

# Tribal Education Departments National Assembly



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## HOUSE COMMITTEE ON APPROPRIATIONS SUBCOMMITTEE ON INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

### TESTIMONY OF KERRY VENEGAS, HOOPA VALLEY TRIBAL EDUCATION DIRECTOR AND VICE PRESIDENT OF TEDNA, REGARDING FY 2017 FUNDING FOR TRIBAL EDUCATION

MARCH 17, 2016

Chairman Calvert, Ranking Member McCollum, and Members of the Committee, he: yung dixwe:di wha:ne'a:noht'e, my name is Kerry Venegas and I am the Education Director for the Hoopa Valley Tribal Education Association and Vice President for the Tribal Education Departments National Assembly ("TEDNA"), a national non-profit membership organization for the Education Departments/Agencies ("TEAs") of American Indian and Alaska Native Tribes. Ts'ehdiyah, my gratitude, for the opportunity to speak to you today about funding for Tribal Education Departments. First and foremost, our sincerest gratitude for appropriating funds for Fiscal-Year 2015 and 2016 to support TEAs through Section 2020 grants. In conjunction with the Bureau of Indian Education's historic Sovereignty in Indian Education ("SIE") Enhancement Program Tribes are better positioned to assert control over the education of our students. However, continued funding is needed in order to keep these programs and others such as Johnson O'Malley ("JOM") and BIA Higher Education moving forward. For this, TEDNA respectfully requests \$10 million to support TEAs in the Department of the Interior, Environment, and Related Agencies appropriations bill for Fiscal-Year 2017.

### AUTHORIZATION FOR FUNDING

Federal funding for TEAs is authorized in the 25 U.S.C. § 2020 and in the Tribally Controlled Schools Act, 25 U.S.C. § 2502.

### JUSTIFICATION FOR FUNDING

The Natinixwe, Hoopa, have educated their people from time immemorial and for us and all Tribes, education continues to be a sovereign right, a trust obligation, an issue of local control and a sacred responsibility. That we have entrusted a part of the education of our students to our

local public school district speaks to our expectation of the state, local and federal obligation to honor that same responsibility. However, these expectations remain unrealized at a cost that is too high. Native American students drop out of high school more than twice as often as their non-Indian peers, and score lower on achievement tests than any other student group. Our local school district, Klamath Trinity Joint Unified, has an 89% Native student population, but only 6% of Native students met or exceeded English Language Arts (ELA) Smarter Balance assessment standards and only 5% met or exceeded in Mathematics.<sup>1</sup> In fact, nationally Native American 8th grade students are 18% more likely to read or perform in mathematics at a “below basic” level. Only a quarter of Native American high school graduates taking the ACT score at the “college-ready” level in math and only about one-third score at the “college-ready” level in reading. In addition, the U.S. Department of Education’s Office of Civil Rights (“OCR”) Data Collection: Data Snapshot (March 21, 2014) found that Native American kindergarten students are among those held back a year at nearly twice the rate of white kindergarten students, and that 9% of Native American ninth grade students repeat ninth grade. Although data released last year by the U.S. Department of Education indicates that graduation rates for Native American students have increased, Native Americans continue to have the lowest graduation rates of all ethnic and racial groups.<sup>2</sup>

At the same time, Tribal government involvement in the education of Native American students has been severely restricted until recently. Since 1988, Congress has authorized funding specifically to build Tribal capacity to directly serve Native students in BIE schools – Section 2020. Funds were appropriated for the first time two years ago under this section to eleven TEAs, providing Tribal governments with crucial funds to move forward. However, these programs are just getting started, and a comparable appropriation is needed in order to guarantee continued success. A similar authorization for tribal capacity building aimed at *public schools* on Indian reservations has been funded since Fiscal-Year 2012, resulting in the Department of Education’s pioneering State-Tribal Education Partnership Program (“STEP”). Congress recognized the importance of this program by statutorily authorizing it in Title VI of the Every Student Succeeds Act. Though important, the STEP program only addresses one aspect of the existing need. If the corresponding funding opportunity for BIE schools is constrained by lack of resources, our Native American students in BIE schools will continue to be underserved.

But TEAs are in a unique position to halt and reverse the negative outcomes for Native students and have continually proven that they are capable of improving Native American student outcomes. For example, the Hoopa Valley Tribe of California, a U.S Department of Education Indian Demonstration grantee and TEDNA member, operates 15 different education programs spanning all areas of lifelong learning from Early Head Start to managing a branch of our local community college and providing Native Vocational Rehabilitation services. And while our local school district has set “high expectations” with achievement goals of 45% of students to meet or exceed standards in ELA and 50% in Mathematics, we expect more and accomplish better

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<sup>1</sup> Klamath Trinity Joint Unified School District Impact Aid Report to Tribes and Community Members, 2014-15.

<sup>2</sup> U.S. Department of Education, Achievement Gap Narrows as High School Graduation Rates for Minority Students Improve Faster than Rest of Nation (March 16, 2015), available at: <http://www.ed.gov/news/press-releases/achievement-gap-narrows-high-school-graduation-rates-minority-students-improve-faster-rest-nation>.

outcomes. Through our Hoopa College Success Program (CSP) we provide college ready academic tutoring and mentoring services which over a four-year period, successfully graduating 85% of the students with their 2010-2014 original cohort, 98% total, and with 63% completing at least 3 years of challenging core courses (A-G Requirements) with a C or better. By comparison, in the 2013-14 school year, the California graduation rate for all students was 80.8% and for American Indian/Alaska Native students was 70.1%, while the national average for all students was 81.4% and for American Indian/Alaska Native students was 69.7%. And for Humboldt County, California, only 31% total students completed A-G requirements with a C or better, and only 34.6% American Indian/Alaska Native students, while California had a 41.9% for all students and 26.9% for American Indian/Alaska Native students.<sup>3</sup>

The Leech Lake Band of Ojibwe, a Section 2020 grantee and a TEDNA Member, is developing a program under Section 2020 to address the Tribe's inherent authority over all areas of education. The Tribe operates a K-12 BIE school with an enrollment of 150 students, and administers JOM funds for 8 public school districts which provide primary and secondary education to 1,833 tribally enrolled students in K-12 schools on and near the Reservation. By establishing a Tribal Education Code and creating a comprehensive Education Plan as a base to build Tribal Administrative Support to enhance local control, the Tribe will provide a pathway to support educational outcomes of native students living on or near the reservation, and establish and strengthen relationships with outside entities that affect the education of Indian students. To strengthen local control, Leech Lake is holding ongoing, regular forums in all communities and hosting educational conferences for both adults and youth to gather input on tribal priorities. The Section 2020 grant has started the ball rolling for Leech Lake in areas that are not covered under the grant and made sovereignty in education a reality so that their students are not left behind.

The work of the Nez Perce Tribe's TEA, a STEP grantee, is another good example. Current research indicates that Native American academic achievement must include effective teaching strategies. Also, researchers studying the achievement of Native American students have found a connection between low achievement and low cultural relevance. Nez Perce has made large inroads in providing teacher training for the integration of cultural pedagogy, tribal education standards, and common core standards. In addition, the Nez Pearce TEA provides technical assistance TEA to their partner LEAs on use of the Native Star Culture and Language Indicators addressing culturally-responsive school leadership, community engagement, and infusion of culture and language into the school's curriculum and instruction.

The State of Idaho's State Education Agency ("SEA") acknowledged that it does not have the expertise to provide training or technical assistance in meeting the unique educational and cultural needs of Native American students. But Nez Perce's STEP grant has provided a platform for the Tribe's TEA and the local LEAs and SEA to work together to improve Native American student performance through partnership across three federal Elementary and Secondary Education Act programs (Title I, Part A; Title II, Part A; and School Improvement Grants).

Success of Tribes such as Hoopa Valley and Nez Perce, demonstrate the positive impact and

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<sup>3</sup> Hoopa Valley Tribe, College Success Program Final Report, U. S. Department of Education, November 2015,

high need for Tribal involvement in Native American education. If once again appropriated by this Subcommittee, these funds would be used to *facilitate tribal control* in all matters relating to Native American education on reservations and implementing programs to increase graduation rates and post-secondary school readiness, and foster much-needed cooperation and coordination with entities carrying out education on Indian reservations. More specifically, Tribes will be able to 1) support early education initiatives and develop culturally relevant curriculum and assessments; 2) increase tribal participation through TEAs providing coordination, administrative support services, technical assistance to schools and education programs on Indian reservations, including maintaining and sharing electronic data regarding Native American students; and 3) develop and enforce tribal educational codes, including tribal educational policies and tribal standards applicable to curriculum, personnel, students, facilities, and support programs. As Congress has already recognized, these three areas are core educational functions that are most appropriately left to Tribes.

One final note, while the authorizing statute for 2020 grants says that the Secretary “shall” award grants in a manner that fosters geographic and population diversity. 25 U.S.C. § 2020(c), only tribes with at least one BIE funded school on their Indian land were eligible for the first round of these grants, restricting the pool of eligible tribes and TEAs. While honoring the intention of this statute could mean fewer grants for lesser amounts, the additional funding requested could support this diversity without sacrificing the gains that have already been made and provide for more Tribal efforts. In our view, to ensure diversity, grants would go to both large and small tribes based on populations. While an applicant that serves three or more BIE funded schools would receive the statutory priority, grants would go to both large and small tribes based on populations for the development and operation of tribal departments or divisions of education for the purpose of planning and coordinating all education programs of the tribe.” Now is the time to make sure that all of our Tribes can move forward in good work.

The TED and SIE funding will support and prepare tribes to operate successful schools and shape what their students are learning. It also will assist the tribes in meeting the consultation and other requirements in the Every Student Succeeds Act that Congress recently passed.

## **REQUEST**

Education of our people is a sovereign and fundamental right, and a trust obligation. We must have control in shaping the experiences, outcomes, and planning of education that guides our people in their birthright as the leaders of our Tribes. TEDNA respectfully requests \$10 million for TEAs in the Department of the Interior, Environment, and Related Agencies appropriations bill for Fiscal-Year 2017 to continue the good work being done through the 2020, SIE and other programs. In addition, we support the President’s Department of the Interior budget request for additional funding for Johnson O’Malley grants and increases for tribally controlled scholarships for post-secondary education. With these things in place, our Tribal nations can realize the promise of local control and quality education as embodied in the Every Student Succeeds Act (ESSA) Ts’ehdiyah, thank you.