



**National Indian Education Association**

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**NIEA RESOLUTION #04-05**

**TITLE: Support for Federally Recognized Tribes as Local Education Agencies**

**WHEREAS**, the National Indian Education Association (NIEA) was established in 1969 for the purpose of advocating, planning, and promoting the unique and special educational needs of American Indians, Alaska Natives, and Native Hawaiians; and

**WHEREAS**, NIEA as the largest national Indian organization of American Indians, Alaska Native, and Native Hawaiian educators, administrators, parents, and students in the United States, provides a forum to discuss and act upon issues affecting the education of Indian and Native people; and

**WHEREAS**, through its unique relationship with Indian nations and tribes, the federal government has established programs and resources to meet the educational needs of American Indians, Alaska Native, and Native Hawaiians, residing on and off their reserved or non-reserved homelands; and

**WHEREAS**, federal regulation at 300.18, Local Education Agency states: (a) as used in this part, the term local education agency means a public board of education or other public authority legally constituted within a state for either administrative control or direction of, or to perform a service function for public elementary or secondary schools in a city, county, township, school district, other political subdivision of a State, or for a combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools; and (b) the term further includes – (1) An educational service agency, as defined in 300.10; (2) Any other public institution or agency having control and direction of a public elementary or secondary school, including public charter school that is established as an LEA under State law; and (3) An elementary or secondary school funded by the Bureau of Indian Affairs, but only to the extent that the inclusion makes the school eligible for programs for which specific eligibility is not provided to the school in another provision of law and the LEA receiving assistance under this Act with the smallest student population (Authority: 20 U.S.C. 1401 (15); and

**WHEREAS**, Federally recognized Tribes provide services to Native American students through an education process within local school districts that are classified as a Local Education Agency (LEA) and Tribes are not; and

**WHEREAS**, by having an LEA status, Tribes will be able to compete for the U.S. Department of Education grants to provide services to Native American students; and

**WHEREAS**, the LEA classification for Federal recognized Tribe will provide additional opportunity for Tribes to seek grants to improve education activities; and

**WHEREAS**, the “No Child Left Behind Act of 2001” has set standards for student achievement and holds students, teachers and other educators accountable for closing the achievement gap while also providing parents new opportunities to ensure their children receive the very best education.

**NOW THEREFORE BE IT RESOLVED**, that the National Indian Education Association supports the addition of “Federally Recognized Tribes” to the federal and state LEA definition to provide an opportunity for Tribes to apply for grants.

**BE IT FURTHER RESOLVED**, that the National Indian Education supports this resolution as endorsed by the Affiliated Tribes of Northwest Indians during their annual Winter Conference in Polson, Montana.

Submitted by Patsy Whitefoot, Yakama Nation, Education Committee Chairperson, Affiliated Tribes of Northwest Indians

#### **CERTIFICATION**

I do hereby certify that the forgoing resolution was duly considered and passed by the NIEA Board of Directors at its October 28-31, 2004 meeting in Phoenix, Arizona at which a quorum was present.

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**David Beaulieu, Ph.D., President (2004-2005)**  
**National Indian Education Association**