



NATIONAL INDIAN EDUCATION ASSOCIATION

Advancing Excellence for All Native Students

December 1, 2017

Director Tony Dearman
Bureau of Indian Education
1849 C Street, NW, Mail Stop 3609
Washington, D.C. 20240

Re: Comment Request: Bureau of Indian Education's Proposed Strategic Plan

Introduction

Thank you for the opportunity to provide comments in response to the Bureau of Indian Education's (BIE) request for input on its proposed Strategic Plan. The National Indian Education Association (NIEA) represents Native students, educators, families, communities, and tribes. Our mission is to advance comprehensive educational opportunities for American Indians, Alaska Natives, and Native Hawaiians throughout the United States.

NIEA has significant concerns with respect to the lack of support for tribal sovereignty in the Strategic Plan, the absence of transparency and alignment between the current BIE Blueprint for Reform (Reform) and the proposed Strategic Plan, and the lack of language requiring appropriate personnel to support BIE students locally.

Despite our concerns, NIEA recognizes that developing and establishing BIE's Strategic Plan has the potential to guide the agency to better support tribes and students attending BIE funded schools. We offer several recommendations to strengthen the proposed Strategic Plan so that it not only aligns with the current BIE Reform, but also maintains a strong sense of accountability for all stakeholders.

The Federal Trust Responsibility for BIE Students

Since our creation in 1969, NIEA's work has focused on making sure the federal government upholds its trust responsibility to tribes. Established through treaties, federal law, and U.S. Supreme Court decisions, this relationship includes a fiduciary responsibility to provide parity in access and equal resources to American Indian and Alaska Native students. Unfortunately, students attending BIE funded schools experience some of the worst educational disparities across the country, even though the BIE is one of the two education systems, along with schools that serve the U.S. military, for which the federal government has direct responsibility.

Include Concrete Language on Self-Determination

NIEA believes that BIE's mission area of self-determination is critical, however the two strategies outlined to support self-determination lack clarity and should include language emphasizing self-governance, which includes a nation's right to freely determine its social,

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economic, political, and cultural future without external interference. Strategy 5.1, titled “Educational Self-Determination” does not outline a specific plan. NIEA understands that self-determination may differ from one tribe to the other; however, NIEA recommends that BIE provide a basic outline of what the agency proposes to do to strengthen self-determination overall.

For Strategy 5.2, titled “Support Tribal Education Capacity-Building,” NIEA recommends including additional language that references the Tribally Controlled Schools Act of 1988 (Public Law 100-297) and the Indian Self-Determination and Education Assistance Act of 1975 (Public Law 93-638). Both of these laws elevate educational sovereignty for tribes and provide concrete ways in which tribal nations can exercise their self-determination.

For decades, tribes have been striving to create school systems that are reflective of their community’s needs. It is critical that BIE empowers tribal communities to educate their students aligned with their values. This recommendation is consistent with NIEA’s advocacy for Native control of Native education. Specifically, NIEA recommends that the BIE include language on flexibility for tribes to explore options of what tribal school choice means to each community.

NIEA would also like to reiterate the importance of BIE changing all of the “If” statements in the proposed Strategic Plan to “When” action oriented statements. BIE must take steps to implement the feedback the agency receives from tribal leaders throughout Indian Country. The success of implementing this Strategic Plan depends on committing to the goals involved, and not viewing the goals as contingencies that may occur.

Make Sure Quality Teachers and Appropriate Personnel Are in Place

NIEA appreciates BIE’s decision to develop a long term Strategic Plan that strengthens the agency as a whole. However, in order to strengthen the agency, BIE needs to ensure that it has the necessary teachers and educators working at BIE funded schools. This Nation’s most vulnerable youth deserve a high quality and well-rounded education – both pillars from BIE’s Reform.

NIEA recommends that BIE ensure that there is alignment between the Reform and its proposed Strategic Plan. This includes having culturally appropriate support systems at the school, tribal, regional, and national level. BIE funded schools continue to face an ongoing shortage of qualified and culturally knowledgeable teachers. Due to rural location, lack of housing, low salaries, and poor working conditions, these schools experience high turnover rates among staff and administrators. As a result, BIE funded schools often have an influx of new teachers with little institutional knowledge.

NIEA recommends that these schools be provided with the necessary tools and professional development opportunities to train their staff and educators with an emphasis on recruiting teachers from the community. The objective for the Reform of shifting authority from the agency to tribes will occur once Native control of Native education is established by identifying and hiring culturally relevant personnel. As such, it is critical that BIE include and elevate a teacher pipeline component throughout the entire Strategic Plan. Greater integration can also be

accomplished by connecting the proposed six goals to early learning all the way to college and beyond.

Ensure Clarity and Transparency in the Rollout Process

NIEA urges transparency in the design and execution of the BIE Strategic Plan. In BIE's 2015 consultation report on the BIE Reform, lack of transparency was an overarching concern voiced strongly by tribal leaders. BIE has failed to take steps to address this issue of transparency, in the Strategic Plan as written, which is why NIEA would like to highlight this issue from the beginning.

Two questions in particular that NIEA would like clarity on from the BIE are the following:

- During the listening session hosted on Nov 7, 2017 that occurred in conjunction with the Tribal/Interior Budget Council, representatives from BIE stated that comments on the proposed Strategic Plan would be provided publicly. Please provide the date and location of when these comments will be made available.
- BIE has a long history of making determinations of what is best for Native students without input from tribal leaders and the unique school communities the agency serves. BIE needs to provide an explanation of how recommendations from local communities whose children attend BIE funded schools will be incorporated. Furthermore, NIEA requests that BIE provide a justification for recommendations that were not included.

One concrete suggestion that NIEA has to ensure greater clarity and transparency in the rollout process is to utilize an enforcement mechanism to monitor the Strategic Plan. NIEA believes that BIE's Strategic Plan has the potential to help align and streamline specific functions within the agency. However, in order for the Strategic Plan to stay on track and come to fruition, there needs to be an accountability system in place. NIEA recommends that the BIE utilize an enforcement mechanism to monitor the finalized Strategic Plan.

Incorporate Native Students' Success in Each of the Six Goals

Effectively supporting Native students attending BIE funded school will require a concentrated effort from multiple partners: tribes, states, districts, and a change in how the federal government fulfills its constitutionally-based trust responsibility. One concrete way that BIE can work towards supporting Native students is by explicitly including them throughout the Strategic Plan. NIEA recommends that BIE's Strategic Plan include language around providing direct support and assistance to BIE funded schools as a way to increase academic achievement for BIE students. This assistance and focus on improved academic achievement should be connected to the agency's Strategic Plan's mission areas, goals, and strategies.

Align Budget to BIE Strategic Plan

NIEA recommends there be a clear alignment between BIE's Strategic Plan and the agency's internal budget requests that Native organizations also advocate for annually. Every year, NIEA compiles all the education related budget requests from national Indian partner organizations to advocate for appropriations separated by agency and line item. This includes School Construction, Johnson O' Malley, and Indian School Equalization Program within the Department of Interior. NIEA's outlined budget asks are directly related to programmatic costs to get this Nation's most vulnerable students to the same level of achievement as their peers.

Conclusion

The history of reforms done without partnering with Indian Country shows that true partnership with tribal leaders and Native education advocates is essential. As such, NIEA recommends that BIE work with and alongside Native organizations to help implement the Strategic Plan. Long-term partnerships are critical to ensuring that Native students are supported holistically.

With these concerns and through these recommendations on the proposed Strategic Plan, NIEA looks forward to working to improve outcomes for the only students that the federal government has a direct responsibility to educate – Native students. If you have any questions, please contact Ahniwake Rose, NIEA Executive Director, at arose@niea.org.

Sincerely,

A handwritten signature in black ink that reads "Jolene Bowman". The signature is written in a cursive style with a large initial "J".

Jolene Bowman
President