



# NATIONAL INDIAN EDUCATION ASSOCIATION

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## NIEA Resolution 2016- 02

### TITLE: ESSA REPORT ON NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION

**WHEREAS**, the National Indian Education Association (NIEA) was established in 1970 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 Indian, 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 Natives, and Native Hawaiians, residing on and off their reserved or non-reserved homelands; and

**WHEREAS**, Native American languages have a distinct legal status under the Native American Languages Act (NALA) of 1990, specifically that the United States has the responsibility to act together with Native Americans to ensure the survival of these unique cultures and languages; that recognizes distinct cultural and political rights, including the right to continue separate identities; the tradition of languages of Native Americans are an integral part of their cultures and identities form the basic medium from the transmission, and thus survival of Native American cultures, literatures, histories, religions, political institutions and values; and

**WHEREAS**, for the purposes of this Report, the term Native American is defined in NALA in Section 103 (25 U.S.C. 2902) as:

(1) The term "Native American" means an Indian, Native Hawaiian, or Native American Pacific Islander.

(2) The term "Indian" has the meaning given to such term under section 5351(4) of the Indian Education Act of 1988 (25 U.S.C. 2651(4)).

(3) The term "Native Hawaiian" has the meaning given to such term by section 4009 of Public Law 100-297 (20 U.S.C. 4909).

(4) The term "Native American Pacific Islander" means any descendent of the aboriginal people of any island in the Pacific Ocean that is a territory or possession of the United States.

(5) The terms "Indian tribe" and "tribal organization" have the respective meaning given to each of such terms under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

**WHEREAS**, the new federal education law, the Every Student Succeeds Act SEC. 6005 calls for a Report on Native American Language Medium Education (Report) due on August 10, 2017 (within 18 months after December 10, 2015 enactment); and

**WHEREAS**, the Report shall include information on Native American language immersion programs, including teachers of such programs and state educational agencies and local educational agencies, Indian tribes, and tribal organizations that sponsor Native American language immersion schools; and

**WHEREAS**, NIEA is concerned that the Department of Education (ED) has not demonstrated expertise in Native American languages and education through Native American languages in the past.

**THEREFORE BE IT RESOLVED**, that NIEA calls upon ED to officially engage with experts on Native American languages and those experienced with the actual use of Native American languages by forming an Advisory Committee to gather information from the Native American community for the Report.

**BE IT FURTHER RESOLVED**, that NIEA urges ED to ensure that the Report be conducted by experts in the fields of Native American languages or Native American language medium education, including scholars who are fluent in Native American languages and a requirement that the list of recommended authors of the Report be reviewed by the Advisory Committee before being selected to write the Report; and

**BE IT FURTHER RESOLVED**, that NIEA recommends ED have an open process of nominations for the Advisory Committee, which will be announced in the Federal Registrar and will allow 30 days for tribes, educators, Native American language medium experts, and other relevant stakeholders to submit nominations; and

**BE IT FINALLY RESOLVED**, that this resolution shall be the policy of NIEA until it is withdrawn or modified by subsequent resolution.

#### CERTIFICATION

I do hereby certify that the following resolution was dully considered and passed by the National Indian Education Association on October 7<sup>th</sup>, 2016 at which a quorum of the membership was present.



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Patricia Whitefoot  
President