

Tribal Education Departments National Assembly



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United States House of Representatives, Committee on Appropriations

Subcommittee on Interior, Environment, and Related Agencies

TEDNA Testimony Requesting FY '14 Funding for Tribal Education Departments/Agencies

April 15, 2013

The Tribal Education Departments National Assembly (“TEDNA”) is a national non-profit membership organization for tribal education departments/agencies (“TEDs/TEAs”). TEDs/TEAs are executive branch level agencies of American Indian tribal governments responsible for tribal education matters. TEDNA respectfully requests \$2 million for TEDs/TEAs in the Department of the Interior, Environment, and Related Agencies appropriations bill for Fiscal-Year 2014. The funding would be used to provide direct education services to the approximately 700,000 American Indian and Alaska Native (“AI”) students, served by the over 200 TEDs/TEAs located in 32 states across the country. Funding for TEDs/TEAs is authorized in the No Child Left Behind Act of 2002, Title X, Section 1140 (25 U.S.C. Sec. 2020). Funding for TEDs/TEAs through the Department of the Interior (DOI) has been authorized since 1988 but has never been appropriated.

In fact, despite the important role of TEDs/TEAs in American Indian education, tribal governments and TEDs/TEAs receive very little funding, if any at all, from the federal government for education. There are two funding authorizations for TEDs/TEAs in the No Child Left Behind Act for the Departments of Interior and Education. Tribes are not eligible for the majority of federal education funding – even the funding allocated for American Indian education. As a result, state governments receive the majority of federal education funding and manage the bulk of schools and education programs serving AI students. Indeed, over 92% of AI students attend public schools. 740 of those public schools are located on Indian reservations. The remaining 8% attend federal Bureau of Indian Education or parochial schools. The current federal education law, policy, and funding scheme exclude American Indian tribes and TEDs/TEAs from meaningfully participating in all schools serving AI students.

TEDNA works on several levels to change this by amending law and policy in ways that

increase the role of TEDs/TEAs in American Indian education. Over 30 years of the policy of Indian self-determination has proven that federal programs better serve American Indian communities when operated by American Indian tribal governments. It is time the policy of self-determination is adopted in the area of American Indian education. On behalf of tribal leaders, educators, and students, we respectfully request this Subcommittee to support AI students and Indian self-determination in education by providing \$2 million for TEDs/TEAs to increase their role in schools serving AI students.

JUSTIFICATION FOR TED/TEA FUNDING

American Indian education is in a state of crisis. The national dropout rate of AI students is double that of their non-Indian peers. In some states the high school dropout rate of AI students is over 50%. AI students drop out of high school at a higher rate and score lower on achievement tests than any other student group. AI 8th grade students are 18% more likely to read or perform in mathematics at a "below basic" level than their non-Indian peers. AI students also have the highest rates of absenteeism, suspension, and expulsion.

Congress recognized the dire need to change American Indian education policy in 2012, when for the first time in history, Congress appropriated funding for TEDs/TEAs in the Department of Education. The funding was used to support the State-Tribal Education Partnership Program, known as the STEP program, in which, tribes and states through cooperative agreements combine resources to implement Elementary and Secondary Education Act (ESEA) programs in public schools located on Indian reservations.

Four tribal-state partnerships were awarded STEP program grants. The Nez Perce Tribe and the State of Idaho's partnership to build capacity of the Nez Perce Tribe to participate in ESEA school improvement plans, host joint meetings regarding education matters, and engage Indian parents and communities in public school curriculum and activities by developing and applying culturally responsible principles to encourage graduation. The Navajo Nation and the State of New Mexico's cooperative agreement to improve data collection regarding Navajo Nation students and develop a culturally relevant professional development program tied to common core standards. The State of Oregon and the Confederated Tribes of the Umatilla Indian Reservation are working to transfer to the Umatilla TEA the development of school policies, provision of technical assistance, collection, analysis, and reporting of performance and program evaluation data, and generally, working to transfer implementation of ESEA school improvement plans from the Oregon State Education Agency to the Umatilla TEA. In Oklahoma, a consortium of the Chickasaw Nation and the Cheyenne and Arapaho Nation TEAs are working with Oklahoma to transfer to the TEA consortium ESEA state administered functions in Title I, Part A, Title II Part A, and 21st Century Community learning Centers formula grant programs – some of the largest ESEA programs. These four projects are currently being implemented and we look forward to learning about their positive impact on AI student outcomes.¹ These projects support the type of tribal-state-federal partnerships Indian educators and tribal leaders have long called for as a means to improve AI education.

¹See, *STEP 2012 Awards*, <http://www2.ed.gov/programs/step/awards.html> for more information regarding the STEP program.

TEDNA encourages this Subcommittee to appropriate TED/TEA funding for DOI to support more work in the area of tribal-state education cooperative agreements and to increase the role of TEDs/TEAs in schools serving AI students. This would begin to implement the policy of self-determination in American Indian education and further the United States' trust responsibility to AI students.

TEDs/TEAs across the country would use the requested \$2 million to fulfill Congress' original intent in the 1988 DOI TED/TEA authorization. They would coordinate education programs; develop and enforce tribal education codes, policies, and standards, and culturally relevant curriculum and assessments; and, provide support services and technical assistance to schools and education programs on Indian reservations, including maintaining and sharing electronic data regarding AI students, coordinate federal education programs with schools and states, and institute programs to increase graduation rates and post-secondary school readiness.

This additional funding to support TEDs/TEAs is desperately needed. Currently, most TEDs/TEAs operate on extremely small budgets provided annually by tribal funds generated from non-federal sources. They may receive limited federal funding for specific contract, grant, and program administration. Tribal funding, if any, may be earmarked to meet critical immediate needs such as scholarships or student clothing and school supplies. This means that TEDs/TEAs do not have funds for operational expenses and staff to conduct education research and planning, or to develop tribal education initiatives and materials like truancy and tutoring programs. Further, lack of funding limits TEDs/TEAs ability to create a culturally sensitive and sound curriculum or develop culturally based assessments. Funding is not available to support an increased role of AI parents, teachers, and tribal leaders in schools serving AI students. These are the core areas of education that tribes need to impact in order to "change the numbers" and close the reported achievement gaps. Some Tribes are able to annually fund TEDs/TEAs, but most tribes need federal financial support to move beyond administering scholarships and supplemental education contracts and grants, and to be involved directly in the core areas of education.

Investment in TEDs/TEAs is sound federal policy. TEDs/TEAs have already proven that they are capable of improving AI student outcomes. For example, the Hoopa Valley Tribe TED of California operates a learning center that works with at risk students. The TED identifies K-12 students at risk, pairs the students with mentors, and develops student-learning plans. Students are tutored in target academic areas and coached in life skills. *This program alone has improved student academic performance by two letter grades in core academic areas.* The Rosebud Sioux Tribe TED of South Dakota *decreased student dropout rates by 30%* by operating tutoring services and afterschool math and reading programs. The Pueblo of Jemez TED located in New Mexico works closely with the Walatowa Charter High School, a Jemez Pueblo culture-based, early-college, state-chartered, school located on Pueblo land. *Its graduation rate is 89.4%, dramatically higher than the state wide Native American average graduation rate of 49%.* The Chickasaw Nation of Oklahoma has a science, technology, and math program that serves approximately 250 Chickasaw students. *90% of senior students participating in the program enroll in college.* Nicki Wilson is a specific example of how a TED can improve the life and education of AI's. Nicki Wilson is a Cherokee Nation citizen, who is a recipient of Cherokee Nation financial aid and educational counseling. Nicki went back to college at the age of 50 after

recovering from substance abuse issues. She turned to the Cherokee Nation for support. The Nation provided her with academic advisors who shared her cultural background, and provided financial aid and educational support services. She will graduate this May with an Associates Degree in Psychology and plans to pursue a master degree. Nicki says, “because of Cherokee Nation, I do my best in all my classes and so far have maintained a 3.9 or better. I believe it’s because of the support I have been given [by the Nation].”² However, tribes alone cannot sustain and expand vital education programs. Federal support is needed to assist these and other tribes across the country to implement similar programs to improve AI student outcomes.

TEDs/TEAs would use the \$2 million to provide direct services to AI students. TEDNA respectfully requests your support in providing \$2 million for TEDs/TEAs in the Department of the Interior, 2014 Appropriations Bill for the Interior, Environment, and Related Agencies. Should you have any questions, please contact TEDNA’s Attorneys, Joel West Williams, Staff Attorney, Native American Rights Fund at (202) 785-4166 or Williams@narf.org or Matt Campbell, Staff Attorney, Native American Rights Fund at (303) 447-8760 or mcampbell@narf.org.

² See, *TEDNA TED Report 2011*, <http://www.niea.org/data/files/tedna%202011%20teds%20report.pdf> for more information regarding the work of TEDs/TEAs.