

**TRIBAL EDUCATION AGENCIES IN FEDERAL,  
TRIBAL and STATE LAW 1984-2014**

Presentation for  
2014 Indigenous Law Conference:  
*Dismantling Barriers in American Indian Education*  
Michigan State University College of Law  
November 20, 2014

By Melody McCoy  
Native American Rights Fund  
[www.narf.org](http://www.narf.org)

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Federal Law

- ISDEA (1975)
- 1984  
The Secretary (of the Interior) may approve applications for funding tribal divisions of education and developing tribal codes of education, from funds made available pursuant to . . . this title

25 U.S.C. § 2010(c)

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ESEA

- 1988 
- 1994 
- 2001 Both authorizations kept (Titles VII and X)

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**Indian Country Support**

- Tribes
  - NIEA 
  - NCAI  National Congress of American Indians
  - TEDNA 

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**Appropriations** 

- FY 2012
  - > \$ 2 million
  - > U.S. Department of Education (OIE)
  - > STEP Program Grants



<http://www2.ed.gov/programs/step/index.html>

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**Appropriations** 

- FY 2014
  - > \$ 2.5 million
  - > U.S. Department of the Interior (BIE)
  - > SIE Program Grants

<http://www.bie.edu/cs/groups/bbie/documents/document/ldc1-927497.pdf>

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Tribal Law



\*Rodney Bordeaux  
(Sicangu Lakota)

\*Chair RST Educ Comm  
\*1987 wrote NARF

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Navajo Nation



\*1985 Tribal Educ Code

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Rosebud Sioux Tribe



\*1991 Tribal Educ Code

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Dr. Lionel Bordeaux (Sicangu Lakota)



- Chair RST Educ Comm
- 1994 conceived of Nat'l TED Forums that led to TEDNA

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TEDNA



- 2005
- U.S. DOE & NARF
- 200 TEAs  
32 states

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State Law

➤ Wisconsin  
> 1995



➤ Montana  
> 1999



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State Law

- New Mexico  
    > 2003
- Oklahoma  
    > 2010



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State Law

- Washington  
    > 2013



➤ Authorized State-Tribal Education Compacts

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Tribal-State Co-Governance

- Gaming Compacts
  - @ 250
- Tax Compacts
  - > 100
- Water Rights Compacts
  - @ 27 + 19 in active negotiation
- Education Compacts
  - ?????

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