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NIEA APPROPRIATIONS PRIORITIES FOR FY11

February 3, 2010

Correcting Historic Funding Inequities in Federal Native Education Programs

Over the past decade, Native education programs have received significant reductions in funding or stagnant funding, translating into funding cuts for these programs due to inflation and other rising costs. If these cuts to Native education are not reversed, then Native children and Native communities will be further harmed as well as future generations, especially given the tragic reality that the standard of living in Native communities continues to be far lower than any other group in the United States. Native communities continue to experience the highest rates of poverty, unemployment, morbidity, and substandard housing, education, and health care.

NIEA's Appropriations Priorities for FY11

5% Increase for Title VII, Native Education, Elementary and Secondary Education Act (ESEA) - U.S. Dept. of Education - Labor, HHS, Education Appropriations Bill

- In consideration of the economic downturn and constrained domestic budget, NIEA requests a **moderate 5% increase** for FY11 over the FY10 enacted level of \$194.912 million for a total of \$204.65 million for ESEA Title VII funding. This amount would include provide a 5% increase in funding for the following programs within Title VII: Indian Education, Alaska Native Education Equity, and Education for Native Hawaiians. President Obama's FY11 budget requests the FY10 enacted level of \$194.912 million. NIEA appreciates that Congress provided an increase in FY10 of \$5 million over the FY09 enacted level for Title VII.
- NIEA requests that \$2 million of the increase it seeks go toward national research activities (Title VII, Part A, Subpart 3) that would focus on indigenous language and culture-based assessments and research in teaching Native children, which could include projects by consortia of immersion schools. NIEA requests that another portion of the increase it seeks go toward funding Tribal Education Departments which are authorized under ESEA but have never been funded as well as to teacher in-service and professional development programs contained in the Special Programs section of ESEA.
- Title VII provides critical support for culturally based education approaches for Native students and addresses the unique educational and cultural needs of Native students. It is well-documented that Native students thrive academically in environments that support their cultural identities while introducing different ideas. Title VII has produced many success stories but increased funding is needed in this area to bridge the achievement gap for Native students.

5% Increase for Impact Aid, Title VIII, ESEA - U.S. Dept. of Education - Labor, HHS, Education Appropriations Bill

- NIEA requests a 5% increase for FY11 over the FY10 enacted level for impact aid. The President's FY11 request for impact aid is \$1.138 billion, which was the FY10 enacted level. This amount does not keep pace with inflation. Further, the FY11 budget proposes \$17.509 million for impact aid facilities construction. The funding proposed for FY11 does not meet the tremendous backlog to build new facilities. Many public schools on reservations are crumbling and should be replaced. NIEA urges that the 5% increase be used for facilities construction so that some progress can be made in meeting the mushrooming public school construction needs on reservations. NIEA appreciates that \$100 million was allocated for impact aid facilities construction in the American Recovery and Reinvestment Act.

\$10 Million Increase over the FY10 Enacted Level for Native Language Immersion and Restoration grants under the Esther Martinez Native Languages Act - Admin. for Native Americans (ANA), Admin. for Children and Families, U.S. Health and Human Services - Labor, HHS, Education Appropriations Bill



- NIEA requests a **\$10 million increase to \$59 million** for FY11 to ANA to support Native language immersion and restoration programs under the Esther Martinez Native Languages Act. In FY10, ANA received a \$1.750 million increase with the directive that no less than \$12 million of the amount provided to ANA should be used for language preservation activities and not less than \$4 million of the \$12 million should be used for language immersion activities. NIEA urges the continuation of the FY10 directive that at least \$12 million at ANA be used for language preservation activities and urges an additional \$10 million in FY11 for ANA that would also be used for language preservation activities, resulting in at least \$22 million for language preservation at ANA. NIEA is very appreciative of the Obama Administration's and Congress's support for this crucial program. **President Obama's priorities for Native communities include preservation of Native language programs and specifically support for the Esther Martinez Act.**
- The Esther Martinez Act preserves and fosters fluency in Native American languages through grants to tribes, tribal organizations, schools, and universities to develop and bolster Native language immersion and revitalization programs. Research shows that Native children who participate in language immersion and revitalization programs perform better academically than their Native peers who do not participate. Native languages are not spoken anywhere else in the world; and, if they are not preserved, then they will disappear forever. In Native communities across the country, Native languages are in rapid decline. It is a race against the clock to save Native languages.

\$263.4 Million for Indian School Construction and Repair - Bureau of Indian Affairs (BIA), Dept. of Interior (DOI) - DOI Appropriations Bill

- NIEA requests a **\$150.4 million increase** from the FY10 enacted level of \$112.994 million for a total of \$263.4 million in FY11 to the BIA for Indian school construction and repair. President Obama requests only \$52.854 million for FY11 for BIE school construction and repair, which is a **\$60.1 million decrease from the FY10 enacted level**. This amount is simply not enough to address the staggering construction and repair backlog. Since FY 2005, the funding levels have dramatically decreased for this critical program. NIEA seeks \$263.4 million because this was the funding level in FY 2005, which was instrumental in reducing the construction and repair backlog. BIA's budget has historically been inadequate to meet the needs of Native Americans and, consequently, Indian school needs have multiplied. NIEA appreciates that \$277.7 million was provided to BIE school construction and repair under the American Recovery and Reinvestment Act.
- The Federal government's responsibility for the education of Indian people is in response to specific treaty rights; and anything less than full funding of Native education programs signifies increased negligence of its trust responsibility.

\$ 24 Million for the Johnson O'Malley Program (JOM) - BIA, DOI – DOI Appropriations Bill

- NIEA requests a total of **\$24 million for JOM**, which was the FY06 enacted level. Over time, funding for JOM has steadily decreased due to the previous Administration's efforts to eliminate the program. NIEA seeks full restoration of JOM to at least the FY 2006 enacted level. The FY10 enacted amount (and the enacted amounts from FY07 through FY09) was \$21.4 million, which was only partial restoration of JOM funding. President Obama's FY11 budget requests \$21.273 million, a decrease of \$256,000 from the FY10 enacted level.
- JOM grants are the cornerstone for many Indian communities in meeting the unique and specialized educational needs of Native students. Many Indian children live in rural or remote areas with high rates of poverty and unemployment. JOM helps to level the field by providing Indian students with programs that help them stay in school and attain academic success.
- Even though JOM funding is extremely limited due to BIA budget constraints, it is being used across the country in a variety of basic as well as innovative ways to assist Indian students to achieve academically. JOM funding is used to provide vital programs designed to build self-esteem, confidence, and cultural awareness so that Indian students can grow up to become productive citizens within their communities. For example, JOM funds help students achieve and succeed by providing such services as: eyeglasses and contacts, resume counseling, college counseling, culturally based tutoring, summer school, scholastic testing fees, school supplies, transition programs, musical instruments, Native youth leadership programs, student incentive programs, financial aid counseling, fees for athletic equipment and activities, caps and gowns, art and writing competitions, etc. Other programs administered by the federal government, such as ESEA funding at the Dept. of Education, do not allow funding for these types of activities.

- Even with the funding requested, \$24 million will not keep pace with true needs. In 1995, a freeze was imposed on JOM funding through DOI, limiting funds to a tribe based upon its population count in 1995. The freeze prohibits additional tribes from receiving JOM funding and does not recognize increased costs due to inflation and accounting for population growth. NIEA urges that the JOM funding freeze be lifted and that other formula-driven and head count-based grants be analyzed to ensure that tribes are receiving funding for their student populations at a level that will provide access to a high quality education.

\$10 Million for Tribal Education Departments (TED's) - BIA, DOI - DOI Appropriations Bill and U.S. Dept. of Education - Labor, HHS, Education Appropriations Bill

- TED's are authorized for funding at the BIA (as well as the Dept. of Education under NCLB) but have never been funded. TEDs develop educational policies and systems for Indian communities that are attuned to the cultural and specialized academic needs of Indian students. TEDs partner with the federal government and state governments and schools to improve education for tribal students. \$10 million for FY11 with \$5 million for BIA and \$5 million for DOE for TED's is a very modest request that would yield positive benefits for Indian students and provide tribes with increased input over the education of their children.



THE PRESIDENT'S BUDGET REQUEST FOR FISCAL YEAR 2011 FOR NATIVE EDUCATION

Overview of the Congressional Appropriations Process

The President submitted his FY11 budget request to Congress on February 1, 2010. Using the President's budget as a guideline, Congress will develop the actual federal budget with hearings on the budget starting the week of February 8th. Congress provides funding for Native education programs through primarily two separate annual appropriations bills: the Departments of Labor, Health and Human Services, and Education and Related Agencies appropriations bill (Labor-HHS bill) and the Department of the Interior and Related Agencies appropriations bill (Interior bill).

The President's FY11 Native Education Budget Request

Provided below is a compilation of Native education provisions taken from the President's FY11 budget request for the Department of Education, Bureau of Indian Affairs at the Department of the Interior, and the Department of Health and Human Services, as well as historical information from previous fiscal years. Most Native education programs are administered by these agencies.

Department of the Interior – BIA

The FY11 budget requests \$2.6 billion for BIA, which is \$53.6 million or 2% below the FY10 enacted level. The President's BIA budget request unveils the Empowering Tribal Nations Initiative. The FY11 BIA budget highlights state that this Initiative is a multi-faceted effort that will advance Nation-to-Nation relationships, improve Indian education, improve safety of Indian communities, and reform trust land management with the ultimate goal of greater self-determination. The Initiative is designed to build upon the White House Tribal Nations Conference and the President's commitment to improving conditions throughout Indian Country. BIA's FY11 budget highlights state that, at the November 2009 Conference attended by over 400 tribal leaders, the President pledged to strengthen Nation-to-Nation relationships, improve the tribal consultation process, and empower strong and stable Indian communities.

Specifically for Indian education, the BIA budget highlights state that the FY11 request advances the Department's continuing commitment to Indian education at 183 schools and dormitories funding by the BIE. Since 2008, the budget for Indian education has increased by \$109.8 million. Further, it states that, in recent years, investments in the education program have achieved improvements in the educational environment with new schools, facility improvements, operations and transportation, and new programs focused on student achievement. Excluding one-time funding to forward-fund tribal colleges, the budget maintains 2010 funding for education operations and contains increases of \$8.9 million for key program activities to promote student safety and well-being. The President's FY11 budget proposes increases for Indian education to address environmental and security concerns at BIE schools and strengthening grant support funding for tribally operated BIE schools. However, the President's request for BIA proposes a reduction of \$50 million in one-time funding to forward-fund tribal colleges and a **reduction of \$60.1 million from the FY10 enacted level for BIE school construction.**

Below is a chart showing requested FY11 funding for key accounts and previous enacted levels over the past couple of years.



		2007 Enacted	2008 Enacted	2009 Enacted	2010 Requested	2010 Enacted	2011 Requested
Bureau of Indian Affairs							
Operation of Indian Programs (\$ in thousands)							
Education							
	Elementary and Secondary Programs						
	Forward funded	457,352	479,895	499,470	516,702	518,702	524,990
	Elementary and Secondary Programs	60,800	74,621	75,126	77,379	77,379	127,823
	Post Secondary Programs	103,161	111,749	115,272	125,691	126,791	62,269
	<i>Forward funded</i>	<i>N/A</i>	<i>N/A</i>	<i>N/A</i>	<i>50,000</i>	<i>50,000</i>	<i>64,321</i>
	Education Management	6,559	23,347	26,285	26,528	26,528	25,092
*BIA Construction	Education	157,441	142,935	128,837	112,994	112,994	52,854

***American Recovery and Reinvestment Act: \$450,000 for total BIA Construction with \$277,700 of that provided for Bureau of Indian Education school construction and repair.**

Adapted Excerpts from the FY11 BIA Budget Highlights

BIA School Construction (-60.1 million):

The budget includes \$52.9 million for education construction, **a decrease of \$60.1 million from the FY10 enacted level.** The budget highlights state, as with detention center construction, the budget takes into consideration the \$285.0 million that was provided to Indian Affairs for school and detention center construction activities in the American Recovery and Reinvestment Act of 2009. The budget also reflects a proposed transfer of \$50.7 million in education facilities operations and maintenance funding from the Construction account to the Operation of Indian Programs account to increase transparency and improve the management of the maintenance and construction programs. With the \$52.9 million, the BIA school construction budget proposes funding phase two of the Denehotso replacement school, one school facility replacement project, and support employee housing. The budget maintains essential funding for facility improvement and repair projects at \$34.6 million.

Johnson-O'Malley Assistance Grants (-256,000):

The majority of American Indian and Alaska Native students attend public schools, which are frequently unable to provide them with the support systems they need to be successful. JOM grants provide these students with programs that help them stay in school, including remedial instruction, counseling, and cultural programs. Support programs that increase parents' involvement in the school, and in their child's education, may also be included. JOM grants may be used to cover small but important needs such as school supplies and supplies that enable recipients to participate in curricular and extra-curricular programs. These grants serve federally recognized tribal students from three years of age through the 12th grade. Priority is given to programs that are on, or adjacent to Indian reservations, or are Oklahoma and Alaska based. Children enrolled in Bureau or sectarian operated schools are excluded from eligibility. The table below reflects where JOM funding can be found in the budget. As seen below, the FY11 budget proposes a \$256,000 decrease for JOM from the FY10 enacted level.

FY11 JOM Funding	(in millions)
JOM (Education)	\$13,434
JOM (Tribal Government – Self Governance)	\$7,074
JOM (Tribal Government – CTGP)	\$765
TOTAL JOM Funding	\$21,273

FY10 JOM Funding	
JOM (Education)	\$13,589
JOM (Tribal Government – Self Governance)	\$6,986
JOM (Tribal Government – CTGP)	\$954
TOTAL JOM Funding	\$21,529

ISEP Program Adjustments (+3.9 million):

The Indian School Equalization Program formula funds are one of the primary sources of funding for the BIE's 183 schools and

dormitories. Funds directly support the schools' core costs such as salaries for teachers, aides, administrators, and support staff, supplies, and classroom materials. The budget proposes a \$3.9 million increase for ISEP formula funds that would be used to implement safety and security programs at 10 schools and to train staff to deal effectively with high-risk student behaviors.

Environmental Audits and Environmental Management at Schools (+\$2 million):

The budget proposes an increase of \$2 million for 13 environmental professionals who would conduct environmental audits at all 183 BIE-funded schools and dormitories. These professionals will be strategically located across the country in order to efficiently reach the schools they are auditing. Any violations will be rectified with facilities operations and maintenance funding. These staff will also assist schools with developing, implementing, and maintaining environmental management systems. These systems will be used by schools to mitigate and prevent environmental violations, and to monitor and improve energy use and environmental quality.

Tribal Grant Support Costs (+\$3 million):

The budget requests a \$3 million increase for Tribal Grant Support Costs program. The BIE currently funds 124 tribally controlled schools and residential facilities. Grant support funding helps to cover administrative and indirect costs incurred by a Tribe operating contract and grant schools. Expenses typically include fiscal audits, personnel, property and procurement management, office services and record keeping, insurance, security, and legal services.

Department of Health and Human Services – Administration for Children and Families

The President's FY11 discretionary budget request for the Administration for Children and Families is \$58.8 billion, a net increase of \$9.3 billion over FY10. The Administration for Children and Families administers over 60 programs to fulfill its mission of serving America's children and families. Within the Administration for Children and Families are several programs that focus or greatly assist with the educational needs of Native children, such as Head Start and Native American Programs at the Administration for Native Americans. The President's FY11 budget requests \$8.2 billion for Head Start, which is an increase of \$989 million over the FY10 enacted level, to serve an estimated 971,000 children. Early Head Start will serve approximately 116,000 infants and toddlers in FY11, nearly twice as many as were served in FY08. The budget requests \$49 million for Native American Programs, which is a \$2 million increase over the President's FY10 request but was the FY11 enacted level.

Below is a chart showing requested FY11 funding for key accounts and previous enacted levels over the past couple of years.

Department of Health and Human Services		2007 Enacted	2008 Enacted	2009 Enacted	2010 Requested	2010 Enacted	2011 Requested
Administration for Children and Families							
	Head Start	6,788,500	7,000,270	7,112,786	7,234,783	7,234,783	8,200,000
	Native American Programs (ANA)	44,000	45,523	47,023	47,023	49,000	49,000

Adapted Excerpts from the FY11 HHS Budget in Brief

Head Start - Provides comprehensive development services for low income children and families, emphasizing cognitive and language development, socio-emotional development, physical and mental health, and parent involvement to enable each child to develop and function at his or her highest potential. The President's budget requests \$8.2 billion for FY11. Also, the Recovery Act provided \$2.1 billion for Head Start, \$1.1 billion of which was specifically for Early Head Start expansion.

Native American Programs - (Administration for Native Americans) – A total of \$49 million is requested for ANA to promote self-sufficiency through competitive grants for community-based social and economic development, professional capacity-building skills, training, entrepreneurship, financial literacy, language preservation and immersion, as well as the implementation of environmental laws, codes and ordinances. The Esther Martinez Native American Languages Preservation Act of 2006 created new categories of activities in the area of native language preservation (language nests, survival schools and language restoration programs) and reauthorized the Native American Programs Act Native American Languages Grant Program. The FY10 Labor, HHS, Education appropriations bill directed that at least \$12 million of funding for ANA shall be used for language preservation programs with no less than \$4 million for language immersion.

Department of Education - Native Education

According to OMB, the President's FY11 budget proposes a bold strategy to achieve the Department of Education's mission of fostering educational excellence, advancing equity and opportunity, improving student achievement, rewarding successful outcomes, investing in innovation and preparing our Nation's children for global competitiveness.

OMB's FY11 Department of Education budget fact sheet describes the following major funding and policy initiatives of the agency:

Reform Elementary and Secondary School Funding

- \$28 billion – a \$3 billion increase – for programs authorized by ESEA, plus up to \$1 billion in additional funding if Congress successfully completes a fundamental overhaul of the law. Together, these measures would represent the largest funding increase for ESEA programs ever requested.
- \$900 million for School Turnaround Grants.
- \$1.35 billion to continue the President's Race to the Top Challenge and to expand the competition from states to school districts that are ready for comprehensive reform.

Increase the Number of Effective Teachers and Principals

- \$950 million in a new competitive fund for states and districts to support bold approaches to recruiting, developing, retaining, and rewarding effective teachers, particularly in high-need schools.
- \$405 million to back successful and innovative pathways into teaching and school leadership.

Support Innovative Student Achievement Efforts

- \$1.8 billion investment in the Supporting Student Success Initiative. Through this effort, the budget reforms the 21st Century Community Learning Centers program to focus funding on models that redesign and extend the school day, week, or year to provide additional time for students to engage in academic and enrichment activities, as well as on programs that support full-service community schools that coordinate access to comprehensive services. Included is \$210 million for the Promise Neighborhoods program, an initiative to improve college-going rates by combining a rigorous K-12 education with a full network of support services.
- Invest in Education Programs Proven to Work.
- \$500 million to expand the Investing in Innovation Fund, which will expand proven models – and develop and validate promising ones – for achieving student success.
- Eliminate six discretionary programs and consolidate 38 K-12 programs into 11 new programs that emphasize using competition to allocate funds, giving communities more choices around activities, and using rigorous evidence to fund what works.

Invest in the Next Generation of Scientists and Engineers

- \$300 million in new grants to states to develop and implement curricula and improve teaching and learning in science and math aligned to new high standards.
- \$150 million within the investing in Innovation Fund to competitive grants for school districts, non-profits, and other organizations to develop, validate, and scale promising strategies to improve teaching and accelerate student learning in STEM subjects.

Open Doors to College to More Students

- Make permanent the Recovery Act's increase in the Pell Grant maximum award, and put these grants on a path to grow faster than inflation every year.
- \$10.6 billion in community college funding over 10 years to launch a new American Graduation Initiative that will strengthen and support America's community colleges, focus on college completion, and graduate 5 million more students by 2020.
- Strengthen income-based repayment plans for student loans by reducing monthly payments and shortening the repayment period so that overburdened borrowers will pay only 10% of their discretionary income in repayments and have their remaining debt forgiven after 20 years.

High-Priority Performance Goals

The Administration is committed to building a transparent, high performance government capable of addressing the challenges of the 21st century. As part of developing the budget, every department identified high-priority performance goals (along with strategies and in-house resources to achieve them) that each will work to accomplish over the next two years. Highlights of this department's goals are:

Effective Teaching: Improve the quality of teaching and learning by --

- Increasing by 200,000 the number of teachers for low income and minority students who are being recruited or retained to teach in hard-to-staff subjects and schools in systems with rigorous processes for determining teacher effectiveness;
- Ensuring that all States have in place comprehensive teacher evaluation systems, based on multiple measures of effectiveness, including student achievement, that are used for professional development, retention, tenure, and compensation decisions.

Data Driven Decisions: All states implementing comprehensive statewide longitudinal data systems that link student achievement and teacher data and link K-12 with higher education data and, to the extent possible, with pre-K and workforce data.

Simplified Student Aid: All participating higher education institutions and loan servicers operationally ready to originate and service Federal Direct Student Loans through an efficient and effective student aid delivery system with simplified applications and minimal disruption to students.

For programs specific to Native education, the President's budget requests the following:

Department of Education (\$ in thousands)		2007 Enacted	2008 Enacted	2009 Enacted	Recovery Act	2010 Requested	2010 Enacted	2011 Requested
Education for Native Hawaiians		33,400	33,315	33,315		34,315	34,315	34,315
Alaska Native Education Equity		33,900	33,315	33,315		33,315	33,315	33,315
Indian Education		118,700	121,690	122,282		122,282	127,282	127,251
Grants to LEAs		95,300	96,613	99,331		99,331	104,331	104,300
Special Programs		19,399	19,060	19,060		19,060	19,060	19,060
National Activities		4,000	3,891	3,891		3,891	3,891	3,891
Alaska & Hawaiian Higher Education	D	9,000	11,579	11,579		12,158	15,084	15,838
	M	N/A	15,000	15,000		0		
Tribal Colleges & Universities	D	24,000	23,158	23,158		24,316	30,169	31,677
	M	N/A	30,000	30,000		0		
Non-Tribal Institutions Serving Native Americans	D	N/A	N/A	3,600		2,625	3,600	3,780
	M	N/A	5,000	5,000		0		
Tribal Vocation Education		7,400	0	7,800		7,800	8,162	8,162
Impact Aid		1,228,500	1,240,717	1,128,536		1,138,000	1,138,000	1,138,000
Impact Aid Construction		0	17,500	17,509	100,000	17,509	17,509	17,509
Pell Grants		12,986,009	16,256,000	17,288,000	9,276,059	26,998,000	26,998,000	34,878,000
Adult Education		579,600	577,558	567,468		639,587	639,587	653,700

Adapted Excerpts from the Department of Education Fiscal Year 2011 Budget Summary

Grants to Local Education Agencies - These funds provide financial support to elementary and secondary school programs that serve Indian students, including preschool children. Funds are awarded on a formula basis to local educational agencies, schools supported and operated by the Bureau of Indian Affairs and in some cases, directly to Indian Tribes. The budget request for Grants to Local Educational Agencies is \$104.3 million. Overall, the President's FY11 budget request for Indian Education in Title VII is funded at \$127.251 million.

Special Programs for Indian Children - Funds are used for demonstration grants to improve Indian student achievement through early childhood education and college preparation programs, and for professional development grants for training Indians who

are preparing for careers in teaching and school administration. The budget allocates \$19.060 million for Special Programs for Indians.

National Activities - Funds are used to expand efforts to improve research, evaluation, and data collection on the status and effectiveness of Indian education programs. The President's budget proposes \$3.891 million for these programs.

Education for the Disadvantaged

Education for Native Hawaiians - Funds provide supplemental education services to Native Hawaiians in such areas as family-based education, special education, gifted and talented education, higher education, curriculum development, teacher training and recruitment, and community-based learning. The funding level is \$34.315 million.

Alaska Native Education Equity - Funds provide supplemental education services to Alaska Natives in such areas as educational planning, curriculum development, teacher training, teacher recruitment, student enrichment, and home-based instruction for pre-school children. Grants also go to organizations specified in the law. The funding level is \$33.315 million.

Impact Aid - Provides financial assistance to school districts for the costs of educating children when enrollments and the availability of revenues from local sources have been adversely affected by the presence of Federal activities. Children who reside on Federal or Indian lands generally constitute a financial burden on local school systems because these lands do not generate property taxes—a major revenue source for elementary and secondary education in most communities. In addition, realignments of U.S. military forces at bases across the country often lead to influxes of children into school districts without producing the new revenues required to maintain an appropriate level of education. The President proposes funding Impact Aid at \$1.138 billion. The Budget proposes funding facilities construction is \$17.509 million.

Adult Education - Funds support formula grants to States to help eliminate functional illiteracy among the Nation's adults, to assist adults in obtaining a high school diploma or its equivalent, and to promote family literacy. A portion of the funds is reserved for formula grants to States to provide English literacy and civics education for immigrants and other limited English proficient adults. The FY 2011 budget request for Adult education includes an increase over the FY10 level for an amount of \$653.7 million to assist States in meeting the significant and ongoing need for adult education services.

Pell Grants- Pell Grants help to ensure financial access to postsecondary education by providing grant aid to low-and middle-income undergraduate students. The program is the most need-focused of the Department's student aid programs, with individual awards varying according to the financial circumstances of students and their families. The FY11 budget proposes significantly increasing this program to \$34.878 billion.

Higher Education

Strengthening Alaska Native and Native Hawaiian-Serving Institutions - The purpose of this program is to improve and expand the capacity of institutions serving Alaska Native and Native Hawaiian students. Funds may be used to plan, develop, and implement activities that encourage: faculty and curriculum development; better fund administrative management; renovation and improvement of educational facilities; student services; and the purchase of library and other educational materials. The President's budget requests an increase in this program to \$15.838 million.

Strengthening Tribally Controlled Colleges and Universities - Tribal colleges and universities rely on a portion of the funds provided to address developmental needs, including faculty development, curriculum and student services. The President's Budget requests an increase for this program to \$31.677 million.

Tribally Controlled Postsecondary Vocational Institutions - The program provides grants to tribally controlled postsecondary career and technical institutions to provide career and technical education to Indian students. The request would fund instructional and student support services, as well as institutional support, at the United Tribes Technical College and Navajo Technical College, the only institutions that meet the eligibility requirements for this program. The President's Budget requests a slight increase to \$8.162 million for this program.

BIE RACE TO THE TOP

Background

The Department of Education through the American Recovery and Reinvestment Act (ARRA) provides \$53.6 billion for the State Fiscal Stabilization Funding (SFSF), a one-time appropriation program that includes formula funding and competitive grants. Tribal governments and the Bureau of Indian Education (BIE) schools are ineligible to access SFSF funding, including \$4.35 billion in Race to the Top grants, under ARRA. As a result, tribes and BIE schools are deprived the same economic relief as public schools although 76% of the BIE schools are not making adequate yearly progress. In addition, most BIE schools experience the same, and in many cases exacerbated, hardships as public schools (i.e. averting layoffs, creating jobs, supporting academic improvement, and school modernization.) Likewise, BIE and tribal schools are not incentivized or supported in the same manner as the states to develop the reforms outlined in ARRA, despite similar challenges, the documented low performance and demonstrated high need.

Race to the Top Competitive Funding

States applying to the Race to the Top program are incentivized and supported to advance education reforms that will benefit students from early learning through post-secondary education, including: college- and career- ready standards and high-quality, valid and reliable assessments for all students; development and use of pre-K through post-secondary and career data systems; increasing teacher effectiveness and ensuring an equitable distribution of qualified teachers; and turning around the lowest-performing schools. Before this fall, the Department of Education is expected to award \$5 billion competitively under the "Race to the Top" and "Investing in What Works and Innovation" programs. Most recently, President Obama proposed \$1.35 billion in his FY 2011 budget request to continue the Race to the Top program. While tribes will be eligible to apply for the will be approximately \$650 million available for "Investing in What Works and Innovation" grants, they are ineligible to apply for funding available in the Race to the Top program.

SFSF allocates one-half of 1% to the outlying territories for elementary, secondary, and higher education, and as applicable, early childhood education. There is no allocation that provides funding to the BIE or tribes, many of whom operate tribal elementary and secondary schools, tribal colleges, early childhood education programs, and tribal education departments. NIEA supports H.R. 4775, a bill that provides for tribes to be allocated between one to five percent of funding for the Race to the Top program.

Request

NIEA requests your support for H.R. 4775 which amends the American Recovery and Reinvestment Act of 2009 to direct the Secretary of Education to reserve 1% to 5% of the amount reserved from the State Fiscal Stabilization Fund for the State Incentive Grant program (Race to the Top) for a FY2010 grant to the Bureau of Indian Education of the Department of the Interior to carry out activities for Indian children that are consistent with that program.

INSUFFICIENT FUNDING FOR THE CONSTRUCTION AND REPAIR OF BIA SCHOOLS

I. The Current Problem – Shortage of Funding for Indian School Construction

There is insufficient federal funding for the construction and repair of Bureau of Indian Affairs (BIA) schools. The Federal government is responsible by treaty for 184 Indian schools funded by the BIA. The BIA funds 7,341 educational facility structures in Indian country, which serve more than 60,000 students and 238 federally recognized Indian tribes located in 23 states. As of 2000, half of the school facilities in the BIA's inventory exceeded their useful lives of 30 years, and more than 20 percent were over 50 years old.

The BIA currently receives appropriated funds for the replacement of unsafe and outdated schools and 81 of 184 BIA schools have been identified as in need of major repairs or replacement. The Interior Department's Office of Inspector General (OIG) visited 13 BIA schools as part of a department-wide audit and found severe deterioration at elementary and secondary schools. The OIG issued a Flash Report in May 2007 warning that the failure to mitigate these conditions will likely cause injury or death to children and school employees. Since federal appropriations have not kept pace with critical needs for school facility repair and construction in Indian Country, alternative funding means must be explored.

II. A Partial Solution Provided by ARRA – School Construction Bonds

The American Reinvestment and Recovery Act ("ARRA") authorized a new category of tax credit bonds – qualified school construction bonds - which can be used by tribes to raise private funds to support and supplement BIA school construction and repair. This authorization is the culmination of legislation that had been introduced in Congress every year since the 106th Congress, the Indian School Construction Act ("the Act").¹ The purpose of that Act was to provide an optional funding mechanism to repair and replace BIA school facilities through authorizing the issuance of tax credit bonds. ARRA contains language modeled on the Act that authorizes tribal governments with a new, voluntary option for funding school construction through the issuance of tax credit bonds. By allowing federal funding to be leveraged to raise private funds through bond issuance, the legislation allows replacement or repair of schools to occur more quickly than otherwise possible with the same level of appropriations.

Specifically, the benefits of the ARRA school bond provision are that:

- Up to \$200 million in Qualified Tribal Modernization Bonds could be issued in FY 2010 to provide funding for the construction of school facilities in the BIA system.
- Issuance of bonds does not require any payments by the schools or Tribes. In fact, in combination with the Indian Self-Determination and Education Assistance Act, for the first time, Tribal Schools may be repaired and replaced using local architects, engineers, artisans and financial institutions, all selected by the Tribes themselves, using funds raised through bond issuance; and
- The bonds would provide tax credits to bond holders in lieu of interest

Under the Recovery Act, the bonds must meet three requirements: (1) 100 percent of the bond's available project proceeds must be used to construct, rehabilitate or repair a public school facility or to acquire land on which such a bond-financed facility is to be constructed; (2) the bond must be issued by the state, local or tribal government within which such school is located; and (3) the issuer must designate the bond as a qualified school construction bond.

¹ Senate Sponsors have included: Tim Johnson (D-SD), Jeff Bingaman (D-NM), Dan Inouye (D-HI), Patty Murray (D-WA), Max Baucus (D-MT); Harry Reid (D-NV), Thad Cochran (R-MS), among others. House sponsors have included: Earl Pomeroy (D-ND); Stephanie Herseth-Sandlin (D-SD); Mark Udall (D-CO); Grace Napolitano (D-CA); Dale Kildee (D-MI); Steny Hoyer (D-MD); Joe Baca (D-CA); Patrick Kennedy (D-RI), and Kevin Brady (R-TX), among others.



III. The Final Step: Additional Language Needed in the FY 2010 Interior Bill

Despite the progress made in the ARRA in authorizing the school construction bonds, none of the school bond allocation has been utilized by tribal governments to date because the Department of Interior has indicated that the Secretary of Interior requires more explicit authorization than is currently contained in the ARRA in order to create an escrow account to hold funding for tribes to pay bondholders when the bonds mature. Such language was included in the Indian School Construction Act, but not in the ARRA.

As a result, it would assist in implementation of the ARRA school bond language if language were included in legislation that would make clear that for purposes of implementing Section 1521 of the ARRA, that the Secretary of Interior is authorized to deposit up to \$200 million into a tribal school modernization escrow account to support issuance of the bonds and to promulgate any regulations necessary with regard to issuance of the bonds.

Proposed Language:

The American Recovery and Reinvestment Act, Pub. L. 111-5, created a new category of qualified school construction bonds for the construction, rehabilitation and repair of schools funded by the Bureau of Indian Affairs. Under Section 1521 of the Act, the Secretary is allocated \$200 million for calendar year 2010 to support the issuance of bonds for BIA schools. For purposes of implementing Section 1521, the Secretary is authorized to deposit up to \$200 million into a tribal school modernization escrow account as necessary to support issuance of the bonds and to promulgate any regulations necessary with regard to issuance of the bonds. The principal amount of any qualified tribal school modernization bond issued under Section 1521 shall be repaid only to the extent of any funds escrowed in the tribal school modernization escrow account.

The Secretary may accept for transfer into the tribal school modernization account amounts from, as the Secretary determines appropriate, other Federal departments and agencies (such as amounts made available for facility improvement and repairs) and non-Federal public or private sources for purposes of implementing Section 1521. For purposes of implementing Section 1521, the Secretary shall invest tribal school modernization account amounts in - (1) obligations issued or guaranteed by the United States; or (2) such other assets as the Secretary of the Treasury may allow, by regulation.



REAUTHORIZATION OF THE ELEMENTARY AND SECONDARY EDUCATION ACT TO STRENGTHEN NATIVE AMERICAN EDUCATION

February 8, 2010

Introduction

NIEA's top legislative priority is to strengthen the education of American Indians, Alaska Natives, and Native Hawaiians through effective and meaningful education programs and approaches in the reauthorization of the Elementary and Secondary Education Act (ESEA.) NIEA is working to ensure that Native communities have the resources they need to help Native students succeed academically in schools and meet the language and cultural aspirations of their communities.

NIEA is committed to strengthening ESEA for Native communities through provisions that provide for meaningful involvement of Native people in setting the educational priorities for their students and recognize the educational significance and benefits of the inclusion of Native language and cultural instruction.

ESEA expired in September of 2007. The House Education and Labor Committee and the Senate Health, Education, Labor, and Pensions Committee, the committees with jurisdiction over ESEA, have both indicated that reauthorizing ESEA is one of their top priorities. President Obama lists ESEA reauthorization as one of his top domestic priorities this year.

NIEA's Active Involvement on ESEA Reauthorization

Since 2005, NIEA has actively prepared for the reauthorization of ESEA by conducting 11 field hearings with over 120 witnesses in Native communities across the country. NIEA has also conducted numerous listening sessions and meetings with Native students, educators, school administrators, Native parents, and tribal leaders to learn about the challenges Native people face under ESEA. Based upon this extensive dialogue, NIEA prepared its *Preliminary Report on ESEA in Indian Country* and its *ESEA Policy Recommendations*.

In 2007, NIEA developed its proposed amendments to ESEA based upon all the input it received over two years and submitted these amendments to the House Education and Labor Committee and the Senate Health, Education, Labor, and Pensions Committee. NIEA fully supports the intent of ESEA to increase the academic achievement of all children and proposes that we use traditional Native knowledge, languages, and history as the means through which we attain the educational and academic goals set forth ESEA.

As an organization of Native educators, NIEA supports high achievement standards for all children and holding public schools accountable for results. Further, NIEA lauds the goal of Title VII of ESEA to meet the unique cultural and educational needs of Native children. Title VII affirms the Federal Government's support for culturally based education approaches as a strategy for positively impacting Native student achievement. NIEA wants to strengthen ESEA to better serve the needs of Native communities, particularly to those who live in remote, isolated and economically disadvantaged environments. NIEA is focusing on several key areas in ESEA as set forth below.

Both the House Education and Labor Committee and the Senate HELP Committee released draft ESEA bills in the 110th Congress and most of NIEA's proposed amendments were contained in these bills, including provisions that create a Native language immersion and revitalization grant program in Title VII of ESEA within the Department of Education.

At NIEA's requests, both committees of jurisdiction in the House and the Senate have held congressional field hearings on the impacts of ESEA in Indian Country. These hearings were very helpful in providing useful information to the Committees on the educational needs of Native students. These were the first-ever hearings that the Congress has held on the impacts of ESEA in Indian Country. When ESEA passed in 2002, Indian Country was not at the table. This has changed dramatically. Based upon extensive meetings with NIEA and its membership over the past year and a half, the Committees now understand that the Act is leaving Native children behind and that it needs to be fixed to address their unique educational needs.



NIEA's Priorities during the Reauthorization of ESEA

NIEA's key priorities for the reauthorization of ESEA include:

- **Improving and Expanding Title VII to Address the Unique Cultural and Educational Needs of Native Children**

Title VII of ESEA recognizes that Native children have unique educational needs due to their cultures and backgrounds. Part A of Title VII contains provisions for American Indian Education; Part B of Title VII contains provisions for Native Hawaiian Education; and Part C of Title VII contains provisions for Alaska Native Education. Title VII provides supplemental grants to local educational agencies, tribes, Native organizations, educational organizations, and others to provide programs and activities to meet academic, cultural, and language needs of Native children. Research supports the principle that it is through our Native culture and language practices that students achieve academic achievement success.

Native children should be given the opportunity to obtain a comprehensive education that allows them to succeed in and contribute to building healthy communities. Native learning is strengthened through instruction that integrates basic skills with traditional cultural and language practices. NIEA supports the strengthening of ESEA to provide a well-rounded education for all children that builds upon our unique culture and languages of Native peoples.

- **Improving Cooperation Among Tribes, States, and the Federal Government**

NIEA seeks stronger emphasis in encouraging states and tribal governments and communities to work together in developing the educational standards and related assessments. NIEA supports the strengthening of ESEA assessments that considers the cultural and educational needs of Native students. Additionally, ESEA should be amended to require that states involve tribes located within their boundaries in the development and adoption of state standards and assessments.

NIEA also supports required collaboration between the Departments of Education and Interior to increase the resources and expertise at the Bureau of Indian Education (BIE) in assisting tribes and Indian schools that are seeking to develop their own standards and definition of Adequate Yearly Progress. There must be stronger interagency coordination and collaboration to allow BIE schools gain access to the expertise and technical assistance available at the Department of Education.

Further, NIEA supports the strengthening of ESEA to provide resources for collaboration among tribes, states, and the Federal Government to allow for increased opportunities in the development of standards that recognize the cultural backgrounds of Native students considering the recent effort for states to adopt common core standards.

- **Strengthening ESEA to Provide Support for Instruction in Native American Languages**

NIEA supports the recognition of the uniqueness of Native American languages and the efforts to protect and ensure opportunities for their revitalization and maintenance. These language revitalization and maintenance programs must be incorporated into the ESEA statute so that the implementation of education provisions does not hinder or preclude the offering of Native American languages efforts, including immersion for Native Americans as a part of their educational experience. ESEA must recognize and support Native language revitalization and maintenance efforts of Native American communities.

Titles III, Subparts A and B, as well as Title VII currently allow for Native language instruction; however, these provisions should be strengthened so that schools receive the support they need to help students achieve their educational goals and academic standards through instruction incorporating Native language and culture. Research shows that Native children perform better academically when they are taught in a manner that is consistent with their traditions, languages, and cultures. Given that Native children are performing at far lower academic achievement levels than other categories of students, Title VII programs should be expanded and strengthened.

- **Improving Support for Teachers of Native Students**

Many Native communities are located in rural areas where the number of highly qualified teachers is in short supply. NIEA supports career ladder programs for Native teachers in Titles II and VII. These programs would build capacity within Native communities for increasing the pool of teachers and provide support for Native teachers and teachers of Native students for improved professional development through pre-service and in-service training.

- **Improving Opportunities for Parents, Families, and Tribes and other Native Communities to Participate in the**

Education of Native Children

The schools that are successful are the schools where the parents, families, tribes, and the local communities are actively involved and engaged in the school's programs and activities. ESEA should be strengthened to allow increased opportunities for parents, families, and tribes and other Native communities to become more involved in their children's schools and in the development of their educational programs.

NIEA advocates for increased parental involvement through improving their knowledge, skills and understanding of standards-based education and school accountability. NIEA supports the promotion of standards-based education as a family responsibility that helps children to achieve.

- **Improving the Measurement System for Adequate Yearly Progress**

The current accountability system needs to be strengthened to allow for academic achievement measures of student growth and progress over a period of time within the 2014 goal. Instead of focusing on state-wide standardized tests in math and reading only content areas, ESEA could be strengthened to include success on multi-disciplinary and multi-level curriculum and instruction as additional measures of achievement.

Many factors in Native communities affect student and school achievement, such as poverty, transportation, poor health care, and poor housing. NIEA supports the encouragement of best practices that increase Native student academic achievement but also seeks flexibility in achievement measures to accommodate these extenuating factors.

Further, flexibility in the measurements for accountability could accommodate Native language immersion programs, which have been proven to significantly increase Native student academic achievement over time. Research has shown that fluency in a Native language increases fluency in English and learning other languages.

- **Requiring the Collection of Data and Research on the Education of Native Children**

NIEA supports the strengthening of ESEA by providing resources to conduct culturally based research. NIEA supports best practices research so that there is better information on ways to improve Native student achievement as well as academic measures of school success. NIEA supports the strengthening of ESEA to build capacity in Native education systems to develop, implement, collect and analyze systematic data on the educational status and needs of Native students. NIEA supports the strengthening of ESEA through partnerships with Native educational school systems and the Departments of Education and Interior. These partnerships could be used to create research initiatives focused on Native education program services and program accountability.

- **Increasing Funding for ESEA, especially Title VII**

When ESEA was enacted, Congress promised to provide the resources necessary to meet its many requirements, provide school improvement funds to schools that failed AYP, provide increased resources for disadvantaged students, and to help close achievement gaps by improving teacher quality, student achievement, and program accountability. However, ESEA has never been funded at the authorized levels.

NIEA supports the strengthening of Title VII through sufficient resources for pre-service and in-service training, resources that support national research activities, fellowships for Native students, programs for gifted and talented Native students, grants to tribes for education administrative planning and development, educational services programs for Native students, and educational opportunity programs for Native students. Only by funding these critical programs on a sustained basis can we truly ensure that No Child is Left Behind. NIEA supports the strengthening of ESEA by ensuring that Title VII resources cannot be siphoned away to meet the shortfalls in other Titles of ESEA.

NIEA also supports funding allocations for the BIE at a minimum of 1% for Title I and other programs and initiatives where the states receive direct funding.

FUNDING AMERICAN INDIAN-ALASKA NATIVE HEAD START AND EARLY HEAD START

Background on Indian Head Start

Indian Head Start is one of the most important and successful Federal programs focused on the dire circumstances faced by all too many Native children, principally because it addresses health, education, family and community needs in a holistic manner that is akin to traditional Native learning styles and cultural practices. Nevertheless, only approximately 15.4% of the age-eligible Indian child population is enrolled in Indian Head Start (of the approximately 562 federally recognized tribes, only 188 have Head Start programs). Native children face a difficult learning environment: the Indian reservation poverty rate is 31.2%, nearly three times the national average of 11.6%; an additional 30% of the Indian reservation population is only just above the poverty line, with there being no significant reservation middle class or upper class; the Indian reservation unemployment rate is approximately 50%, ten times the national unemployment rate of 5.2%; and the violent crime rate on some reservations is six times the national average.

Head Start Act Reauthorization

In December 2007, the Head Start Act was reauthorized and included a number of positions that NIEA supported (working in close collaboration with the National Indian Head Start Directors Association) including (but not limited to): special expansion funds for Indian Head Start, Indian programs do not have to have their plans approved by the State Governor; authorization for grants for at least 5 years to Tribal colleges and universities to increase the number of AA, BA and graduate degrees in ECE; authority for grantees who have both Head Start and Early Head Start to move funded slots back and forth.

In FY 2010, Indian Head Start and Early Head Start Received a Funding Increase of 24%

This dramatic increase, which took the two programs funding levels from \$185 million to \$230 million, resulted from a combination of special Indian Head Start expansion funding provided for in the Head Start Act and from ARRA (economic stimulus) funding. On February 1, 2010, President Obama released his proposed budget for FY 2011 in which he proposed an increase of nearly \$1 billion for overall Head Start; this should be sufficient to trigger the special Indian expansion funding provided for in the Head Start Act.

Key Recommendations:

- Urge Congress to support President Obama's funding proposal for Head Start to assure that FY 2011 appropriations are sufficiently above the FY 2010 funding levels so as to trigger the Indian special expansion funding provisions (such funds can only be awarded after full COLA has been paid to all Head Start programs).
- Urge that the definition of "expansion" for funding purposes should include not only new slots, but also the establishment of new programs in unserved Indian communities, as well as quality improvements (e.g., increased staffing, professional development, transportation equipment, computer technology/web access, facility renovations and repair, etc.) Expansion should also include going from part-day to full-day, home-based to center-based, full year services, conversion from HS to EHS, etc.).



FUNDING INDIAN EDUCATION THROUGH IMPACT AID

Background Information

The federal government established the Impact Aid program (Title VIII of the No Child Left Behind Act) under the Truman Administration. Its purpose is to provide direct payments to public school districts as reimbursement for the loss of traditional property taxes due to a federal presence or federal activity. Because many public school districts that serve Native American children cannot draw tax revenue from Indian land or sales made on Indian land, they rely heavily on Impact Aid funding. In fact, many of the 640 Indian impacted school districts are totally dependent on these resources to operate. In addition to Indian impacted school districts, Impact Aid also assists school districts that serve children in low rent housing, children of military servicemen and service women, and children with civilian parents that work on federal property.a

Funding Shortage and Anticipated Shocks

Impact Aid was last fully funded in 1960, and our school districts have had to go to great lengths to make the most of these limited resources. A prorated distribution of available revenues is employed based on a combination of the percentage of impacted students, percentage of a school's budget that impact aid funds represent, and the local contribution rate. This complex negotiation is made more difficult with the anticipated influx of 32,000–40,000 military children returning home with their parents as part of military modernization measures and global rebasing. These children will swell the recipient pool, which will lead to a smaller portion of Impact Aid dollars for everybody. It is imperative that Basic Support appropriations increase proportionately to maintain current reform initiatives to close the achievement gap

School Facilities and Construction Funding

It is imperative that Impact Aid retain a strong construction budget. Because of lack of funding, Indian children are forced to attend schools not in compliance with local building codes, the American Disabilities Act, air quality, etc. Many Indian impacted school districts lack the local resources with which to bond for building projects and often go to absurd lengths to raise small amounts of money. For example, due to lack of funding and resources, the New Town School District in North Dakota, a heavily impacted Indian school, passed a 15-year bond measure for \$90,000 (\$6,000 per year) for teacher housing. The total cost was \$280,000 and the school district made up the difference through such activities as raising the price of tickets by \$2 at high school athletic events and donations.

Also, a few years ago, the National Indian Impacted Schools Association conducted a facility survey. It highlighted what we all know: many of the impacted schools of Indians are in deplorable condition. Further, almost every single district serving federally connected Indian children reported a major need for facility improvement. Over 60% of the districts have not passed a bond issue in the past twenty years due to scarce resources. In recent years, Administration budgets have proposed to cut school construction funding. In response, the Impact Aid community agreed to make up the difference by taking funds away from basic support, resulting in less grant funds for eligible recipients. Schools should never be forced to make this kind of decision.

The Future of Impact Aid

In this tight budgetary environment, we must all remain vigilant to ensure the vitality of this program. Impact Aid is responsible for providing our children with the resources to succeed. Indeed, many of our schools would simply cease to operate without it.

THE JOHNSON O'MALLEY PROGRAM

The Purpose of the Johnson O'Malley Program

The Johnson O'Malley program grants are the cornerstone for many Indian tribes, school districts, tribal organizations, and parent committees in meeting the unique and specialized educational needs of Indian students enrolled in public schools or non-sectarian schools. The purpose of JOM grants is to provide supplementary financial assistance for Indian students. The Johnson O'Malley Program meets the focused goal of academic achievement by providing Indian students ages 3 to grade 12 with supplemental educational programs or support so that these students can pursue educational opportunities and attain academic success. Many Indian children live in rural or remote areas with high rates of poverty and unemployment, and funds from JOM have historically provided basic resources so that Indian students can participate in school like their non-Indian peers, which, in turn, gives them a chance to achieve academically and meet Annual Yearly Progress targets.

JOM has separate statutory authority and a separate purpose from the No Child Left Behind Act. The Johnson O' Malley Act was enacted in 1934 to allow the Department of the Interior to provide assistance to Indians in the areas of education, medical attention, agricultural assistance, social welfare, and relief of distress because of findings that Indians needed support to transition from Indian-only settings to general population settings such as the environments found in public schools and in urban areas. The findings in 1934 are still the case today in many parts of Indian Country.

How it Works

Under the JOM program, tribes, tribal organizations, States, and school districts are eligible to contract with the BIA for JOM funds for supplemental or operational support programs. Tribes who wish to contract with the BIA for JOM funds must notify the BIA of their interest the preceding school year for which the contract will be let and must comply with the contracting requirements set forth in P.L. 93-638, the Indian Self-Determination and Education Assistance Act of 1975, as amended, which requires statements of work, education plan budgets, budget justifications, and annual performance reports.¹

Prospective contractors who are not tribes must, among other things, obtain approval from the relevant Indian Education Committee of an education plan that becomes a part of any contract awarded. The Indian Education Committee is a committee comprised of parents of eligible Indian students enrolled in the school affected by the contract who are selected by the Tribe affected by the contract. The Indian Education Committee can also be the local school board if it is composed of a majority of Indians. Among other things, the Indian Education Committee participates in the development, implementation, and evaluation of all programs; recommends curricula, including texts, materials, and teaching methods; recommends criteria for employment in the program; nominates qualified educational programmatic staff that the contractor is required to select; evaluates staff performance and program results; recommends cancellation or suspension of a contractor to the BIA if the contractor does not allow the Indian Education Committee to exercise its powers; makes an annual assessment of the learning need of Indian children in the affected community; has access to all needed reports, evaluations, surveys and other program and other budget related documents; hears grievances related to programs in the education plan; and holds meetings on a regular basis that are open to the public.²

The education plans required in JOM contracts must, among other things, contain: (1) educational goals and objectives which adequately address the educational needs of the Indian students to be served by the contract; (2) the program or programs developed and approved by the Indian Education Committee; (3) established State standards and requirements and descriptions of how State standards and requirements will be maintained; (4) program goals and objectives related to the learning needs of Indian students; (5) procedures and methods to be used in achieving program objectives, including ways in which parents, students, and communities are involved in determining needs and priorities; (6) overall program implementation including staffing practices, parental and community involvement, evaluation of program results, and dissemination of the results; and (7) determination of staff and program effectiveness in meeting the stated needs of target students.³

1 25 C.F.R. § 273.22; P.L. 93-638 (Jan. 4, 1975).
2 25 C.F.R. § 273.11; 25 C.F.R. §§ 273.13 - 17.
3 25 C.F.R. §§ 273.17 - 18.



JOM Programs and Services

In February 2006, in response to an inquiry from the Senate Indian Affairs Committee about JOM, NIEA sent a survey to its membership about the services their schools are providing to Indian students with JOM funds. The response was overwhelming. The responses show how JOM funding, even though it is extremely limited due to BIA budget constraints (it averages out to less than \$50 per child), is being used across the country in a variety of basic as well as innovative ways to assist Indian students to achieve academically. Moreover, the responses demonstrate how JOM funding is used to provide vital programs designed to build self-esteem, confidence, and cultural awareness so that Indian students can grow up to become productive citizens within their communities.

Survey participants stated that JOM funds helped students achieve and succeed by providing such services as: books and other reading materials, tutoring services, summer school, scholastic and testing fees, school supplies, youth leadership programs, musical instruments, student incentive programs, teacher aides, communication and transportation services, eyeglasses and contacts, resume counseling, college counseling, financial aid counseling, fees for athletic equipment and activities, caps and gowns, art and writing competitions, day care services for teen parents in school, field trips, elders in classrooms, Native language classes, awards ceremonies, computer labs, home visit counseling, Native academic competitions, teen outreach programs, internships, and choir, band, and cheerleading uniforms and equipment. Titles I and VII of the No Child Left Behind Act and impact aid do not permit funding for many of these important educational activities.

These responses demonstrate the need to continue funding JOM due to its effectiveness. The JOM program meets the basic educational needs of Indian students, assists them in achieving academically, provides educational and cultural opportunities, promotes self-confidence and self-esteem, and creates and maintains parental, community, and tribal support networks for them.

Funding

NIEA urges Congress to fund the Johnson O'Malley Program at total of \$24 million, which was the amount of funding for JOM in FY 1994. Even back then, the needs of Indian children far exceeded the amount of funding. This does not factor in inflation, growing populations, and growing needs.

Underfunding for JOM is exacerbated by certain factors. In 1995, a freeze was imposed on JOM funding through DOI, limiting funds to a tribe based upon its population count in 1995. The freeze prohibits additional tribes from receiving JOM funding and does not recognize increased costs due to inflation and accounting for population growth. NIEA urges that the JOM funding freeze be lifted and that other formula-driven and head count-based grants be analyzed to ensure that tribes are receiving funding for their student populations at a level that will provide access to a high quality education.

TRIBAL EDUCATION DEPARTMENTS

Tribal Education Departments (TEDs) serve thousands of tribal students nationwide, in BIA, tribal, and public schools. TEDs work on reservations, in urban areas, and in rural areas. They have positive impacts on early childhood, K-12, higher, and adult education. The role of Tribal Education Departments (TEDs) in the preservation of our histories, cultures and languages cannot be overstated. TEDs are the key to our futures, and to our children's futures, empowering tribal members (and future tribal leaders) with the knowledge that helps ensure that they are best prepared for work, for leadership, and for life.

TEDs are working to achieve these goals by developing and administering sound educational policies; by gathering and reporting data relevant to Native students, and by performing or obtaining critical research and analyses to help tribal students from early childhood through higher and adult education in all kinds of schools and school systems.

Unfortunately, too many of our TEDs lack sufficient resources to accomplish their missions. Our language and culture preservation and revitalization efforts desperately need good recording devices, videos, and computers. Our students, teachers, and parents need ready and reliable access to today's digitized information world. Increases in funding to address these needs are desperately needed to assist TEDs to strengthen tribal communities and partner with the federal and state governments and schools to improve education for tribal students.

FY 2010 FEDERAL BUDGET REQUEST

Funding for TEDs has been authorized by Congress TED appropriations in two separate laws:

1) In 1988 Congress authorized appropriations for TEDs within the BIA budget of the U.S. Department of the Interior (Pub. L. No. 100-297, Section 5199); and

2) In 1994 Congress authorized appropriations for TEDs in the budget of the U.S. Department of Education (Pub. L. No. 103382, Section 9125).

Both of these authorizations are retained in the No Child Left Behind Act. However, Congress never has actually appropriated funding for TEDs under these authorizations. The funding request from Indian Country for TED programs is at a level of \$5 million from both Department of the Education and the Department of Interior. If funded, even this modest amount would have a significant impact on Indian education.

TEDs are responsible for many of the functions for which a State Education Department or Agency would be responsible, including setting meaningful education policies and regulations; collecting and analyzing education data; engaging in education planning; setting academic standards and developing student progress assessments; and determining what students learn and how it is taught. Currently most TEDs operate on extremely small budgets with federal funding limited to contract, grant, and program administration. TEDs typically do not have funds for operational expenses and staff to conduct education research and planning or to develop tribal education initiatives and materials like truancy programs and curricula despite the fact that Native students need these services to close the reported achievement gaps and perform well in school.



COMMON CORE STANDARDS AND NATIVE STUDENTS

Under No Child Left Behind, every state and school receiving federal funding was required to develop and implement a set of standards for each core academic area. In theory, these standards would be rigorous, setting the bar high for the education of all students in every state.

However, many national, state, and local education leaders have voiced concerns that the wide variability in state standards has resulted in uneven and unequal education opportunities across states; in lowered expectations for student achievement in order to meet the AYP requirements of NCLB; and in many content standards being an inch deep and a mile wide in the effort to cover everything a student should know. In addition, many state standards, and therefore the core knowledge and skills students are expected to learn, have little to no connection to what they will need to know to be successful in college or the workforce.

The Common Core Standards (CCS) Initiative was launched in an effort to address these concerns through the development of common, core, rigorous, and manageable standards in every content area. Although CCS are sometimes thought of as national standards, they can only be voluntarily adopted by states and U.S. territories. Over the past year, the CCS Initiative has gained momentum and support from a wide variety of organizations and groups, including ACT and the American Federation of Teachers.

However, it is unclear how or if the needs, concerns, and existing models for serving Native American (American Indian, Alaska Native, & Native Hawaiian) students have been considered in the development of CCS. Questions remain about how CCS can or will benefit Native students, as well as the relationship of CCS to tribal sovereignty and respect for Native languages and culture. This brief provides an overview of CCS with some background on its history, goals, and process; outlines some potential benefits and unanswered questions with respect to Native students; and concludes with resources and information about CCS and about existing Native/tribal curriculum and education standards.

What are Common Core or National Standards?

Common Core Standards are a set of commonly agreed upon standards for K-12 learning, grounded in research and practice, reflecting the type of skills and knowledge students need to have in order to successfully transition from high school into college and the world of work while remaining competitive in a global world.

CCS are

- Directly linked to what students need to be prepared for college or the world of work
- Internationally benchmarked – students should be globally competitive
- Focused on developing key 21st century skills along with content such as technology, soft skills, and skills in content areas that will relate to future workplace and societal demands
- “Fewer, clearer, and deeper” – with a focus on developing the type of skills and knowledge that enable students to access and use any type of information or resource
- Rigorous and specific
- Aligned with the assessments and expectations for students’ post-secondary options, including higher education and entering the workforce

Background

In 2002, several national organizations¹ initiated the American Diploma Project (ADP) to determine what knowledge and skills were essential for high school graduates to have in order to be successful in higher education and the world of work. Beginning with Indiana, Kentucky, Massachusetts, Nevada, and Texas, from 2002-2005 the ADP surveyed representatives from

1 These organizations included Achieve, Education Trust, the Fordham Foundation, and the National Alliance of Business.



the business community, higher education, and K-12 education about the essential skills needed in their states.

They discovered that all students, regardless of whether they were entering college or the workforce, need the same critical skills in mathematics and language arts² and the same cross-disciplinary skills.

The Project then looked across international education standards and achievement results. They found that the essential skills identified in the survey of states aligned with standards from other countries.

These findings resulted in a recommendation for a set of common core standards in the United States that would align with post-secondary expectations in college or career and with international benchmarks.

Why CCS and why now?

Currently all states³ have the right to independently determine and implement their own set of education standards. Because of this, standards in the same subject areas can vary greatly from state to state. Assessments, which are tied to individual state standards, also vary widely. What constitutes proficient in 4th grade math in one state may be far below proficiency in another state.

In addition, the United States is increasingly less competitive globally. More technical and white collar jobs are being outsourced to other countries and each year the U.S. is producing significantly fewer professionals in fields such as engineering.

How does it work?⁴

States have the opportunity to sign a Memorandum of Agreement (MOA), developed by the National Governors Association and the Council of Chief State School Officers, agreeing to engage in the process of developing CCS and then committing to adopting them or aligning existing content standards to them once the CCS have been developed, vetted, and approved.

What has already happened?

The content of CCS in core academic areas such as math and language arts was determined by a Content Advisory Group. This Group included representatives from K-12 and higher education systems, the business and military sectors, and professional organizations such as the National Council of Teachers of English and the American Federation of Teachers.

What is Next?

Achieve, Inc., NGA, CCSSO, ACT, and the College Board are working together on a national vetting process for the college and career readiness and the K-12 content standards recommended by the Content Advisory Group, starting with standards in math and English language arts. Once the vetting process is completed, both sets of standards will be released to the states for adoption. As of June 1, 2009, 49 states and territories had agreed to sign (MOAs) voluntarily adopting CCS.⁵ As part of this agreement, so long as states adopt 100% of the Common Core Standards, they will be able to include an additional 15% to the standards that reflect local concerns. Once standards are adopted by states, an implementation process will begin, including decisions about the allocation of resources and the development of curriculum and assessments, teacher training and professional development.

Common Core Standards and Native Students

Potential Benefits

- Standards would be aligned (and therefore curriculum and assessments would be aligned) across states and public schools, which could limit or mitigate interruptions or disconnects in learning for Native students who are mobile between schools and states, or even between public, BIE, and tribal schools⁶.
- CCS would require that all students receive same curriculum and the same relevant program of instruction. Therefore, all schools would be expected to offer algebra in the same grade and to all students. This could benefit Native students whose schools are often too resource poor and understaffed to offer higher level academic courses such as Calculus or

2 For example, critical math skills include data interpretations, statistics, and probability and cross-disciplinary skills include communication and teamwork. For a more detailed description of the project and the essential skills, please see the American Diploma Project at <http://www.achieve.org/ADPNetwork>

3 BIE schools are eligible to apply for a waiver that allows them to develop their own standards. These standards must be comparable to state standards in terms of rigor and assessment.

4 The sign on process and responsibilities are more fully outlined at http://www.ccsso.org/federal_programs/13286.cfm

5 As of June 2, 2009, Alaska, Missouri, South Carolina, and Texas were the only states that had not signed on to the CCS MOA process

6 Although it is yet unclear just how CCS would or would not apply to BIE and/or tribal schools.

Advanced Placement English. However, mandating that these courses be offered by adopting CCS is not the same as funding them, so a plan for shifting or increasing resources may need to be considered.

- Because CCS is aligned with the skills and knowledge needed to be successful in college or the workforce, Native students would be better prepared for life after high school. However, the skills and knowledge identified as necessary would also need to include the skills and knowledge identified by Native nations and communities as being critical to their continued development and well-being as communities as well as for success in college, work, and life.
- CCS would require all teachers to master the same curriculum in each content area, instead of different curriculum in different states. This could free up states and school districts to focus on helping teachers be more proficient and effective in teaching all students. For Native students, the cultural context may be necessary for success, and this may be an opportunity to expand instructional competencies to include Native histories, languages, and cultures, along with the dedicated time for professional development in these areas.
- Because states have the opportunity to include additional, locally relevant standards, Native students may benefit through tribal-state MOAs that specify additional standards incorporating the histories, cultures, and languages of the Native nations in each state. These additional, tribal specific standards, could be developed through a cooperative partnership and process similar to the MOAs already in existence between states and tribal nations in places such as Washington state or even as part of the MOAs signed by states choosing to participate in adopting CCS.
- A key goal of CCS is to ensure that students exiting high school are fully prepared to engage in college level coursework without needing remedial supports. This may benefit Native students who are often the most underprepared of any college going group and participate in higher numbers in remedial and developmental courses as a result.⁷
- Because CCS would be internationally benchmarked, students would emerge from K-12 schools better prepared to engage and compete in a global world, including better preparation and access to math and science courses. For Native students, this may mean increased opportunities to access STEM (Science, Technology, Engineering, and Mathematics) courses and professions, an area critical for the well being and growth of Native nations.

Key Recommendations

- States must consider and be held accountable for meeting the unique needs of Native students in the adoption and implementation processes for CCS, including recognizing tribal sovereignty working closely with tribes and Native communities in a consultation to ensure that Native students benefit from CCS and including the need for language, culture, and tribal history.
- It is critically important that clear policy exists with respect to how CCS will apply to Bureau of Indian Education and tribally run schools, including any waiver process, technical assistance, and access to funding to support adoption of CCS.
- Tribes and Bureau of Indian Education schools must be eligible for incentives and additional funding such as “Race to the Top” funds that enable a high quality adoption and implementation process for CCS.
- States must be held accountable for meeting the unique needs of Native students once a state has adopted CCS, including working closely with tribes and Native communities in a consultation process to ensure that Native students benefit from CCS and including the need for language, culture, and tribal history.

⁷ See the American Indian Higher Education Consortium American Indian Measures of Success 2006 Report *Sustaining Tribal Colleges and Universities and The Tribal College Movement: Highlights and Profiles* (Dec 2008), p. 13. Available at <http://www.aihec.org/resources/reports.cfm>

HIGH SCHOOL EQUITY FOR NATIVE STUDENTS PREPARING NATIVE STUDENTS TO ENTER COLLEGE AND THE WORKFORCE

Every school year, about 1.2 million students drop out of our nation's high schools, leaving almost one of every three freshmen without a high school diploma four years later (Swanson 2004). Dropouts are more likely than high school graduates to experience poverty, poor health, and incarceration during their adult lives,¹ and for Native² students, this disparity is even more pronounced. While roughly 70% of high school students graduate on time, American Indian and Alaska Native students have only a 55% chance or less of graduating high school with a regular diploma (Greene and Winter, 2006). Ongoing gaps in Native student achievement, inadequate access to high quality teachers, lack of access to college ready curriculum, and insufficient funding for high school reform in Indian Country all contribute to a graduation crisis for Native students.

For the past year NIEA has been working with Indian Country to develop policy recommendations that ensure wider implementation of best practices and college ready policies. As part of the Campaign for High School Equity,³ NIEA is advocating on both the national and state level for the redesign of the American high school and the promotion of instructional practices designed to meet the needs of Native students and prepare them for college and work, including:

- Increased attention on the national, state, and district levels for Native students needs in states and school districts with high Native populations to increase retention and graduation rates of Native students.
- Supportive federal and state policies to increase Native student access to rigorous curriculum and inclusion of Native languages, cultures and histories to improve student achievement and attainment.
- Quality schools that better serve Native students through access to rigorous curriculum, and adequate support to ensure they can meet higher expectations including culturally relevant curriculum.

Furthermore, NIEA believes that in order for a student to be prepared for college and the workforce, that the student must first be engaged in school through a rigorous curriculum that incorporates culturally relevant components such as Native languages, Native traditions, and Native histories.

Status of Native Students in High Schools

Unfortunately, many American Indian and Alaska Native students do not receive the support they deserve from their respective learning communities. The diversity of the Native community, as well as the great contrast between the urban and rural circumstances of Native people, makes it difficult to generalize the reasons for the high drop-out rate of Native students. While there is accessing reliable information and research about high school reform within Native education is an ongoing challenge, we do know that Native High School students are struggling.⁴

- The national graduation rate for American Indian high school students was 49.3 percent in the 2003–04 school year, compared to 76.2 percent for white students and 50.6% in the 2004-05 school year, as compared to almost 78% for white students, and in the 2005-2006 school year, the graduation rate for Native students was 50.0%, as compared to the 69.2% overall rate for the United States and 76.1% for white students (EPE Research Center 2007, 2008, and 2009).
- Only 44.6 percent of American Indian males and 50 percent of American Indian females
- graduated with a regular diploma in the 2003–04 school year, while 45.8% of American Indian males and 52.5% of females did so in the 2004-05 school year. (EPE Research Center 2007, 2008).
- American Indian and Alaska Native high school students who graduated in 2000 were less likely to have completed a core academic track than their peers from other racial/ethnic groups (U.S. Department of Education, National Center for Education Statistics 2005b).
- Native Hawaiian students experience pronounced absenteeism and are the least likely of the major ethnic groups to graduate from high school within four years (69.3 percent versus 76.7 percent statewide).



- Often, the civil rights and cultural identities of American Indian and Alaska Native students are not supported in the classroom (U.S. Commission on Civil Rights 2003).
- Studies indicate that American Indian and Alaska Native students often experience difficulty establishing relationships with their teachers and other students; additionally, they are often subject to racist threats and frequent suspension (Clarke 2002; U.S. Commission on Civil Rights 2003).

Policies to support Native Graduation and College and Work Readiness

Ensuring that all young people graduate from high school ready for college work and life takes the concerted, coordinated efforts of educators, students, policy makers, parents, and business and community leaders. Policy is one arena that these efforts can produce sustainable changes. NIEA, in conjunction with the Campaign for High School Equity, has developed the following policies that should be implemented on a national and state level:

Graduation Rate Accountability

High school graduation rates are a key component of the public reporting and accountability provisions of the No Child Left Behind Act (NCLB). NCLB allows for states to determine their own methodology for tracking and reporting graduation rates. Almost every state reports inaccurate and inconsistent data on high school graduation rates for all students, including Native students. The high transfer rate of Native students between schools, including public and Bureau of Indian Affairs funded, makes it difficult to track graduation rates for Native students. Many Native students transfer between schools during the course of an academic year for a variety of reasons.

The new Title I regulations for calculating and reporting high school graduation rates⁵ go a long way in ensuring accurate and uniform data for Native high school graduation rates go a long way in ensuring accurate and uniform data for Native high school students. NIEA supports the new regulations and their requirements to define and determine graduation rates according to a common standard of a four-year adjusted cohort rate and the use of longitudinal data systems and individual student identifiers to follow every child's path to graduation.⁶ NIEA also supports an NCLB accountability system that requires schools to increase their disaggregated data on graduation rates over time and to consider graduation rates on an equal footing with high quality assessments aligned to college and work readiness in determining school quality. In addition, NIEA is encouraged by the requirement that states be aggressive about improving graduation rates, including requiring states to set a single graduation rate goal for the entire state and to designate targets each year that will indicate steady progress in meeting the graduation rate goal for all students.

Rigorous and Culturally Appropriate Curriculum

Native students benefit from quality schools that better serve their needs through access to rigorous curriculum in core subjects, access to highly qualified teachers, and access to cultural and language based education. NIEA, in conjunction with the Campaign for High School Equity, supports policies that align high school standards, assessments, curriculum, and instruction with college and work readiness standards, including critical thinking and problem solving skills. While these may include Common Core Standards¹, more thought is needed in order to ensure that a set of commonly adopted standards will address the unique needs of Native students.

For Native students, a high quality education is one that is relevant and rigorous. NIEA strongly supports the use of a culturally based curricula and culturally appropriate education that incorporate Native histories and languages in a way that creates a 200% education - 100% academically rigorous and 100% rigorous preparation within the context of the communities and cultures of Native students. Culturally based educational approaches for Native students have been proven to retain and engage students, increase their performance and success, as well as awareness and knowledge of student cultures and histories, and incorporate the elements students need to succeed in school; relevance, relationships, and rigor. In general, these approaches include recognizing and utilizing Native languages as a first or second language, pedagogy that incorporates traditional cultural characteristics and involves teaching strategies that are harmonious with the Native culture knowledge and contemporary ways of knowing and learning. Culturally based education involves parents, elders and cultural experts as well as other community members' participation in educating Native children utilizing the social and political mores of the community.⁷

1 Please see the briefing paper on "Common Core Standards and Native Students"

The efforts of states such as Montana's *Indian Education for All* legislation and Washington State's HB 1495 legislation to teach tribal histories, cultures, and governments to all students serve to further underscore the widespread benefits of cultural based education.

NIEA strongly believes that the integration of culturally based education methods as part of a high quality rigorous curricula, will result in higher academic achievement among Native students and increased graduation rates, ultimately resulting in students better prepared to enter college and the workforce.

Tribal Involvement

Schools successfully serve Native students when the parents, families, tribes, and the local communities are actively involved and engaged in the school's programs and activities. State and federal policies should be strengthened to allow increased opportunities for parents, families, and tribes and other Native communities to become more involved in their children's schools and in the development of their educational programs. States and school districts that serve tribal communities should include tribal representatives in the development of school plans to ensure they meet the unique educational and cultural needs of Native students.

NIEA supports the NCLB focus on parent and community involvement through improving their knowledge, skills and understanding of standards based education and school accountability. NIEA supports federal and state policy in the promotion of standards based education as a family responsibility that helps children to achieve.

NIEA encourages all policy makers, state and federal, to take a critical look at current policies and make sure that they fully support Native students graduating from high school ready for college and the workforce

Current Practices that Promote Native Student Graduation- Early College High Schools

Although Native students have the highest high school drop-out rates and the lowest college completion rates of any group in the United States, there are a variety of emerging practices that have demonstrated success for Native students. The Early College High School Initiative⁸, an innovative program supported by the Center for Native Education at Antioch University in Seattle, Washington provides students with a culturally relevant, academically rigorous, small high schools, while blending local cultural content, and college requirements in their curricula. In early college high schools, students can earn up to two years of college credit free of charge while completing their high school diplomas.⁹

Early colleges engage tribal communities in the education of their young people and use a collaborative system of governance where tribal, secondary and postsecondary stakeholders share responsibility for school planning, implementation, evaluation and success. The success of each early college depends on deep collaboration between high school, college and tribal partners. Together, they develop an early college high school, offering Native students up to two years of college credit while simultaneously earning their high school diplomas.

The Importance of Partnerships

NIEA believes that the inclusion of Native student achievement and graduation data on both national and state levels is critical to raising the awareness and garnering support for policies that support the success of Native high school students. In addition, NIEA believes that increased efforts to share information about policies and practices can make a positive difference in the success of Native high school students.

To this end, NIEA is actively promoting the inclusion and dissemination of Native student data and information in its work with the Campaign for High School Equity. These partnerships have enabled NIEA to increase the awareness of policymakers around issue of Native high school graduation and the importance of culture and language in Native education. In addition, ongoing partnerships with tribes, tribal organizations, states offices of Indian Education, and local Indian Education Associations have informed the shaping of national high school graduation policies that better serve Native students. These partnerships have also contributed to the sharing of best practices and common concerns, including the upcoming **2nd Annual National Forum on Dropout Prevention Strategies for Native and Tribal Communities**¹⁰

In addition, NIEA has partnered with the Center for Native Teaching and Learning at Washington State University to conduct a large scale survey about **“Native Educational Success: Views and Perspectives”** in order to better identify the critical components for transition to higher education by Native students.

NIEA is committed to partnerships with national, regional, and local education organizations and agencies in order to establish regular and consistent opportunities to prioritize the needs of Native high school students through the sharing of data and innovations.

Conclusion

NIEA encourages all education stake holders, parents, tribal leaders, school board members, state and federal policy makers to take a hard look at the current state of high schools for Native students and develop and implement policies based on practices proven to work with Native students. Access to rigorous curriculum that includes components of a culturally based education, greater access to highly qualified teachers, and access to high quality and performing schools, for Native students will keep them engaged in high school and prepared to graduate with the skills needed to be successful in college or the workforce.

(Endnotes)

1 See the Campaign for High School Equity, A Plan for Success: Communities of Color Define Policy Priorities for High School Reform (2007), available at www.highschoolequity.org

2 In the context of this briefing paper, the term “Native” includes American Indian, Alaska Native, and Native Hawaiian students.

3 The Campaign for High School Equity (CHSE) is a coalition of national civil rights organizations representing communities of color that believe that high schools should have the capacity and motivation to prepare every student for graduation, college, work, and life. Members of the Campaign include the Leadership Conference on Civil Rights Education Fund, the League of United Latin American Citizens, the Mexican American Legal Defense and Educational Fund, the National Association for the Advancement of Colored People, the National Association of Latino Elected and Appointed Officials Educational Fund, the National Council of La Raza, the National Indian Education Association, the National Urban League, and the Southeast Asia Resource Action Center.

4 See the “American Indian and Alaska Native Students and U.S. High Schools” from the Alliance for Excellent Education, available at http://www.all4ed.org/files/AmerIndianAKNative_FactSheet.pdf

5 See the new regulations at <http://www.ed.gov/policy/elsec/reg/proposal/uniform-grad-rate.html>

6 The new regulations require states to use a four-year adjusted cohort graduation rate as the uniform standard. This means that states and school districts must calculate their graduation rates by dividing the number of students who graduate in four years with a regular high school diploma by the number of students who entered high school four years earlier. Furthermore, before schools can stop counting a student as part of their cohort, they must have written confirmation that a student has enrolled in another school or program that will result in the student receiving a regular high school diploma. This will improve accountability for Native students by requiring school districts and states to verify where Native students are enrolled and if they are still in school.

7 Demmert, W.G. & Towner, J.C. (2003). Final Paper: A Review of the Research Literature on the Influences of Culturally Based Education on the Academic Performance of Native American students. Northwest Regional Educational Laboratory, Portland, OR. Available at <http://www.nwrel.org/indianed/cbe.pdf>

8 Information included in this document regarding the Early College High School Initiative may be found at <http://www.centerfornativeed.org/colleges.html>.

9 There are currently twelve early college high schools that have at least a 50% Native population. These schools are: Medicine Wheel Academy, Spokane, WA, Ferndale Early College, Ferndale, WA, Tulalip Heritage Early College, Marysville, WA, Wellpinit Early College, Wellpinit, WA, Klamath River Early College, Klamath, CA, Shelton Early College, Shelton, WA, La Conner Early College, La Conner, WA, Siletz Valley Early College Academy, Siletz, OR, Effie Kokrine Early College Charter School, Fairbanks, AK, Native American Early College Academy, Portland, OR, Suquamish Early College Prep, Suquamish, WA, and Walatowa Early College Charter School, Jemez Pueblo, NM.

10 The 2nd Annual National Forum on Dropout Prevention Strategies for Native and Tribal Communities is the result of a partnership of the Arizona Department of Education’s Native American Dropout Prevention Initiative, the National Dropout Prevention Center, and NIEA that will take place April 18-21, 2010 in Phoenix, AZ. For more information see: http://www.dropoutprevention.org/conferen/conferen.htm#2010_Native_American