



**REPORT of the
TRIBAL EDUCATION DEPARTMENTS NATIONAL ASSEMBLY**

**To the NATIONAL CONGRESS OF AMERICAN INDIANS
For the FY '06 FEDERAL BUDGET DEBRIEFING**

**Washington DC
February 14, 2005**

Introduction

Good morning, and thank you for the opportunity to make this Report. My name is Carlos C. Barron, and I am the Assistant Secretary-Treasurer of the Tribal Education Departments National Assembly (TEDNA). TEDNA is a new membership organization for Tribal Education Departments (TEDs). Many of our members are over at the other Wyndham -- the Wyndham City Center Hotel -- today participating in the National Indian Education Association's (NIEA) annual Legislative Summit. Yesterday we had a National TED Forum, with over thirty (30) TEDs represented. Appropriations for TEDs are our number one legislative priority, so it is very timely that NCAI is hosting this debriefing today on the FY '06 President's proposed budget. I have a hard copy of this Report to give to NCAI, and we can send it electronically as well if need be.

TEDNA's Budget Issue Area

TEDNA's budget issue area is ***appropriations for TEDs***. The President's FY '06 proposed budget requests **NO** funding for TEDs. We join NCAI in recommending that Congress appropriate at least \$ 5 million for TEDs.

Congress has authorized TED funding in two separate laws:

- 1) in 1988, Congress authorized funding for TEDs within the BIA budget of the U.S. Department of the Interior (Pub. L. No. 100-297, Section 5119)
- 2) in 1994, Congress authorized funding for TEDs in the budget of the U.S. Department of Education (Pub. L. No. 103-382, Section 9125).

Both of these authorizations were retained in the No Child Left Behind Act of 2001. The BIA authorization is in Title X, Section 1140, and the Department of Education authorization is in Title VII, Section 7135. The BIA authorization has an authorization amount of \$ 2 million. The Department of Education authorization amount was deleted in the No Child Left Behind Act, but originally in the 1994 law it was set at \$ 3 million.

Despite the authorizations, only once has a President's proposed budget requested TED appropriations. In his proposed budget for FY '96, President Clinton asked for \$500,000 for TEDs under the BIA authorization. Congress did not make the appropriation. Congress never has made appropriations for TEDs under either authorization.

TEDNA's Analysis of this Issue

The TED appropriations authorizations amounts -- \$ 2 million, \$3 million -- are not huge sums of money. But TED appropriations, if they were made, would amount to a great deal for tribes, TEDs, and tribal students. There are now well over 100 TEDs among the federally-recognized tribes in this country. They are serving thousands of tribal students nationwide, in BIA, tribal, and public schools -- on reservations, in urban areas, and in rural areas. Some of you know which tribes are the leaders in the national TED movement, but I will mention them anyway: Rosebud Sioux; Confederated Salish and Kootenai; Cheyenne-Arapaho; Suquamish; Spirit Lake; Navajo; Ute; Laguna Pueblo. These tribes and many others all share a common need for TED appropriations.

Most TEDs are operating on very small budgets. Their funding may be limited to contract, grant, and program administration. This means that they do not have funds for education planning, research, and the development of tribal education initiatives and materials like truancy programs and curricula. These are the core areas of education that tribes need to impact in order to "change the numbers" -- to close the reported achievement gaps and for tribal students to do better in school. No Child Left Behind requires schools to report test scores and other statistics by race and ethnic group, and the reports are showing that many schools serving tribal students are struggling with academic achievement.

Our TEDs can help our tribal students. TEDs are not schools and they are not federal programs. In the TED appropriations authorizations themselves Congress states that it envisions TEDs doing the following:

Facilitating tribal control in all education programs and matters; developing coordinated education programs; and, developing tribal education policies and tribal education standards.

This is in the law -- the 1988 BIA authorization which is in No Child Left Behind, Title X.

This means that TEDs need to move beyond just administering scholarships and supplemental education contracts and grants. TEDs need to be involved directly in the areas of education in which State Education Agencies and State Departments of Education are involved. These areas include setting meaningful education policies and regulations; collecting and analyzing education data; engaging in education planning; setting academic standards and developing student progress assessments; determining what students learn and how it is taught. TEDS also need to do things that state education agencies and departments are reluctant to do, like preserving our tribal languages and cultures. If TEDs were able to do these things, it would be a true exercise of tribal sovereignty and it would help set a new path for tribal communities and for tribal students who are the future of tribal communities and tribal sovereignty.

In short, TEDs are a major untapped resource for tribal students and for tribal sovereignty. The United States government needs to honor its trust responsibility and its federal-tribal relationship and provide the jump start funding for TEDs to accomplish great things. TED appropriations must be made so that TEDs can begin to realize their potential and so that tribal students are not left behind.

Conclusion

NCAI, NIEA, other organizations, and individual tribes have historically supported TED appropriations. Two years ago, the Native American Rights Fund (NARF) put together a set of materials showing NCAI's and NIEA's strong support for TED appropriations over the last ten years. We appreciate that support. Our tribal students appreciate it, too. I know that NCAI has a copy of these NARF materials, but I brought another copy to give to you today with this Report.

We know that TED appropriations are high on both NIEA's and NCAI's budget appropriations issues list this year. NCAI, you are asking for \$ 5 million for TED appropriations. NIEA also is asking for \$ 5 million. We join with you in asking for \$ 5 million. Getting TED appropriations is TEDNA's number one legislative priority issue. We look forward to partnering with NCAI on other education matters as well, now that we all are on the same page -- knowing that education is a sovereignty issue. Even though we now have the TEDNA organization, we want you to know that we still need your support. Tribal students need your support. Thank you.

For questions about or a copy of this Report

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