



NATIONAL INDIAN EDUCATION ASSOCIATION
“Keeping the Commitment to American Indians, Alaska Natives and
Native Hawaiians”

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Testimony of President Ryan Wilson
National Indian Education Association
Submitted to the
Senate Committee on Indian Affairs
for the Oversight Hearing on Indian Education
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On behalf of the National Indian Education Association (NIEA), the oldest and largest Native education organization representing American Indians, Alaska Natives, and Native Hawaiian educators and students, thank you for the opportunity to submit testimony to the Senate Committee on Indian Affairs on the importance of language and culture in education for Native students.

Founded in 1969, NIEA is the largest organization in the nation dedicated to Native education advocacy issues and embraces a membership of over 3,000 American Indian, Alaska Native and Native Hawaiian educators, tribal leaders, school administrators, teachers, parents, and students. NIEA advocates for the unique educational and culturally-related academic needs of Native students and to ensure that the federal government upholds its responsibility for the education of American Indians. The trust relationship of the United States includes the responsibility to ensure educational quality and access. NIEA works with all tribes supporting innovative educational approaches.

Tribal governments and Native educators have long supported the broad based principles of the No Child Left Behind Act (NCLB). In particular, we laud the intentions of sections 7101 and 7102 within Title VII, which provide for the unique educational and culturally related academic needs of Native students. The purpose of Title VII¹ of NCLB is to provide culturally based educational approaches for Native students. These approaches have been proven to increase student performance and success as well as awareness and knowledge of student cultures and histories. The comprehensive character of Title VII to increase educational opportunity and to provide effective and meaningful culturally based education approaches should be retained. Also, its influence upon the operational aspects of the other titles within NCLB should be strengthened for Native students. The funds for these programs are the **only** sources of funding that specifically address the cultural, social, and linguistic needs of Indian students.

¹ Title VII of NCLB incorporates the Indian Education Act of 1972.

Bureau of Indian Affairs Schools

There are only two education systems for which the Federal government has direct responsibility: the Department of Defense Schools and Federally and Tribally operated schools that serve American Indian students through the Bureau of Indian Affairs (BIA) within the Department of the Interior. The federally supported Indian education system includes 48,000 elementary and secondary students, 29 tribal colleges, universities and post-secondary schools. Approximately 10% of Native children attend BIA schools; while, the remaining 90% attend public schools supported through the Department of Education.

BIA schools are subject to the requirements of NCLB. Only one third of the BIA funded schools are achieving annual Adequate Yearly Progress (AYP), the method used to determine student achievement and progress under NCLB. NIEA is concerned about the applicability of state standards to Native children attending BIA schools. More often than not, states develop the standards without consultation and inclusion of tribal communities. Tribal communities are in the best position to determine the needs and the appropriate assessment methods for Native students. NIEA strongly supports the possibility of developing and applying alternative tribal standards to measure AYP for students attending BIA schools.

Native Education Programs under the No Child Left Behind Act

NIEA is working diligently to prepare for reauthorization of NCLB, which includes gathering data and recommendations from Native communities on the challenges and successes under NCLB. At the end of last year, NIEA published its Preliminary Report on No Child Left Behind in Indian Country. The Report is based upon 11 field hearings throughout Indian Country. Recently, during its Legislative Summit in February, NIEA issued its Draft Policy Recommendations on NCLB based upon its hearings. NIEA plans to finalize its Policy Recommendations over the course of this year. The focus of NIEA's efforts on reauthorization of NCLB will be on sharpening Title VII, whose purpose is to provide for the educational and culturally related academic needs of Native students. NIEA's goal is ensure that the reauthorization of NCLB provides for more effective implementation of Title VII. If Title VII can be implemented more effectively, then there can be more meaningful education programs, improvement of educational opportunities, and enhancement of parental, familial, and community involvement in schools.

As part of its efforts on reauthorization, NIEA is performing as much outreach as possible so that the Congress can better understand the needs of Native students, thereby allowing student needs to be addressed during reauthorization of NCLB. We are extremely appreciative of Representative George Miller's and Representative Stephanie Herseth's recent tour of school conditions and meetings with students, teachers, and tribal leaders at the Pine Ridge and Rosebud Reservations in South Dakota on March 22, 2006. We are also very thankful that this Committee has made Indian education a top priority by holding this important hearing today and when it held a Listening Session on Indian education issues on the Standing Rock Sioux Reservation at Ft. Yates on March 23, 2006. The Listening Session was productive. Students, teachers, and tribal leaders discussed youth issues, the importance of language and culture in educational achievement, the

realignment of education at the BIA, problems in the implementation of NCLB, transportation, nutrition, and other education-related issues. We hope that there can continue to be more Congressional outreach to Indian Country, including a field hearing in the Southwest, so that the challenges and issues impacting Native students can be better understood.

There is widespread concern about the obstacles faced by Native students under the implementation of NCLB with regard to testing and standards that do not take into account the culture and environment in Native communities. Title VII of NCLB states:

It is the policy of the United States to fulfill the Federal Government's unique and continuing trust relationship with and responsibility to the Indian people for the education of Indian children. The Federal Government will continue to work with local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities toward the goal of ensuring that programs that serve Indian children are of the highest quality and provide for **not only the basic elementary and secondary educational needs, but also the unique educational and culturally related academic needs of these children.** (NCLB, § 7101) (emphasis added).

This provision of NCLB reaffirms the federal government's trust responsibility to Indian people and demonstrates the United States' recognition that it must accommodate the unique educational and culturally related academic needs of Native children. Despite the clear intent of Title VII, the Department of Education has been advising Indian education programs receiving Title VII funding to shift their focus from the teaching of culture to math and reading. In fact, the Department of Education recently wrote a letter to the Superintendent of St. Paul schools in Minnesota directing that there be a "gradual shift of focus from history and culture to reading and math."² This shift in purposes under Title VII causes a great deal of concern for NIEA and our members. By law, Native children are required to have access to culturally relevant and appropriate curriculum that support their academic achievement so that they may meet the standards that all children are supposed to meet.

At each of the 11 hearings that NIEA held last year on NCLB, much of the discussion focused on the concern of the impact of NCLB upon culturally based education. The testimony gathered in the field indicated a diversity of ideas and opinions about the effects and the importance of culturally based education. Concern was highly focused on the significant narrowing of the curriculum given the emphasis on testing. Native languages and culture have not been well represented in school curricular programs. Another inter-related concern focused on the decrease in the use of culturally appropriate

² Correspondence from Bernard Garcia, Group Leader, Office of Indian Education, U.S. Department of Education, to Patricia Harvey, Superintendent, St. Paul Public Schools, received on November 4, 2005. Members of NIEA from Minnesota raised this issue with Representative Betty McCollum and staff for Representative Dale Kildee during NIEA's Legislative Summit in February 2006.

teaching approaches known to be effective for Native students given the increased focus on testing and direct standardized instructional approaches. A third area of concern focused on the inappropriateness of the implementation of testing for unique Native language immersion and culturally focused schools for Native students.

NIEA is witnessing a broad-based reduction and diminishment of culturally based education in schools which provide an effective and meaningful education for Native students. In classrooms across Indian Country, Native languages and cultures are being used less and less in teaching Native students math, science, or reading because Indian children are drilled all day long on the materials contained on standardized tests. These teaching methods do not work when teaching Indian children. Generally speaking, our children see and order their world very differently from most other children due to their culture and ways of life, and, as a result, learn in different ways.

NIEA strongly believes that cultural education can be successfully integrated into the classroom in a manner that would provide Native students with instruction in the core subject areas based in cultural values and beliefs. Math, reading, language arts, history, science, physical education, music, and cultural arts can be taught in curriculum steeped in Native traditional and cultural concepts. Title VII provides for culturally relevant material to assist and inspire Native students to achieve academically. Many schools throughout Indian Country have found ways to integrate cultural curriculum to improve academic achievement. Below are descriptions of these programs that were provided by the membership of NIEA.

Yukon Title VII/Indian Education Program - Yukon, Oklahoma Arts and Craft Program and Library

With Funding from Title VII, Native American arts and crafts are purchased for teachers to use in the classroom as class projects when going over Native American lessons. Through these arts and crafts lessons, reading and math are incorporated. This makes it more exciting and gets the kids more involved to not only learn about a subject level (reading and math) but also to learn about sharing, helping one another, feelings etc. Teachers then provide the Title VII program with a report on how these crafts were used as a lesson and what was involved. The teachers have responded very well to this. It makes them get more involved when preparing lessons about Native Americans. Additionally, the Title VII program has helped each school (11 in all) update their libraries with close to 900 books with Native American content. This is an ongoing adventure.

Anchorage School District, Anchorage, Alaska - Culturally Responsive Six Year Plan

Based on a survey published by the First Alaskans Institute, education is the second most important issue facing Alaska Natives; the surveyed population felt that culturally related solutions (more Native culture, more Native language, more Native teachers) were most commonly the reasons for improving schools for Alaska Natives. We currently report on reading, writing, mathematics, and the drop out rate. With this form of accountability, we are not focusing on what our parents, elders, students, research and community members know; more Native

culture/language, Native teachers, culturally responsive teachers, more parental involvement and culturally responsive curriculum will increase Native student achievement. Title VII staff are able to incorporate culture directly through lessons and activities and indirectly by making lessons culturally relevant on a daily basis. Staff is also able to take the role of home/school liaison, assist with rural to urban transitions, refer students and families to appropriate programs to further assist with their success in the school system, create or request cultural resources, and empower students and staff to connect to one another's cultural background. One of the ways the district and Title VII is addressing the issue of getting all staff to be culturally responsive is by implementing a Culturally Responsive Six Year Plan. The six-year plan is an instructional plan to chart a course for closing the achievement gap while concurrently increasing achievement for all students through implementation of a Culturally Responsive Continuum.

Anadarko Public School District, Indian Education Program, Anadarko, Oklahoma - Academic and Cultural Enrichment, Elementary Art Program

The Anadarko Title VII program is achieving positive results in the academic enrichment component, within an elementary art component, and even within the minimally funded culture component. These projects are supplemented with other funding sources and volunteer hours to make them as effective and efficient as possible. The program assists in the logistics of the Anadarko Inter-tribal Dance Troupe, provides daily enrichment and assists with after-school enrichment. Through the formation of partnerships, we have attempted to form a systemic approach to our program providing student opportunities that would not be available via Title VII funds alone. The Title VII program provides a solid foundation for direct American Indian student instruction and assistance on comprehensive terms.

The elementary art program provides four elementary grades with the comprehensive skills, knowledge, and abilities necessary to succeed in our globalizing society. The balance of art, culture, sciences, and personal education are vital for our tribal youth to master. This is our long-term goal and what drives our program each day. The Title VII program provides the means to keep this vision alive and thriving.

It is unfortunate that many schools are being advised by the U.S. Department of Education to gradually shift from cultural curriculum to instruction that focuses on math and reading only. The push to narrow culturally relevant curriculum is having the limiting effect of “teaching to the test.” NIEA strongly encourages this Committee and the Senate Health, Education, Labor, and Pensions Committee to continue supporting the intent of Title VII as written in the statute and to urge the Department of Education to fulfill the intent of Title VII by refraining from applying a narrow interpretation of NCLB that focuses solely on math and reading proficiency.

Native Language Immersion Programs

Innovative programs that have proven academic success in Indian Country incorporate language and culture. Specifically, Native language immersion programs have fostered higher academic achievement and interest in learning from American Indian, Alaska Native, and Native Hawaiian students. Studies have shown that, while Native American children and youth have exhibited stagnant educational achievement (and have the poorest achievement of all American ethnic groups), Native language immersion has demonstrated remarkable promise in educational achievement.³ National studies on language learning and educational achievement indicate the more language learning, the higher the academic achievement. Solid data from the immersion school experience indicates that language immersion students experience greater success in school measured by consistent improvement on local and national measures of achievement.⁴ For example, in Hawaii, there are twenty-two public schools either with immersion streams or with entire immersion curriculum. These schools have approximately 1700 students enrolled that outperform the average Native Hawaiian student in Hawaii public schools.⁵ Additionally, culture and language curriculum and participation positively correlate with Native student retention rates.

Native language immersion programs provide a proven method to enable Native students to achieve academically in the areas of math, reading, and science as well as in the areas of arts and languages. For many Native students living in rural and isolated areas, subjects that are taught in non-cultural pedagogies and removed from a tribal perspective are often lost on Native students due to the non-relevance of the materials to their lives and identities. Below are a few examples of successful immersion schools where the students are doing better than their counterparts who are not in immersion programs.

The Piegan Institute is located in Browning, MT, and serves students in grades K through 8 through instruction in the Blackfeet language. Piegan Institute programs provide an integrated approach that encompasses social, intellectual, academic, and linguistic dimensions. The focus throughout is on making connections across the various contexts of a learner's experience, the classroom, the family, the community and what language means for a learner in each of these contexts.

³ Pease – Pretty on Top, Janine. Native American Language Immersion: Innovative Native Education for Children & Families. American Indian College Fund: Denver, Colorado. 2003.

⁴ McCarty, Teresa L. and Dick, Galena Sells. “Mother Tongue Literacy and Language Renewal: The Case of the Navajo.” Proceedings of the 1996 World Conference on Literacy. University of Arizona: Tucson, AZ. 1996.

⁵ Op. cit. Pease- Pretty on Top. 2003, p.16, Aha Punana Leo. “Our Language: e ola ka olelo Hawaii- the Hawaiian language shall live.” Website, www.ahapunaleo.org/HTML/OL.htm, p.6-7.

The Akwesasne Freedom School is located on the St. Lawrence River in upstate New York and is an independent elementary school for grades pre-K through 8 run by the Mohawk Nation. The school was founded in 1979 by Mohawk parents concerned that their language and culture would slowly die. In 1985, a Mohawk language immersion program was established. The Mohawk "Thanksgiving Address," which teaches gratitude to the earth and everything on it, is used as a curriculum base. Students study reading, writing, math, science, history and the Mohawk ceremonial cycle. The Akwesasne Freedom School combines solid academics with a strong foundation in Mohawk culture.

While data specific to Native American language immersions schools is continuing to be compiled, national studies from both the public and private sectors emphasize the positive impact of language studies on educational achievement.⁶

Several Native language immersion bills are pending in the 109th Congress that NIEA enthusiastically supports. These bills would provide much needed support for existing Native language immersion programs, such as the programs described above, and for the development of new Native language immersion programs. In the Senate, Senator Akaka introduced S. 2674, the Native American Languages Act Amendments Act of 2006, on April 27, 2006. The co-sponsors of S. 2674 are currently Senators Daniel Inouye, Max Baucus and Tim Johnson. S. 2674 has been referred to this Committee. NIEA urges the Committee to act favorably upon S. 2674 and to schedule a mark-up of the bill as quickly as possible. Time is of the essence. Across Indian Country, Native languages are in rapid decline. It is estimated that, without increased preservation efforts, only 20 Native languages will remain viable by the year 2050. Native culture itself is greatly threatened by this loss. The continuing loss of Native languages is tragic, especially considering the pivotal role that Native American languages and code talkers have played to defend our country in World War I and World War II. NIEA thanks Senator James Inhofe for introducing S. 1035, the Code Talkers Recognition Act, and requests that the Congress act swiftly on this bill also.

In the House of Representatives, there are currently two pending Native language immersion bills. H.R. 4766, Native American Languages Preservation Act of 2006, was introduced by Representatives Heather Wilson and Rick Renzi on February, 15, 2006. H.R. 5222, the Native American Languages Amendments Act of 2006, was introduced by Representative Ed Case on April 27, 2006. As with S. 2674, both House bills would provide support for Native language immersion programs. NIEA is working with the House Education and Workforce Committee to see if it can act quickly on these bills.

Additionally, NIEA is planning a Native Language Revitalization Summit on July 11, 2006 in Washington, DC. In honor of our languages and recognition of their value to not

⁶ Sugarmen, Julie and Howard, Liz. "Two Way Immersion Shows Promising Results: Findings of a New Study." Center for Applied Linguistics, ERIC/CLL Language Link. ERIC Clearinghouse on Language and Linguistics: Washington, DC. September 2001, p. 2-3.

just tribal communities, but our nation as a whole, Native Veteran Code Talkers from World War II will participate in the Summit, symbolizing the strength and historical significance of Native languages. NIEA encourages members from the Committee to attend the Summit and hold a hearing on the importance of Native American Languages at that time.

Funding

NIEA continues to be concerned with the inadequate funding in the Department of Education and the Department of Interior, Bureau of Indian Affairs, for Indian education programs and activities. We outlined our funding concerns in our testimony before this Committee in its oversight hearing on the President's FY 2007 budget on February 14, 2006, but take this opportunity to reiterate below some of NIEA's most pressing funding concerns for FY 2007:

- NIEA urges a \$9.3 million increase over the FY 2006 enacted level of \$186.5 million for Title VII of NCLB in the FY 2007 Labor, HHS, Education appropriations bill;
- NIEA urges a \$6 million increase over the FY 2006 enacted level of \$44 million for Native language immersion programs in the Administration for Native Americans (ANA), Administration for Children and Families, in the FY 2007 Labor, HHS, Education appropriations bill; and
- NIEA urges a \$56.6 million increase over the FY 2006 enacted level of \$206.8 million for Indian school construction and repair in the BIA in the FY 2007 Interior appropriations bill and restoration of the BIA's Johnson O'Malley (JOM) program to the FY 2006 enacted level of \$16.4 million also in the FY 2007 Interior appropriations bill.

Due to the tight federal budget for this year, NIEA requests a moderate **5% increase of \$9.3 million** for a total of \$195.8 million in FY 2007 for NCLB Title VII funding for American Indian, Native Hawaiian, and Alaska Native education. Funding for Title VII in FY 2006 was \$186.5 million. This funding is crucial for the reasons set forth above.

NIEA requests a **\$6 million increase to \$51 million** in FY 2007 to ANA to support: (1) existing Native American immersion schools and programs in SD, WY, MT, NY, HI, WI, AZ, AK; (2) a development effort for new immersion schools and programs; and (3) \$400,000 to enable NIEA to have data collected and a study performed on the effectiveness of Native immersion schools. In FY 2006, ANA received \$45 million but less than \$4 million went toward Native language immersion programs.

The inadequacy of Indian education facilities is well-known. NIEA requests a **\$56.6 million increase** from the FY 2006 enacted level of \$206.8 million for a total of \$263.4 million in FY 2007 for BIA for Indian school construction and repair. The FY 2007 budget request for school construction and repair is only \$157.4 million; while, in FY 2006, the enacted level of funding for BIA Indian school construction and repair was \$206.8 million despite the President's budget request in FY 2006 to significantly reduce this funding. In FY 2005, the enacted funding level was \$263.4 million, which was instrumental in reducing the construction and repair backlog. NIEA seeks the \$56.6

million increase from the FY 2006 enacted level to put funding back at the level from FY 2005 to make headway on the backlog. We were disappointed to learn that the FY 2007 Interior appropriations bill passed by the House of Representatives last week followed the President's budget request of only \$157.4 million for school construction and repair. We request that the Senate increase this amount in its FY 2007 Interior appropriations bill to \$263.4 million. Otherwise, the construction backlog will not decrease.

NIEA requests **restoration of JOM to at least the FY 2006 enacted level of \$16.4 million.** The President's FY 2007 budget requests total elimination of JOM. The FY 2006 enacted level was \$16.4 million, and the FY 2005 enacted level was \$16.51 million. NIEA is pleased that the FY 2007 Interior appropriations bill passed by the House of Representatives last week restored JOM funding to the FY 2006 enacted level of \$16.4 million. We are hopeful that the Senate can also restore this vital funding in its version of the FY 2007 Interior appropriations bill. JOM grants are the cornerstone for many Indian tribes, school districts, tribal organizations, and parent committees in meeting the unique and specialized educational needs of Indian students enrolled in public schools or non-sectarian schools. The purpose of JOM grants is to provide supplementary financial assistance for Indian students. Many Indian children live in rural or remote areas with high rates of poverty and unemployment, and funds from JOM have historically provided basic resources so that Indian students can participate in school like their non-Indian peers, which, in turn, gives them a chance to achieve academically and meet Annual Yearly Progress targets.

JOM funds helps to provide the following to Indian students: books and other reading materials, tutoring services, summer school, scholastic and testing fees, school supplies, youth leadership programs, musical instruments, student incentive programs, teacher aides, communication and transportation services, eyeglasses and contacts, resume counseling, college counseling, financial aid counseling, fees for athletic equipment and activities, caps and gowns, art and writing competitions, day care services for teen parents in school, field trips, elders in classrooms, Native language classes, awards ceremonies, computer labs, home visit counseling, Native academic competitions, teen outreach programs, internships, and choir, band, and cheerleading uniforms and equipment. These are services that neither NCLB or impact aid are allowed to fund.

Closing

NIEA is committed to accountability, high standards and rigorous education of our children; however, the implementation of NCLB by the federal government does not enable Native students to meet their academic potentials given the lack of consideration of their cultures, languages, backgrounds, and identities. Cultural identity and rigorous educational standards are compatible and complementary. We believe with good faith collaboration that we can provide our children with education that honors who they are as Indian children while preparing them for successful futures as they define it.