

MEMORANDUM OF UNDERSTANDING

between

**the U.S. Department of the Interior, Bureau of Indian Education and
the Tribal Education Departments National Assembly
On Technical Assistance to the Bureau of Indian Education regarding
Tribal Education Department Grants under 25 U.S.C. Section 2020
and the Sovereignty in Indian Education Program**

I. OVERVIEW

This Memorandum of Understanding (MOU) is entered into by and between the United States Department of the Interior, Bureau of Indian Education, hereinafter referred to as the (BIE), and the Tribal Education Departments National Assembly, hereinafter referred to as (TEDNA), to collaborate to support Tribal Education Departments and Tribal Education Agencies (TEDs and TEAs) in their sovereign efforts under federal law, programs, and funding.

II. BACKGROUND

A. The BIE and its TED and TEA Grant Programs

As stated in Title 25 CFR Part 32.3, the BIE's mission is to provide quality education opportunities from early childhood through life in accordance with a tribe's needs for cultural and economic well-being, in keeping with the wide diversity of Indian tribes and Alaska Native villages as distinct cultural and governmental entities. Further, the BIE is to manifest consideration of the whole person by taking into account the spiritual, mental, physical, and cultural aspects of the individual within his or her family and tribal or village context.

The BIE is authorized to provide competitive grants to TEDs and TEAs under both 25 U.S.C. Section 2020, and the Sovereignty in Indian Education Program (SIE) Program.

1. Section 2020 grants

First authorized by Congress in 1988, Section 2020 grants are for the development and operation of TEDs and TEAs for the purpose of planning and coordinating all educational programs of the tribe, and to improve educational outcomes for students and improve efficiencies and effectiveness in the operation of BIE-funded schools. Section 2020 grants promote tribal education capacity building by focusing on the development and enforcement of tribal education codes, facilitating tribal control in education matters, and providing for education program coordination. The BIE began awarding grants under Section 2020 in FY 2015.

2. SIE Program (also known as the SIE Education Enhancement Initiative)

SIE grants are to promote tribal governance and operation of BIE-funded schools on tribal reservations. SIE grants support tribal capacity to fully manage and operate tribally controlled, BIE-funded schools and school systems in tribal communities, which schools were first defined by Congress in 1988. SIE grants support development and implementation of tribal school operational reform and governance restructure plans with goals of improved educational outcomes for students and improved efficiencies and effectiveness in school operations. The BIE began awarding grants under the SIE program in FY 2014.

B. TEDNA

Founded in 2003 through funding from the U.S. Department of Education to the Native American Rights Fund (NARF), TEDNA is an independent national non-profit organization that retains active membership of TEDs and TEAs. It is the mission of TEDNA to: Assemble and represent collectively indigenous sovereign nations' department of education; Respect and honor each nation's distinct spiritual, cultural, linguistic, and economic identities; Foster effective relationships with other governmental and educational agencies, organizations, and entities; Facilitate communication and cultivate consensus amongst members by, among other things, providing current, accurate, and pertinent information to members; and, Support and encourage goals for its students, families, and communities wherever they may be located.

TEDNA fully supports the TED and TEA Section 2020 and SIE grant programs which are providing long-needed assistance to tribal nations to effectuate sovereignty over education. Consistent with its organizational mission, TEDNA provides the following relevant services, including but not limited to:

1. Information and resources to ensure TEDs and TEAs have accurate and current guidance regarding tribal, state, and federal education laws;
2. Technical assistance and facilitation with planning, development, implementation, and revision of tribal education codes using promising practices and accurate and current legal information and resources including those provided by NARF;
3. Evaluation, testing, and strengthening of federal, state, and tribal policies and procedures affecting data and reports produced by and for TEDs and TEAs;
4. Development of partnerships between TEDs, TEAs, State Education Agencies, Local Education Agencies, and federal agencies, to better meet the needs of American Indian and Alaska Native students; and

5. Support for innovative TED and TEA activities to implement early college and community based college career readiness strategies for American Indian and Alaska Native students;.

III. PURPOSE AND SCOPE

A. Statement of Mutual Interest

The BIE and TEDNA share a mutual interest in the exercise of tribal sovereignty over education to improve educational opportunities and outcomes for American Indian and Alaska Native students. The BIE and TEDNA intend to promote this mutual interest in the context of TED and TEA Section 2020 and SIE grants by directing their respective resources and expertise in accordance with the MOU to support the TED and TEA Section 2020 and SIE grantees.

B. Statement of Commitments

1. Where appropriate, and subject to applicable laws, regulations, and availability of funding, the BIE and TEDNA will use their resources, expertise, and personnel to provide technical assistance to TED and TEA Section 2020 and SIE grantees. To the extent possible, BIE and TEDNA will work cooperatively in providing such technical assistance. The BIE will encourage TED and TEA Section 2020 and SIE grantees to partner with and / or utilize TEDNA in the provision of such technical assistance.
2. In addition to or in connection with the provision of technical assistance to TED and TEA Section 2020 and SIE grantees, to maintain and further the objectives and goals of the Section 2020 and SIE grant programs, the BIE and TEDNA will endeavor to: 1) plan and host specific joint meetings or gatherings; 2) prepare and disseminate appropriate documentation and other materials; and, 3) develop other specific joint initiatives.
3. To ensure that the mutual interest and commitments of this MOU are pursued in a meaningful, continuing and timely fashion, the BIE may request TEDNA to make available a representative to confer or meet with BIE on at minimum a monthly basis to: 1) review the work supported by this MOU; 2) share relevant information; 3) report on progress and barriers to progress; and, 4) identify potential new area(s) of collaboration.
4. No exchange of funds will occur under this MOU. This MOU does not obligate the BIE or TEDNA to spend funds on any particular project or purpose, even if funds are available.

IV. EFFECT, DURATION, MODIFICATION, REVIEW AND TERMINATION

This MOU shall become effective upon execution by both parties. This MOU shall remain in effect until terminated. This MOU may be modified upon mutual written agreement of both parties. Each party must respond to request for modification(s) within forty-five (45) days of receipt. This MOU will be reviewed annually from its effective date. This MOU can be terminated by either party upon issuance of written notice to the other party no less than 45 days before the proposed termination date; provided that, the 45 days' notice may be waived by mutual written consent of all parties to this MOU.

V. AUTHORIZED SIGNATORIES OF PARTIES

The individuals whose signatures appear below attest to having the right, power, and due authority to enter into this MOU on behalf of each entity.

For the U.S. Department of Interior, Bureau of Indian Education

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Date: _____

For the Tribal Education Departments National Assembly

Gloria Sly
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