



STANDARDS

Bureau of Indian Education Negotiated Rulemaking on Standards, Assessments, and Accountability

Issue Brief

The National Indian Education Association (NIEA) is the nation's largest and most inclusive organization advocating for comprehensive culture-based educational opportunities for American Indians, Alaska Natives, and Native Hawaiians.

BACKGROUND

When Congress passed the Every Student Succeeds Act (ESSA) in December 2015, congressional leaders directed the Bureau of Indian Education (BIE) to develop challenging state academic standards to provide goalposts for student achievement in Bureau-funded schools. Though the BIE Strategic Direction prioritizes culture-based curricula aligned with challenging standards, the BIE has yet to define the standards to be utilized in BIE schools, as required by ESSA.

Standards provide critical guidelines for preparing students and measuring academic achievement and progress in school. When standards integrate Native culture and thought philosophy, schools are able to set challenging and culturally responsive academic goals for Native students, particularly students in Native language programs and culture-based classrooms. Bureau-funded schools currently operate under standards established by the state in which they are located, resulting in 23 different systems of standards operating throughout the BIE system. In addition, tribes have the opportunity to develop unique systems of challenging and culture-based standards for Native students.

CRITICAL QUESTIONS FOR CONSIDERATION

1. What challenging standards will be adopted by the BIE in mathematics, reading, and science?
2. How will challenging standards in the BIE fulfill all of the requirements under ESSA?

KEY STATUTORY REQUIREMENTS

Through the current rulemaking process, negotiators must develop challenging academic standards in math, English or language arts, and science that apply to all students in schools. All standards must include at least three levels of achievement for measuring student success. In addition, ESSA provides the BIE flexibility to adopt culture-based standards in subjects tailored to the needs of Native students to ensure that students are thriving and progressing in the classroom. Negotiated rulemaking will provide tribal leaders and representatives an opportunity to provide public comment on BIE proposals for challenging state standards and to discuss the potential for adding additional subjects and related standards in Bureau-funded schools.

ALIGNING STANDARDS TO POSTSECONDARY ENTRANCE REQUIREMENTS

Under ESSA, challenging state academic standards must align with college entrance requirements and career and technical education standards under the Workforce Innovation and Opportunity Act to prepare students for college, career, and community success. Since Bureau-funded schools span multiple states, negotiators must consider how to ensure that standards in BIE schools meet postsecondary requirements across the country.

ALTERNATE STANDARDS FOR UNDERREPRESENTED STUDENTS

States have the flexibility to develop alternate academic standards for English language learners and students with the most significant cognitive disabilities. This includes the authority to develop an alternate diploma for students with the most significant cognitive disabilities. In order to provide equitable education options to all students, standards must be aligned to challenging state academic standards and prepare students for postsecondary success.

CONCLUSION

Culturally responsive academic standards that integrate Native thought philosophies give Native students their best chance at success. Through the negotiated rulemaking process, tribal representatives have an opportunity to ensure that standards set challenging standards that accurately reflect the values and goals of tribal communities.

For additional information or questions, please contact Adrienne Elliott, the National Indian Education Association Legislative Analyst, at aelliott@niea.org or 202-847-0040.