

# EDUCATION SOVEREIGNTY



## NATIONAL INDIAN EDUCATION ASSOCIATION UPDATES

Tribal Interior Budget Council



# NIEA MISSION STATEMENT



“National Indian Education Association advances comprehensive, culture-based educational opportunities for American Indians, Alaska Natives, and Native Hawaiians.”

Our traditional Native cultures and values are the foundations of our learning therefore, NIEA will:

- Promote educational sovereignty;
- Support continuing use of traditional knowledge and language;
- Improve educational opportunities and results in our communities.

# LEGISLATIVE SUCCESSES

From the 117<sup>th</sup> Congress



- American Rescue Plan (Enacted March 11, 2021)
  - \$1.1 Billion in Native Education
  - \$190 Million in emergency funding for American Indian, Alaska Native, and Native Hawaiian education
  - \$20 Million for FY 2021 funding for the preservation and maintenance of Native American Languages
  - According to the BIE, they have obligated 74% of the ARPA related BIE funding.
- Infrastructure Investment and Jobs Act (November 15, 2021)
  - \$500M in building facilities
  - \$5B in clean school bus program
  - \$17.3B broadband in Native communities
- STANDUP Act (Enacted March 15, 2022)
  - Suicide Training and Awareness Nationally Delivered for Universal Prevention Act
  - Requires state, Tribal, and local education agencies which receive grant funding for priority mental health needs to establish and implement evidence-based suicide awareness and prevention training policies.
  - Substance Abuse and Mental Health Services Administration (SAHMSA) with the Department of Education and Bureau of Indian Education, must provide educational agencies with best practices for these trainings
- Keep Kids Fed Act (Enacted June 25, 2022)
  - Increases funding and flexibility for communities to provide children healthy meals in Summer 2022.
  - The bill also provides support to schools and daycare providers to respond to supply chain challenges and high food costs for the coming school year by increasing the reimbursement rate for school breakfasts, lunches, and snacks under the school meal program.

# LEGISLATIVE SUCCESSES

In the 118<sup>th</sup> Congress



- Native American Language Resource Center Act (S. 989/ H.R. 2271) (Enacted 01/05/23)
  - Authorizes the Department of Education to grant or contract with higher education institutions to create Native American Language Resource Centers to improve the capacity to teach and learn Native Languages.
- Durbin Feeling Native American Languages Act of 2022 (S. 1402/ H.R. 2271) (Enacted 01/05/23)
  - Authorizes the Administration for Native Americans to survey the use of Native American languages in the United States.
  - Directs the President to review whether federal agencies follow requirements to promote the use of Native American languages and make recommendations to improve the interagency coordinate to promote the use of Native languages.

# CURRENT LEGISLATION in the 118<sup>th</sup> Congress



- The Native American Education Opportunity Act (H.R. 66)
  - Establishes a five-year pilot program to allow Tribes to create an education savings account (ESA) for Tribal enrolled students who currently attend Bureau of Indian (BIE) Schools
- The National Advisory Council on Indian Education Improvement Act (S. 749)
  - Requires at least one of NACIE's members be the president of a TCU and requires ED and Interior to consider NACIE's annual report when preparing their budgets each year.
- The Indian Programs Advance Appropriations Act (Awaiting Intro)
  - Provides advance appropriations and avoid lapses in funding for the Bureau of Indian Affairs (BIA) and the Bureau of Indian Education (BIE).
- The Honoring Promises to Native Nations Act (Awaiting Intro)
  - Implements the recommendations of the USCCR's Broken Promises Report, including guaranteeing full funding for BIE schools, Native language programs and culturally inclusive education, and public school supports

# CURRENT LEGISLATION in the 118<sup>th</sup> Congress



- The Tribal Nutrition Improvement Act (Awaiting Intro)
  - Establishes a two-year pilot program through the USDA to directly administer the School Lunch Program, makes Native children categorically eligible for free school meals, and adjusts USDA reimbursement rates for BIE
- Advancing Towards Full Impact Aid Funding (Awaiting Intro)
  - Splits Impact Aid's \$1.1 billion request evenly over five years, and increases Basic Support funding by \$190 million annually, meeting Impact Aid's 2019 funding requests
- Truth and Healing Commission on Indian Boarding School Policies Act (Awaiting Intro)
  - This legislation would establish a congressional Truth and Healing Commission and develop recommendations on:
    - Protecting unmarked graves and accompanying land protections.
    - Support repatriation and identify the tribal nations from which children were taken, and
    - Discontinue the removal of Native children from their families and tribal communities by state social service departments, foster care agencies, and adoption agencies.

# Protecting Indian Education Funds



- **Debt Ceiling:**

- The Treasury Department will run out of borrowing room if Congress doesn't raise or suspend the statutory debt limit between July and September 2023.
- Proposed caps on FY2024 discretionary spending at FY2022 enacted level would reduce Interior's funding to \$13.1 billion, below the FY2016 level.

- **Solutions:**

- Mandatory Appropriations for the entire Bureau of Indian Education
- Re-introduction of the Indian Programs Advance Appropriations Act
  - Provide funding certainty for IHS, BIE and BIEA by authorizing select accounts in their budgets to be funded a year in advance.

*"A debt limit ceiling should not mean a betrayal of the federal trust responsibility to American Indians and Alaska Natives"*

# APPROPRIATIONS



- Provide mandatory funding for the entire Bureau of Indian Education and Native education related Department of Education Accounts
  - Including for JOM
  - A proper fulfilment of the federal trust responsibility to education
  - Mandatory funding will protect from cuts and measures in all future budget agreements related to continuing debt-ceiling crises
- Support educational improvement and reform for Native students in Title VI, Part A (Indian Education Formula grants). Activities included to support educational improvement and reform are:
  - Direct assistance to local school districts and Bureau of Indian Education (BIE) schools;
  - Demonstrations and training for Indian individuals and educators; and
  - Native language, research, evaluation, data collection, technical assistance, and other national activities that promote efforts to meet the unique educational and culturally related academic needs of American Indian, Alaska Native, and Native Hawaiian students.
- Provide funding and resources for Native Language Immersion Programs
  - Funding in addition to the 20% set-aside to support the federal commitment to Native Languages and improving the educational outcomes of American Indian, Alaska Native and Native Hawaiian students.



# APPROPRIATIONS



- Increased Funding for the Indian Student Equalization Program which provides the core budget for BIE elementary and secondary schools.
  - Tribal schools do not have a tax base like off-reservation public schools to off-set these costs. Tribal schools also do not have access to Impact Aid funding, as they are entirely federally run therefore there is not a tax-based census-tract off which to calculate tax revenue-loss. This makes is especially critical to adequately fund all of the accounts that tribal schools do receive funds from, to ensure there is parity in the education standards and teacher pay for these schools.
- Increased Funding for Student Transportation and Increased funding For BIE Facilities Operations and Maintenance.
  - As ISEP funds are often forced to be reallocated to cover the shortfalls in other areas such as operations, maintenance, and transportation, one of the best ways to ensure Tribal schools have appropriate funding comparative to the resources available state-wide is to ensure the budgets for Transportation, Operations, and Maintenance are adequately funded.
- Invest in construction of schools that serve Native students—including Replacement School Construction, Replacement Facility Construction, Replacement/New Employee Housing, Employee Housing Repair, and Facilities Improvement & Repair.

# NIEA PRIORITIES



- Although most states set many of their own policies governing charter schools, all public schools, including charter schools, are governed by the Every Student Succeeds Act (ESSA) and other relevant federal education policy. With this backdrop, the federal government must:
  - Advocate for funding and authorization of Native Charter schools including establishing Tribal Nations as authorizers;
  - Ensure meaningful tribal consultation is occurring under ESSA, and that tribal input and voices are influencing policy;
  - Create pathways for Tribal Nations to exercise the right to educational sovereignty;
  - Raise the status of tribal language classes, and ensure Native language teachers are paid commensurately with their teaching peers;
  - Engage with Native populations in an equitable way with respect to data—assessment data includes Native American students, but we are still not being equitable in reading, understanding, and disaggregation of the data being compiled;
  - Promote authentic community engagement in creating accountability coupled with stewardship in creating remedies for low-performing and at-risk schools (which are deficit-based terms associated with many Native Local Education Agencies (LEAs), in addition to increasing funding to these schools;
  - Protect Native American Special Education students by creating capacity within school districts to create and implement 504 plans.
- Provide funding and permission for culturally-based assessments in Early Childhood Education. Native-serving Early Childhood and Headstart programs should be utilizing alternative assessments that are more community oriented.
- Ensure a Native educator and leader pipeline is critical to address the current teacher shortages but also ensure representation in the field. As part of this, there must be authorization and an increase in funding for Grow Our Own educator preparation programs that certify Native educators to teach through a cultural and linguistic lens.
- Increase funding for Wrap-around Services and Whole Child Approaches, which are critical to addressing trauma and mental health—conditions that have been exacerbated by COVID. These approaches should encompass Indigenous methods that address suicide and substance use prevention, Social and Emotional Learning supports, and trauma-informed schools training as well as increased support for and representation of 2SLGBTQ+ students and educators in school programming and curriculum

NIEA  
Convention



# SAVE THE DATE

## 2023 NIEA CONVENTION & TRADE SHOW

**OCTOBER 18TH - 21ST, 2023**

### THE CLYDE HOTEL

330 Tijeras Avenue NW, Albuquerque, NM 87102

### DOUBLETREE BY HILTON HOTEL ALBUQUERQUE

201 Marquette Avenue NW, Albuquerque, NM 87102

Book early to reserve your NIEA Convention Rate

[NIEA.ORG](http://NIEA.ORG)

