



The Strengthening America's Schools Act ("SASA"), S. 1094 is the Senate Health, Education, Labor, and Pensions ("HELP") Committee's most recent bill to reauthorize the Elementary and Secondary Education Act ("ESEA") and was marked up on June 12, 2013. The SASA makes some helpful reforms to education law and policy, but it notably lacks many provisions requested by Indian Country.

The Tribal Education Departments National Assembly ("TEDNA") is a non-profit organization that works to advance tribal sovereignty in Indian education by increasing the role of tribal education departments/agencies ("TEDs/TEAs") in education. While TEDNA welcomes ESEA reform, it is concerned the SASA does not do enough to support American Indian and Alaska Native ("AI/AN") students. Specifically, the Act does not include TEDNA's top ESEA priorities described below and should be amended by adding the following provisions:

- 1) **Tribal Education Departments/Agencies ("TEDs/TEAs") Appropriations.** The No Child Left Behind Act includes two authorizations of funding for TEDs/TEAs in Title VII and X. The SASA repeals both authorizations. The Title VII authorization was funded in 2011 to support the state-tribal education partnership program. It authorized innovative education partnerships to develop culturally appropriate professional development training and data sharing between state education agencies and TEDs/TEAs. This program would be cut as a result of the SASA.
- 2) **TEA Pilot Project.** This project would authorize TEDs/TEAs to operate and be eligible for ESEA state education agency programs, such as standards and assessment development, professional development, and teacher training.
- 3) **Indian Tribes/TEDs/TEAs to Access Tribal Member Student Records.** An amendment to the Family Educational Rights and Privacy Act ("FERPA") is required to authorize TEDs/TEAs and Indian tribal governments to access tribal member student records to improve tribal education programs. The SASA does not include such an amendment.
- 4) **Indian Tribes/TEDs/TEAs as the Primary Eligible Entity for Title VII Indian Education Formula Grants.** The purpose of this grant is to provide AI/AN students with appropriate cultural programs and support to succeed in school. Indian tribes/TEDs/TEAs are best positioned to do this and should be the primary eligible entity for the grant. The SASA fails to make this important amendment.
- 5) **Indian Country ESEA Recommendations.** The SASA does not include several of Indian Country's ESEA Recommendations. The Recommendations were developed by the National Congress of American Indians, the National Indian Education Association, and TEDNA, and were the result of several years of consensus-based work. The SASA is an opportunity to meaningfully reform the ESEA, and these provisions should be included.