



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #DEN-18-049

TITLE: Encouraging Tribal-Interior Budget Council (TIBC) to Establish an Ad Hoc Committee to the Education Sub-Committee to Address the Unmet Needs of Tribally Controlled Grant Schools under Public Law 100-297

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, access to meaningful educational opportunities in a safe and nurturing learning environment is an issue that impacts all Tribal Nations, large and small, because it provides Tribal Members, particularly Tribal Youth, with the confidence and skills for long-term success and personal resiliency; and

WHEREAS, many Tribal Nations have chosen to or are interested in exercising their tribal sovereignty to manage and operate tribally controlled schools as defined in the Tribally Controlled Schools Act of 1988, Public Law 100-297; and

WHEREAS, the Bureau of Indian Education (BIE) reports that it oversees a total of 183 elementary, secondary, residential and peripheral dormitories across 23 states, and that of those 130 are tribally controlled schools under Public Law 100-297 or the Indian Self-Determination and Education Assistance Act, Public Law 93-638; and

WHEREAS, notwithstanding the benefits to Tribal Youth and communities, many Tribal Nations face significant challenges in providing safe and vibrant learning environments in their tribally controlled grant schools due to restricted funding, limited or non-existent transportation networks, crumbling facilities, limited personnel resources, and the effects of myriad other socio-economic factors that impact tribal communities, families, and children; and

WHEREAS, the 2011 Report of the No Child Left Behind School Facilities and Construction Negotiated Rulemaking Committee states that "established research has explored the correlation between school facility conditions and academic performance. Multiple studies have found significant links between inadequate facility conditions and poor performance for students and teachers;" and

WHEREAS, the FY 2019 Indian Affairs Budget Justification states that there is \$634 million in deferred maintenance across BIE-system schools, yet for FY 2018 and FY 2019 the Administration requested that Congress zero out funding for Replacement School Construction and Replacement Facility Construction; and

WHEREAS, due to chronic underfunding in these and other budget line items, many tribally controlled grant schools have been forced to reallocate Indian School Equalization Program (ISEP) dollars that are intended to be used for instructional services to cover program cuts in other areas, such as student transportation, school meals, and basic facilities operations and maintenance; and

WHEREAS, the United States' recurring failure to provide adequate levels of funding in the annual federal budget to appropriately operate and maintain tribally controlled grant schools has resulted in compounding negative effects on the delivery of educational services, staff recruitment and retention, and the ability of tribally controlled grant schools to address unmet facilities construction and maintenance needs; and

WHEREAS, the demoralizing effects and health hazards of crumbling and under-resourced school facilities sends the message to our Tribal Youth that they are not valued and their education is not a priority; and

WHEREAS, NCAI strongly believes that the United States must fulfill its treaty and trust obligations related to Indian education by providing adequate funding in the annual federal budget to support the education of Tribal Youth attending tribally controlled grant schools, as well as the education of Tribal Youth attending other BIE-system schools across the nation; and

WHEREAS, the Tribal-Interior Budget Council (TIBC) serves to develop annual policy and budget recommendations for the Department of the Interior to include in its annual budget requests and performance plans, including budget requests for the BIE, which is charged with providing quality education from early childhood through life at all BIE-system schools; and

WHEREAS, TIBC has the authority to create and dismantle issue based Sub-Committees pursuant to Section VI. e. iii. of the TIBC Protocol adopted on November 9, 2017, to address areas of special interest that fall under the jurisdiction of the Department of the Interior; and

WHEREAS, the growing unmet needs of tribally controlled grant schools within the BIE-system are of special interest to all Tribal Nations in supporting the academic and personal achievement of American Indian and Alaska Native students, and in advancing the exercise of tribal self-determination, self-governance, and resiliency across the generations.

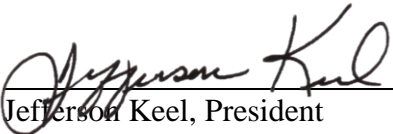
NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) encourages the Tribal-Interior Budget Council to establish a Tribally Controlled Grant Schools Ad Hoc Committee to the Education Sub-Committee that would operate for at least three years to assess the unmet needs of tribally controlled grant schools, including operations and facilities needs, and advocate for Alaska Native education to be returned to the Bureau of Indian Education, and provide reports to TIBC to inform the development of TIBC's annual budget recommendations for the Bureau of Indian Education within the Department of the Interior; and

BE IT FURTHER RESOLVED, that the NCAI encourages the Tribal-Interior Budget Council to include school board education leaders as members of the Tribally Controlled Grant Schools Ad Hoc Committee to the Education Sub-Committee; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2018 Annual Session of the National Congress of American Indians, held at the Hyatt Regency in Denver, Colorado October 21-26, 2018, with a quorum present.



Jefferson Keel, President

ATTEST:



Juana Majel Dixon, Recording Secretary