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TESTIMONY OF QUINTON ROMAN NOSE, EXECUTIVE DIRECTOR OF THE TRIBAL EDUCATION DEPARTMENTS NATIONAL ASSEMBLY, ON S. 1948, THE NATIVE LANGUAGE IMMERSION STUDENT ACHIEVEMENT ACT

HEARING BEFORE THE SENATE COMMITTEE ON INDIAN AFFAIRS

JUNE 18, 2014

Chairman Tester and Vice Chairman Barasso, I am Quinton Roman Nose, Executive Director of the Tribal Education Departments National Assembly (“TEDNA”), a national non-profit membership organization for the Education Departments of American Indian and Alaska Native tribes. I appreciate the opportunity to speak to you today, and I thank Senator Tester and sponsors of the Native Language Immersion Student Achievement Act, S. 1948. TEDNA strongly supports S. 1948 and asks that the act be amended for additional strength, by defining and including Indian tribes and Tribal Education Departments or Agencies as “eligible entities” to receive grants. This amendment would allow for increased tribal control over language immersion programs and provide opportunity for increased educational success for American Indian students.

A vital component of American Indian student success is culturally relevant curriculum that includes language immersion programs. The importance of language immersion programs has long been recognized by Congress in the Indian Self Determination and Education Assistance Act of 1975, P.L. 93-638, the Native American Languages Act of 1990, the Native American Programs Act of 1974, and the Elementary and Secondary Education Act. More specifically, the Native American Languages Act of 1990 explicitly stated policies to “preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages,”¹ as well as to “encourage State and local education programs to work with Native American parents, educators, Indian tribes, and other Native American governing bodies in the implementation of programs to put this policy into effect.”² Long established Congressional policy further recognizes that traditional languages are an integral part of American Indian cultures and identities and form the basic medium for the transmission, and thus survival, of American Indian cultures, literatures, histories, religions, political institutions, and values. S. 1948 furthers these policies.

Nationwide, over 92% of American Indian students in K-12 are educated through State Education Agencies and public schools³. About 740 of these public schools are located on or near Indian reservations and over a dozen states have amended their laws to recognize the role that tribal histories, language, culture, and governments have in state public education. Even with these statistics, and numerous states actions to incorporate culturally relevant curriculum, today there is no federal law that explicitly recognizes the important role tribal governments should play in public school education. With the addition of tribes as eligible entities, the enactment of the Native Language Immersion Student Achievement Act will be a powerful move in the direction of tribal government inclusion in American Indian education.

An avenue to increase success for American Indian students in elementary and secondary education is enhancing the capacity of Tribal Education Departments or Agencies (“TEAs”). The

¹ 25 U.S.C. § 2903 (1) (2014).

² 25 U.S.C. § 2903 (4) (2014).

³ *The State of Education for Native Students*, The Education Trust (2013), 4, http://www.edtrust.org/sites/edtrust.org/files/NativeStudentBrief_0.pdf.

first TEA was created in 1991, when the Rosebud Sioux Tribe with the help of the Native American Rights Fund, enacted a tribal law creating a TEA in order to contribute to how and what public schools teach. Since then, more than 200 tribes across 32 states have formed TEAs as administrative agencies within their tribal governments and charged them with implementing educational goals and policies. Although TEAs have successfully improved educational services to American Indian public school students, they are constrained by existing law and hampered by a lack of resources. If amended to include Tribes as eligible entities, S. 1948 will enhance the capacity and role of TEAs.

There are many examples of why tribes should be included. The Cherokee Nation Education Services, a TEA located in Oklahoma, operates the Sequoyah Schools system through a contract with the Bureau of Indian Education. The Sequoyah Schools language program has proven to be a successful model, graduating 6 sixth-graders and 10 kindergarten students in 2014.⁴ In California, the Hoopa Valley Tribal Education department operates the Hoopa Valley Learning Center, a state and tribally funded program that provides student support services. 80% of the students begin the program as “at risk” students with failing grades, while 90% of these students finish the program with passing grades. The success of these programs show why tribes need to be more involved in American Indian education departments and to incorporate tribal histories, culture and language into the curriculum.

As the Honorable Lillian Sparks, Commissioner of the Administration for Native Americans, pointed out, many tribes have successfully developed language programs with grants received from the Administration for Native Americans (“ANA”).⁵ The Yakutat Tlingit Tribe, using an ANA grant, successfully increased Tlingit language skills in 102 youth and 40 adults by incorporating the Tlingit language into the Yakutat public school system.⁶ Similarly, in Montana, the Fort Belknap College built upon the success of the White Clay Immersion School by hiring and

⁴ Cherokee Nation, Keeping Language Alive: Immersion School Graduates More Students, Indian Country Today Media Network, (2014), <http://indiancountrytodaymedianetwork.com/2014/05/24/keeping-language-alive-immersion-school-graduates-more-speakers-154888>.

⁵ *Native Language Immersion Student Achievement Act: Hearing on S. 1948 Before the S. Comm. on Indian Affairs*, 113th Cong. 3 (2014) (statement of Lillian Sparks, Commissioner, Administration for Native Americans-U.S. Department of Health and Human Services).

⁶ *Id.*

training language teachers, developing curriculum, and creating an advisory council to guide curriculum.⁷ Mr. Thomas Shortbull, President of the Oglala Lakota College likewise testified to the success of the Lakota Language Immersion School, operated by the Oglala Lakota College, which educates students, kindergarten through fifth grade, in the Lakota language.⁸ Many other language programs and immersion schools operated by tribes across the country could benefit from being considered eligible entities under S. 1948. However, ANA grant funding alone is not sufficient to support the need to expand existing immersion programs and replicate these successes for tribes where language immersion programs do not yet exist.

The Yurok Tribe has developed a language immersion and education program which has become the model for many California tribes.⁹ The Tribe has partnered with local school districts, bringing the Yurok language to the neighboring public schools. The Yurok language is now offered as classes, and one school offers a new Yurok immersion program.¹⁰ The Cherokee Immersion Charter School, within the Sequoyah School system of the Cherokee Nation of Oklahoma, graduates students who have learned grade level state standard curriculum while speaking only Cherokee.¹¹ These programs are taking significant steps to improve the educational statistics for American Indian students, as well as creating partnerships with public school districts. The success of these programs has greatly increased student success. However, there are not an abundant amount of programs and the existing programs struggle to continue. S. 1948 would allow further development and financial stability of established, as well as new, language immersion programs.

In 2011, for the first time, Congress authorized direct federal appropriations for TEAs in the FY'12 Appropriations Act. This was recognition by Congress of the important role TEAs have

⁷ *Id.*

⁸ *Native Language Immersion Student Achievement Act: Hearing on S. 1948 Before the S. Comm. on Indian Affairs*, 113th Cong. 3 (2014) (statement of Thomas Shortbull, President, Oglala Lakota College).

⁹ Norimitsu Onishi, *In California, Saving a Language That Predates Spanish and English*, N.Y. Times, April 13, 2014, at A13.

¹⁰ *Id.*

¹¹ Cherokee Nation, *Keeping Language Alive: Immersion School Graduates More Students*, Indian Country Today Media Network, (2014), <http://indiancountrytodaymedianetwork.com/2014/05/24/keeping-language-alive-immersion-school-graduates-more-speakers-154888>.

in operating and contributing to elementary and secondary education. Washington State also made an important recognition when WA HB-1134 was signed into law May 15, 2013. That bill provides for a co-governance model of education through the development of state-tribal compacts.

The Native Language Immersion Student Achievement Act recognizes the importance of Native American languages in delivering education to American Indian students. Not only has Congress found that the use of Native languages is an effective education tool for American Indian education but it has also found that the use of these languages in education also helps preserve the language itself. Both improved education and preservation of Native American languages is of utmost importance to the culture and identity of all tribes.

Tribal governments will help save our Native languages. Under tribal law, under the laws of some states, and increasingly even under federal law, tribes and TEAs are in the best position to coordinate resources from tribal, federal, and state programs to focus on language immersion programs in schools and communities. Many TEAs are even developing and implementing the needed language preservation and immersion programs. As TEAs grow in numbers and capacity, they are successfully taking the lead in meeting the need for tribal language, culture, and history programs. As they grow in numbers and capacity, TEAs are consistently taking the lead in meeting the need for tribal language, culture, and history programs and curricula.

TEDNA strongly supports the Native Language Immersion Student Act, and urges the Committee to strengthen the bill by adding Indian tribes and TEAs as “eligible entities” to receive grants and I have attached proposed amendment language to this written testimony for your review.

Again, I thank Senator Tester and the co-sponsors of S.1948 for taking leadership on this vitally important issue. Should you have any questions, please contact Matthew Campbell, Staff Attorney, Native American Rights Fund at mcampbell@narf.org and (303) 447-8760.