

**Oral Testimony of Tesia Zientek**  
**President of the National Indian Education Association**  
**For the Senate Committee on Indian Affairs**  
**March 8, 2023**

On behalf of the National Indian Education Association, I thank you for this opportunity to provide testimony for the US Senate Committee on Indian Affairs Oversight Hearing on Native Communities. In communities across the US, many Native students do not have access to high-quality, culture-based education options. Safe and healthy classrooms that center language and culture are essential to equity in education.

Rooted in treaties, the U.S. Constitution, federal law, and U.S. Supreme Court decisions, the federal government has a direct responsibility to Tribal Nations and their citizens. The trust responsibility is an acknowledgement that the debt paid for by our ancestors through the loss of life and land, is to be paid for, in part, with education. The federal debt to Indian education grew exponentially during the boarding school era, due to the increased loss of our children's lives and the misuse of Indian trust monies to pay. The federal trust responsibility includes the obligation to provide parity in access and equal resources to all Native students, regardless of where they receive education, from the cradle to college and career.

Native-serving Early Childhood Education and Head Start programs are some of the most successful federal programs that focus directly on Native children. These programs work to address health and education disparities in a holistic, community-based manner, similar to our traditional methods of nurturing. It is essential that Native communities have the ability to include as much culturally-grounded curriculum and alternative assessments for Head Start, as well as programs that bridge home-to-school learning pathways and increase family engagement.

We at NIEA are seeking to reclaim the **brilliance** of our Native students by ensuring community, family, and mental health are part of the academic wheel. Programs that support Social and Emotional Learning have been effective strategies in closing the achievement gap for Native youth. If the federal government is committed to education, it must actively work to center healing in school communities. One of the largest wounds that exists in Native communities across the country is the lasting effects of federal Indian Boarding School policies, students today still experience intergenerational trauma from what their relatives and ancestors experienced. This Congress should actively work to support a substantial increase of social and emotional programs for Native youth to address these traumas and also update and pass the Truth and Healing Commission on

Indian Boarding School Policy Act, which would ensure both past and present have their stories heard and their traumas addressed.

Native students succeed the most when their communities are thriving. Keeping families and communities together is essential to the wellbeing of our Native children and youth. The Indian Child Welfare Act was enacted to address the alarming number of Indian children being removed from their homes. However, ICWA is currently facing many serious challenges, including the recent Supreme Court Case Brackeen v. Haaland. It is essential that Congress work together to strengthen ICWA.

There is a direct link between cultural identity and the cognitive success of students. Due to over a century of assimilative policy, followed by unprecedented loss of Native elders during the COVID-19 pandemic, many of our languages face extinction today. NIEA is proud that Congress and the administration are currently working to increase the supports for Native language programs, with the passing of Durbin Feeling and the Resource Centers Act alongside the new federal Plan on Native Language Revitalization. This should only be the start of a full government commitment to Native languages.

Our Native languages feed our spirit, but our children's bodies must also be fed. Native students and families are twice as likely to experience food insecurity

due to high rates of poverty and the rural nature of our communities. Though some schools that serve Native students have implemented programs to offer traditional foods, there is not currently a federal program that allows Tribal Nations to operate their own school lunch programs. NIEA strongly recommends passage of the Tribal Nutrition Improvement Act which would not only authorize this, but would make Native students categorically eligible for free school lunches.

The other **93 percent** of Native students attend public schools but still face unique educational needs. The Johnson O'Malley program provides these critical educational resources for after school programs, academic support, dropout prevention, funding for college access, school supplies, and Native cultural enrichment. While JOM is currently supported by many tribes, Congress should **uphold tribal sovereignty** by authorizing Tribal Nations to use public law 638 contracting to operate JOM programs themselves.

Public schools supporting Native Students are also **supported** by Impact Aid, ensuring all schools have the financial resources they need, regardless of the tax base they have access to. But even though Tribal Nations do not levy taxes, tribally controlled schools are not eligible for Impact Aid. Further, even though Natives from the lower 48 and Alaska are eligible, **Native Hawaiians are not**. It should be the job of this committee to **rectify** this situation.

Prosperous Native communities can only come from strong, intentional support of Native youth by fully upholding the United States treaty and trust obligations to Native education. Migwetch for this opportunity to testify. We look forward to working with each of you.