out to the states, and the tribes need more access to it for us to achieve some of these goals.

—Leonard Forsman, Chairman, Suquamish Tribe, Washington¹⁷¹

The other aspect that we need help with from the federal government is just in closing this data gap that exists. We need the infrastructure. We need the University of Washington and the great researchers that we have at Western Washington University and all of the other regional colleges to be able to assist us.

—Bernie Thomas, Lummi Indian Business Council¹⁷²

Impact of Poverty and Need for Comprehensive Student Supports

It's well known that students in poverty need additional resources just to stay on par with those students who are fortunate enough to live above the poverty line. ... With poverty comes all of the related issues. The domestic violence, the substance abuse—all of the things that put so much stress on the house where there are kids who just hardly have a chance to be successful in school.

—Kristin English, Cook Inlet Tribal Council¹⁷³

¹⁶⁸ Written testimony, April 16, 2010.

¹⁶⁹ South Dakota consultation, April 28, 2010.

¹⁷⁰ Arizona consultation, June 30, 2010.

¹⁷¹ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

¹⁷² Washington consultation, July 15, 2010.

Summary

During the consultations, representatives of federally recognized tribes and American Indian educators testified that failing schools, high unemployment rates, substance abuse, high suicide rates, and rampant crime on reservations are all symptoms of the same illness—concentrated poverty. They reported high incidences of poverty, correlating with low levels of education. For this reason, they stressed that we must address issues of poverty if future generations of American Indian students are to break the cycle of limited economic opportunity.

Further, they testified that schools must take a holistic approach towards education that includes access to comprehensive student supports and safe and healthy learning environments. They claimed that schools' failures to adequately address American Indian students' mental health, nutrition, wellness, substance abuse, and family life issues, were directly responsible for low levels of achievement among those students.

Their statements echo the survey results of the U.S. Department of Education's National Center for Education Statistics' Status and Trends in the Education of American Indians and Alaska Natives, 2008. The administrators of local public schools with higher percentages of American Indian students reported more challenges in their school climates than in schools with lower-density American Indian populations. For example, in 2007, administrators in these high-density schools reported serious problems with student absenteeism, tardiness, lack of family involvement, and low expectations.

Testimony

And this came from, like, a root cause kind of thing, historical trauma, past government policies of assimilation, displaced cultural ID [sic], substance abuse, domestic violence, child abuse. This runs in our homes and our communities in this area. And then to top all of that and then you're trying to get these kids to, you know, to learn at school. They have problems at home. They don't know when they're going to eat next or if they're going to get beat when they get home. So yeah, there's going to be problems.

—Maya Torralba, Anadarko Indian Education¹⁷⁴

We must look at the reasons our students are not succeeding. Our students [are] in substandard housing. They live off muddy roads and can't attend school if they can't get to the road. They must sit all day at Indian Health to be seen by a doctor or must travel long distances to

¹⁷³ Alaska consultation, April 16, 2010.

¹⁷⁴ Oklahoma consultation, April 19, 2010.

receive dental care, resulting in their absences. They are hungry and distracted. Yet they come, and they come to learn.

—Mary Brown, Teacher, Standing Rock Sioux Tribe¹⁷⁵

It's very, very unfortunate that we have broken families within the reservation. That's just a symptom of trying to adapt to the society, the dominant society. It's going to take some time.

—Virgil Lewis, Yakama Nation¹⁷⁶

So many of our children come from families with poor or no jobs, which leads to numbing of the senses through alcohol and drugs in far too many cases, which leads to divorce, and children who are left to the masses become parents themselves at a very early age. ... Until this group of people is brought up to the standards of living as seen by the better educated, the results of testing will remain lower and society will remain stratified.

—Johnnie Locklear, Lumbee Tribe, North Carolina¹⁷⁷

We have unemployment rates that go from 12 percent to as high as 87 or 93 percent, depending on what tribal nation you're talking about.

—David Gipp, President, United Tribes Technical College, Bismarck, North Dakota¹⁷⁸

As long as we have the social conditions that our children live under, as long as there's drinking and fighting and violence, as long as things are in disarray on the reservation, for sure our children are not going to learn, for sure our children are already damaged at an early age. ... We have to factor in the impact of poverty on learning.

—Cecilia Fire Thunder, President, Oglala Lakota Nation Education Coalition; Vice-Chair, Little Wound School Board¹⁷⁹

I have got a tremendous amount of kids that graduate with GEDs working in my casinos that are very smart and very capable. They just didn't see a future beyond working in that casino. They could have been doing a lot of other things, but nobody instilled the confidence.

—John Shotton, Otoe-Missouria¹⁸⁰

When I say environment, it means the whole thing. What does that building look like? What does that classroom look like? Look at these walls here at Leschi. They reflect the culture. Children can come in

¹⁷⁵ South Dakota consultation, April 28, 2010.

¹⁷⁶ Washington consultation, July 15, 2010.

¹⁷⁷ Email submission, Aug. 6, 2010.

¹⁷⁸ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

¹⁷⁹ South Dakota consultation, April 28, 2010.

¹⁸⁰ Oklahoma consultation, April 19, 2010.

here, and they feel proud. They know who they are. ... Not just what's on the walls, but how do you put your desks or tables in a classroom? Where do you let them sit? How do you let them go from one place to another? How friendly is that environment? Is it inviting to the children and their families?

—Sally Brownfield, Education Director, Squaxin Island Tribe¹⁸¹

They have to be willing to learn, and ready to learn. You know why? If they do not use drugs, if they do not use ... alcohol, marijuana, cocaine ... if they don't use [drugs], they are willing to learn.

—Dr. Pauline Begay, Apache County Superintendent of Apache County¹⁸²

Our school is just constantly in trauma. You know, we'll see our flag is at half-mast, and we'll say, "I wonder who died today."

—Elizabeth Johnstone, Spokane Tribe¹⁸³

It makes me sad because I look at our young people and I look at the drugs and alcohol that are in our communities and I look at the gangs that try to take our children from us. We need to stop that. We need to make a safe place for our children.

—Mary Wilber, Lake Washington, Bellevue, and North Shore School Districts¹⁸⁴

Well, what do you feed your child at home? She goes, "I feed him junk. I don't mean to, but that's what we have. Hit the corner store or the gas station. I give him junk. ... It's all I know. It's all I've been taught."

—Jerome Jainga, Tsimshian Native¹⁸⁵

Alaska Natives are identified at twice the rate of other students for special education. ... It's not that they were special needs students, it was that they simply hadn't had an eye exam ever. They had never seen a doctor ever. They had never had a hearing exam ever in their life. ... Now, that's a problem when we talk about equity.

—Edward Alexander, Second Chief, Gwichyaa Zhee Gwich'in Tribe, Yukon, Alaska; Teacher, Principal, Arctic Village School¹⁸⁶

I'm here today to request an extension of a generation or two to meet Chief Red Cloud's goals for the seventh generation and maybe to pencil in a date to discuss the reauthorization of the 1868 treaty to

¹⁸¹ Washington consultation, July 15, 2010.

¹⁸² Window Rock, Arizona June 30, 2010.

¹⁸³ Washington consultation, July 15, 2010.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

¹⁸⁶ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

recognize the needs of our people today with our population growth, our dysfunction, and our medical and social needs.

—Mary Brown, Teacher, Standing Rock Sioux Tribe¹⁸⁷

The community I was in had no running water, a community of 150 people about 300 hundred miles away from the nearest city. That led to an outbreak of a disease called MRSA. ... How does this affect equity in education, you ask? When 80 percent of the community has MRSA, it affects education. When people don't have access to clean water any place in the entire community other than at the school, it affects education and it affects equity. What I'm talking about is the type of interagency collaboration that needs to occur. ... The Department of Health and Human Services offered no assistance; neither did the CDC; neither did the Department of Education. ... It's a problem. And it affects equity. Now, what I mean by equity is that [each] person has [an] equal chance to receive an education.

—Edward Alexander, Second Chief, Gwichyaa Zhee Gwich'in Tribe, Yukon, Alaska; Teacher, Principal, Arctic Village School¹⁸⁸

We have a high rate of diabetes. We have very, very poor diets in our schools.

—Beverly Tuttle, Porcupine School Board¹⁸⁹

So we had to develop a teen-parent day care center for many of our women to take on the role and responsibility of being teen mothers at a very early age, when they're not typically ready to be responsible. ... Not doing so seals the fate of them entering into a lifelong process of poverty.

—Bernie Thomas, Lummi Indian Business Council¹⁹⁰

Lack of Parental Support Services and Training

Ninety-five percent of my families are single [-parent] families. It's mothers raising their children. ... That's why we have to build that community, because we have to make each other our families.

—Mary Wilber, Okanagan; Lake Washington, Bellevue, and North Shore School Districts¹⁹¹

¹⁸⁷ South Dakota consultation, April 28, 2010.

¹⁸⁸ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

¹⁸⁹ South Dakota consultation, April 28, 2010.

¹⁹⁰ Washington consultation, July 15, 2010.

¹⁹¹ Washington consultation, July 15, 2010.

Summary

Tribal leaders and American Indian educators highlighted the need for education-related services to support family and community involvement in students' successful education. They noted that students often come from fragmented, migratory households, in which parents themselves often have limited formal education. Data from the Department of Education's National Center for Education Statistics support these claims. In 2006, about 51 percent of American Indian families with children were headed by married couples, 38 percent were headed by females with no spouse present, and 11 percent were headed by males with no spouse present. The percentage of American Indian families living in married-couple households was less than the percentages of white, Hispanic and Asian/Pacific Islander families doing so (73 percent, 63 percent and 82 percent, respectively).¹⁹²

Testimony

You have to have a healthy family before you can even begin to approach the school district system or any other system. The child needs an advocate, and usually that first advocate is the parent or the grandparent.

—Millie Kennedy, Tsimshian Tribe; Northwest Justice Project¹⁹³

I spoke with a parent, trying to explain this grant, and he said to me, "There's too much. I don't understand. I don't even know what questions to ask. Where do I start?" They need to know how to navigate the system.

—DeWayne Ingram, Indian Education Department, Anchorage School District¹⁹⁴

The biggest thing we have in Tecumseh is that we need the ability to get our parents on board. And that some of the funds that we have in Title VII put a limitation on some of the things we can do with our parents.

—Victor Cope, Tecumseh Public Schools¹⁹⁵

I want to talk about utilizing the Health and Human Services model, Head Start, in terms of getting parents actively engaged in the classroom, whether it be as a tutor, someone checking grades, someone just there for the kids, and there to help the teacher in delivering the education to our students. ... When a parent comes in to

¹⁹² U.S. Department of Education, National Center for Education Statistics, *Status and Trends in the Education of American Indians and Alaska Natives*, September 2008, http://nces.ed.gov/pubs2008/nativetrends/ind_1_5.asp, accessed March 16, 2011.

¹⁹³ Washington consultation, July 15, 2010.

¹⁹⁴ Alaska consultation, April 16, 2010.

¹⁹⁵ Oklahoma consultation, April 19, 2010.

sit in the classroom ... it's documented, their volunteer time. ... It gives that Head Start program matching funds in direct correlation to their volunteer time so that they can do more parent training.

—Jonathan Larson, Parent of three students, Anchorage School District¹⁹⁶

Parent involvement in the Anchorage School District is frustrating. You get bumped from one department, Indian Education to Migrant Education to Special Education. And no one seems to have the answer.

—Jonathan Larson, Parent of three students, Anchorage School District¹⁹⁷

American Indians Expressed Need for Seamless Cradle-to-Career Pipeline

We need to start with early childhood and complete at college.
—Gloria Kitsopoulos, Administrator, American Horse School¹⁹⁸

Summary

Tribal officials and American Indian educators indicate that a failure to provide a seamless cradle-to-career education that takes into account student life challenges and cultural relevancy prevents schools from conveying these students from early learning to higher education. They indicate that an unbroken pipeline from early learning to career is necessary to foster historically disadvantaged students' educational success. The absence of such a coordinated cradle-to-career "pipeline," they believe, ultimately perpetuates a cycle of poverty and socioeconomic inequality for American Indian communities.

Testimony

The Anchorage School District is not just failing Alaska Native kids; they are failing all kids. ... But they come into the system out of a Head Start program with great potential. Somewhere it's lost. ... Make sure that these students who have that potential see that light at the end of the tunnel ... and they achieve it.

—Jonathan Larson, Parent of three students, Anchorage School District¹⁹⁹

¹⁹⁶ Alaska consultation, April 16, 2010.

¹⁹⁷ Ibid.

¹⁹⁸ South Dakota consultation, April 28, 2010.

¹⁹⁹ Alaska consultation, April 16, 2010.

Drop-out rates are not about high school. The most critical time in education, particularly with boys, is kindergarten through second grade.
—DeWayne Ingram, Indian Education Department, Anchorage School District²⁰⁰

When you have 80 percent of reading, writing and math students coming in at eighth-grade level to our charter college and our community college, we have a concern.
—Ferlin Clark, Navajo Community College²⁰¹

Have one continuous ladder from early education all the way up to elementary education and on to high school. ... When you have students going to school all year, and then for the summer are not allowed to implement and use their hands and use their minds to go and do something that they learned in their high school or their college, then that education is lost. ... There is no continuity.
—Leonard Tsosie, Senator, Navajo Nation Council²⁰²

We believe that our students are dropping out in the third grade—or that's where they begin, at least, to check out.
—Suzi Wright, Policy Analyst, Tulalip Tribes²⁰³

We're concerned at the tribal college level also because many of the students that are in the K through 12 programs within the areas of the tribal colleges end up becoming our students. ... Many of those students have to go a year, sometimes two years, before they're at the college level.
—David Yarlott, President, Little Big Horn College; Chairman of the Board, American Indian Higher Education Consortium²⁰⁴

We need Navajo kids not only to be doctors, lawyers, and veterinarians, but we also want them to be welders. ... It takes the two of them to build a society, and we want parallel funding for vocational training.
—Leonard Tsosie, Senator, Navajo Nation Council²⁰⁵

The ones that do make it, many times are at the bottom end. ... Our kids spend, on average, about a year in remedial programs before they can start taking college-level classes.
—Laird Jones, Tlingit-Haida Central Council²⁰⁶

²⁰⁰ Ibid.

²⁰¹ Arizona consultation, June 30, 2010.

²⁰² Ibid.

²⁰³ Washington consultation, July 15, 2010.

²⁰⁴ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

²⁰⁵ Arizona consultation, June 30, 2010.

Money isn't the solution to declining test scores, increased dropouts among males or lack of teacher ability to reach or teach an Indian student. ... 1) Have high expectations for Indian students although they may be "at risk" (stop labeling students) and hold the students to these expectations; 2) Treat Indian students as potential college students; 3) Work from their strengths individually as well as collectively; 4) Do what you say you are going to do to gain the trust of both student and parent; 5) Teach students their individual learning style and how to use that style to gain new knowledge and make learning easier (refer to this style often); 6) Perform a career assessment on each student—share this with the student and revamp as needed as the student matures; 7) Teach the essentials: become an independent adult, timeliness, organizational skills, problem-solving skills, self-advocacy skills, decision-making skills; 8) Do not patronize these students just because their life or family is bad.

—Renee Hammonds, Early College High School, North Carolina²⁰⁷

Lack of Access to Early Learning Programs

My sister is a kindergarten teacher. And she knows by then, by kindergarten, which child is going to have a difficult time throughout their career.

—Tara Bourdukofsky, Aleutian-Pribilof Islands Association²⁰⁸

Summary

Tribal officials and American Indian educators testified to a lack of access to early learning programs as being a significant barrier to the success of American Indian students. They advised using high-quality early education programs to begin closing achievement gaps and emphasized that these programs must include culturally infused curricula. They echoed recent data of the U.S. Department of Education's National Center for Education Statistics that support the provision of more early learning programs to foster American Indian students' early development. In studies of early childhood development measures, at 9 months, American Indian infants show no measurable difference from the general population. However, by age 2, American Indian students begin to fall behind national scores in tests of specific cognitive skills in vocabulary, listening comprehension, matching and counting. By age 4, smaller percentages of American Indian children demonstrate age-appropriate language,

²⁰⁶ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

²⁰⁷ Email submission, Aug. 8, 2010.

²⁰⁸ Alaska consultation, April 16, 2010.

literacy, mathematics and color-identification skills, compared to the total population of children.²⁰⁹

Testimony

You see dropouts being developed because of the fact that when they do start out they don't have preschool of any sort. ... They start out with kids from the urban areas that have that advantage. They're ready to go, and the starting line's here and our children are starting back here. And as they start the race that gap even becomes larger. And there's where you see our children start to look at themselves and their self-esteem is nothing.

—Morris Reid, Picayune Rancheria, Chukchansi Indians²¹⁰

I am honored to be the person to teach the Yup'ik language to the community for the kindergarten through adults. ... I feel strongly that it should also be taught [in the] Head Start program.

—Natasia Todd, Alaska Native Charter School²¹¹

You have to start at the very beginning with the youngest of the young children. ... I think we would have a missed opportunity if we did not invest in early learning.

— Claudia Kauffman, Senator, Nez Perce Tribe²¹²

As we look across programs in the federal government, we see that we don't have a coordinated system of early care. ... We have [the Individuals with Disabilities Education Act], we have ESEA, we have Head Start, we have child care and they act independently. I'm sure for those of you who've tried to access those funds; it has not been easy trying to put those funds together.

—Jacqueline Jones, Senior Advisor on Early Learning, U.S. Department of Education²¹³

Provisions of high-quality, prekindergarten programs and opportunity for family participation in their child's learning program can narrow achievement gaps and improve student changes, chances for success in school.

—Darnell June, Navajo Nation Council²¹⁴

²⁰⁹ U.S. Department of Education, National Center for Education Statistics, *Status and Trends in the Education of American Indians and Alaska Natives*, September 2008, <http://nces.ed.gov/pubs2008/nativetrends/highlights.asp>, accessed March 16, 2011.

²¹⁰ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

²¹¹ Alaska consultation, April 16, 2010.

²¹² Washington consultation, July 15, 2010.

²¹³ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

²¹⁴ Arizona consultation, June 30, 2010.

For the early childhood education efforts ... they're giving the money to the states, and the tribes have to come hat-in-hand to the states to ask to be a part.

—Ryan Wilson, Representative for Chairman Marcus Levings of Mandan, Hidatsa, Arikara and Arapaho Tribes²¹⁵

High Dropout Rates Perpetuating Cycle of Limited Opportunity

When you look at the devastating unemployment rates in Indian country, when you look at the desperately high drop-out rates, not enough young people going on to college, it makes it very difficult to maintain the status quo and think that these young people have a chance to be successful.

—Arne Duncan, Secretary, U.S. Department of Education²¹⁶

Summary

Tribal leaders and American Indian educators stressed that high dropout rates sentence American Indian students to bleak economic futures. They attributed the low rates of high school completion among American Indian students to many of the issues detailed above. The high rates at which American Indian students drop out of school is not a new phenomenon, but one that was also noted in the 1969 Report, *Indian Education: A National Tragedy—A National Challenge*, also known as 1969 Kennedy Report.

Testimony

High drop-out rates make a concern for a generation of unschooled tribal members. That couples with the lowest scoring schools for an outlook that headlines “little or no education.”

—Janine Pease, Crow Tribe²¹⁷

Within the Anchorage School District, our graduation rates for Native students are the lowest of any AYP designated group and our dropout rates are the highest. ... 100 percent of our students were not on track to graduate. ... 85 percent did not have computer access at home. ... And 15 percent of students are classified as having special needs. A lot of our students are parents themselves. We have many that are on their own, don't have parental support, and a lot of economically disadvantaged students.

²¹⁵ South Dakota consultation, April 28, 2010.

²¹⁶ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

²¹⁷ Comment card submission, U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

—Josephine Edwards-Vollertsen, Indian Education, Anchorage School District²¹⁸

We have many, many of our tribal citizens who are not finishing school. They're dropping out. They're sitting in the state prisons.

—Cecilia Fire Thunder, President, Oglala Lakota Nation Education Coalition; Vice-Chair, Little Wound School Board²¹⁹

I've seen a lot of young kids, women, young men ... not going to school. How come they're not in school? Because their parents also didn't go to school. ... A lot of kids then begin to associate with alcohol and drugs because they don't have anything else to do. ... Let's just try to get the young kids motivated and somehow keep them going.

—James Candelario, San Felipe Pueblo, New Mexico²²⁰

Even though these low numbers might not look significant in terms of data, they really matter a lot to our communities because these groups of kids that are graduating from school and going on to college or doing whatever they're doing; they're not just going out and going to make a living.

—David Iyall, Cowlitz Tribe; University of Washington²²¹

CONCLUSION

No child left behind, unless you're an American Indian. We need to change this way of thinking ... to make sure that our Indian children are equipped for life. We must improve the quality of life for their people, their community, for their tribes, for their regions, so that we may be on an equal platform with other Americans.

—Dennis Zotigh, Kiowa, Community Events Coordinator, Smithsonian Museum of the American Indian²²²

In implementation of a November 2009 presidential memorandum directing all federal agencies to engage in meaningful consultation with American Indian tribes, in 2010, for the first time in its history, the Department of Education independently conducted official consultations with federally recognized American Indian tribes and heard from American Indian school officials and educators across the country. The Department bolstered these sessions with several call-in, town hall, and listening sessions. Throughout this period, the Department accepted electronic and handwritten testimony as well.

²¹⁸ Alaska consultation, April 16, 2010.

²¹⁹ South Dakota consultation, April 28, 2010.

²²⁰ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

²²¹ Washington consultation, July 15, 2010.

²²² U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

At these consultations, first and foremost, participating tribal leaders and American Indian school officials and educators expressed outrage at what they described as the failure of the federal government to *fulfill the moral obligation of the highest responsibility and trust* to tribes. As they expressed in many comments included in this report, this historic trust responsibility includes the delivery of educational services to American Indian children.

Tribal leaders testified about their lack of opportunities to meaningfully participate in the education of their children. Throughout the 2010 consultations, they emphasized the need for better, consistent, and meaningful consultation with American Indian tribes and peoples, with the understanding that tribal governments represent sovereign nations. They expressed the importance of being included in conversations on American Indian education reforms. They expressed the view that their insights would be of great value, especially when addressing the unique educational and culturally related academic needs of their children. According to their testimony, however, American Indians are rarely and inconsistently consulted on key decisions affecting the education of American Indian students, which reinforces to both tribal leaders and American Indian educators what they believe is the federal government's failure to fulfill a historic trust responsibility to provide education to American Indians.

Across the board, tribal and American Indian educators expressed great concern regarding funding for the education of American Indian children. During consultations, federally recognized tribes and American Indian educators expressed the view that subpar school facilities and shortages of qualified teaching personnel were due to funding shortages.

In addition, they testified that the perceived fragmentation of the systems that provide education to American Indians and uncoordinated funding streams hamper their ability to deliver quality educational services to American Indian students. They testified that this fragmentation makes it difficult to navigate through the various programs and processes of the different federal, state, and local agencies, impeding their ability to access adequate funding, qualified teaching personnel, adequate facilities, the latest technology and high-quality, culturally relevant curricula.

They also expressed the view that education agencies must collaborate with health, welfare, and law enforcement agencies to ensure American Indian students receive the comprehensive services they need to learn effectively.

This series of consultations also included testimony contending that failure to provide quality education for American Indian students continues to be costly. Participants stated that the challenges of providing a quality education to American Indian students have contributed to the perpetuation of a vicious cycle of limited economic opportunities among American Indian communities. According to tribal leaders and educators, education is the linchpin to breaking the cycle of poverty in American Indian

communities and creating opportunity for future generations of American Indians to become valuable contributors to their communities and tribes.

* * *

What are you people going to do about it other than just listen? ... When are you going to quit listening and start to do things?

—David Beaulieu, Lac du Flambeau Tribe, Wisconsin; Professor Emeritus, Arizona State University²²³

People [including tribal leaders and advocates] have said they want to see tribal education agencies empowered. You will see that reflected in our ESEA proposal. People say they want to see more meaningful consultation between tribes and LEAs. You will see that reflected in our ESEA proposal. They want more money for services in Indian country. They want more money for language preservation. They want a more senior voice at the Department on Indian education. ... So if you're wondering "Are we being heard?" the evidence is clear. You are being heard and you are teaching us, and we are grateful for that.

—Kevin Jennings, Assistant Deputy Secretary, Office of Safe and Drug-Free Schools, U.S. Department of Education²²⁴

I've heard these comments my entire life, when you're a native and you go to work for the federal government. I've heard these stories, since I was a little guy, of states hating us as Indian people. I've heard that the federal government doesn't serve us well. ... There are a lot of well-meaning people in both places. ... We need to be here. We need to work inside of these agencies ... to advocate, to tell the story, to listen to you, to take what you're sharing with us and then to try to do something with it.

—Keith Moore, Director, Bureau of Indian Education, U.S. Department of the Interior²²⁵

²²³ U.S. Department of Education town hall meeting with senior officials, Dec. 15, 2010.

²²⁴ Ibid.

²²⁵ Ibid.

Appendix A. Official Consultations and Listening Sessions: Locations and Dates

U.S. Department of Education Participation in Interagency Consultations

- National Indian Impacted Schools Association Conference, Las Vegas, Nevada, Dec. 7, 2009
- U.S. Department of the Interior, Bureau Indian Education, Safe Schools Summit, Washington, D.C., Dec. 8, 2009
- U.S. Department of Commerce and U. S. Department of Agriculture Consultation, Las Vegas, Nevada, Dec. 9, 2009
- U.S. Department of the Interior Consultation, Washington, D.C., Dec. 12, 2009
- South Dakota Indian Education Conference in Rapid City, South Dakota, Dec. 17, 2009

U.S. Department of Education Conference Calls

- Conference Call, Secretary Arne Duncan, March 10, 2010
- Conference Call, Assistant Deputy Secretary Jim Shelton, Promise Neighborhoods grant program, U.S. Department of Education, May 13, 2010

U.S. Department of Education Official Consultations With Tribal Leaders

- Anchorage, Alaska, April 16, 2010
- Shawnee, Oklahoma, April 19, 2010
- Pine Ridge, South Dakota, April 28, 2010
- Espanola, New Mexico, May 3, 2010
- Window Rock, Arizona, June 30, 2010
- Puyallup, Washington, July 15, 2010
- Town Hall, Washington, D.C., Dec. 15, 2010

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