

TRIBAL EDUCATION DEPARTMENTS NATIONAL ASSEMBLY



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

TESTIMONY OF CARRIE F. WHITLOW, CHEYENNE AND ARAPAHO TRIBES EXECUTIVE DIRECTOR OF EDUCATION AND TREASURER OF TEDNA, REGARDING FY 2018 FUNDING FOR TRIBAL EDUCATION

MAY 16, 2017

Chairman Calvert, Ranking Member McCollum, and Members of the Subcommittee, my name is Carrie F. Whitlow and I am an enrolled member of the Cheyenne-Arapaho Tribes and have been committed to serving my people for the past 10 years in various capacities. Currently, I serve as the Executive Director for the Cheyenne-Arapaho Tribes Department of Education. I am also the Treasurer of the Tribal Education Departments National Assembly (“TEDNA”). TEDNA is a national non-profit membership organization for the Education Departments/Agencies (“TEDs”) of American Indian and Alaska Native Tribes. Thank you for the opportunity to speak today about funding for TEDs. First and foremost, our sincerest gratitude for appropriating funds for past three Fiscal Years to support TEDs through the Department of the Interior’s Title 25, Section 2020 grants—and especially for providing a funding increase in Fiscal Year 2017. This Subcommittee clearly values the crucial role of TEDs in providing, supporting, and coordinating education programs and services to Native American students. As this Subcommittee noted in its report last year, “TEDs are instrumental in helping tribes build the capacity to oversee the high quality and culturally appropriate education of tribal members.”

I am pleased to report that tribal governments with TEDs are making historic progress in directing education programs and services – a role that federal education policy ignored for far too long and Congress has sought to change. Since the 1970s, with the Indian Self-Determination Act and scores of other laws, Congress has stated a policy supporting local, tribal control of many formerly federally-run programs and services for Native Americans. Finally, in the last few years Congress added direct federal funding for TEDs to the mix of the many governmental and socio-economic matters that Tribes now administer directly, with greatly reduced federal bureaucracy. As I will explain, continued funding is required to maintain and expand essential and successful work of TEDs for our Native American students, particularly those students

served by Bureau of Indian Education (BIE)-funded schools. For this, TEDNA respectfully requests \$5 million to support TEDs in the Department of the Interior, Environment, and Related Agencies appropriations bill for Fiscal-Year 2018.

AUTHORIZATION FOR FUNDING

Funding for TEDs through the Department of the Interior is authorized in the 25 U.S.C. § 2020.

JUSTIFICATION FOR FUNDING

The Department of the Interior Section 2020 funding authorization dates back to 1988. The original authorization was to “provide grants and technical assistance to tribes for the development and operation of tribal departments of education for the purpose of planning and coordinating all educational programs of the tribe.” Since its enactment, Congress has retained this important authorization in every major reauthorization of federal education laws. However, the authorization remained unfunded for more than 25 years. Remarkably, due to the commitment of this Subcommittee, Section 2020 grants finally received funding in Fiscal Year 2015. There are currently eleven Section 2020 TED grantees whose vital work and initiatives under these grants are just getting started. They and many other TEDs need continued and increased Section 2020 funding.

While most K-12 Native American students nationwide attend state public schools, the BIE-funded schools still serve tens of thousands of Native American students across the country, primarily in rural areas. For some Native American students, the 183 BIE-funded schools remain the only educational option because of the unavailability or unsuitability of state public schools for geographic or other reasons. Today, in keeping with federal laws encouraging tribal self-determination, Tribes operate most BIE-funded schools through contracts or grants. A few remain directly operated by the BIE.

As this Subcommittee is well aware, all BIE-funded schools are – and historically have been – drastically underfunded. Just last year, the Government Accountability Office testified to this Subcommittee about the BIE-funded schools’ longstanding issues including poor and unsafe conditions of school facilities and poor quality of educational opportunities. U.S. Government Accountability Office, Testimony before the Subcommittee on Interior, Environment, and Related Agencies, Committee on Appropriations, House of Representatives, *Indian Affairs: Key Actions Needed to Ensure Safety and Health at Indian School Facilities*, GAO-16-391T at 3 (Mar. 16, 2016). As the GAO stated, these factors potentially seriously harm Native American students and may irreparably hinder their academic success. *Id.* Undoubtedly, the BIE-funded schools and the students they serve are most in need of the assistance of TEDs.

This is precisely what Section 2020 grants are intended to address. A chief aim Congress identified for Section 2020 grants is the development of Tribal educational codes, including tribal educational policies and tribal standards applicable to curriculum, personnel, students, facilities, and support programs. Given this congressional intent and mandate, I would like to speak to my own experience as a tribal education director, as well as the highlight the work of two Section 2020 grantee tribes.

In my experience as Education Director with the Cheyenne-Arapaho Department of Education, I can attest to the value of building relationships with local school districts and the community. Indeed, our relationships with local school districts help us ensure equal opportunity for our students and facilitate a culturally rich education through Tribal education programs. Moreover, as a Tribal government, we understand the unique needs of our community and students. Thus, we also have achieved success by working one-on-one with students to provide emotional and academic support. This close relationship with the people we serve and the other entities serving our students is essential and is a central component of the two Section 2020 grantees' work that I would like to discuss next.

The Leech Lake Band of Ojibwe in Minnesota TED serves students attending 8 state public schools as well as Bug-O-Nay-Ge-Shig School, a BIE-funded school. In prioritizing capacity-building and crafting education policy, Leech Lake has actively sought the input of the community, including students, parents, and caregivers. The Tribe gathers information on the community's most important challenges, how stakeholders define "success" and what is needed to foster success in schools. Not surprisingly, many have responded that they need to be culturally supported within their school. As one student framed it: "education not only in the sense of a school setting, but also our cultural ways and our language." The feedback from the local, tribal community has led to a multi-pronged approach to policy and capacity building. This includes gathering data on the fields post-secondary students are graduating within, working with the tribal workforce development division to identify current and future workforce needs, and coordinating with the Minnesota Family Investment Program to ensure family financial stability so that students, parents and caregivers can focus on education.

The Tribe's Section 2020 grant funds an essential, foundational component of building tribal capacity. In order to meet its students' needs, Leech Lake is using its Section 2020 funding to develop a tribal education code and a comprehensive education plan that will be culturally specific to Leech Lake Band of Ojibwe. Activity funded by its Section 2020 grant has strengthened the Tribe's relationships with outside entities and was a catalyst for Leech Lake's involvement in areas beyond its grant. The Tribe's approach to supporting students mentally, culturally, emotionally and physically will foster student success in any educational setting.

The Rosebud Sioux Tribe in South Dakota is using its Section 2020 grant to broaden its assistance to its K- 12 students' educational needs. More than twenty-five years ago, the Tribe adopted one of the first tribal education codes in the United States, which, among other things, provides for the development of tribal curriculum and educational standards for all schools serving the Tribe's students. Because the vast majority of students attend state public schools on or near the Tribe's Reservation, the focus of education reform under the Code to date has been on these schools. Now, with the Section 2020 grant funds, the Tribe can better address the needs of students in the BIE-funded schools that serve the Tribe. The Section 2020 grant Code revisions will also help the Tribe focus on improved coordination between the BIE-funded schools and the public schools. This is precisely the type of work that Congress envisioned when it enacted Section 2020, and continued appropriations are essential for the Rosebud Sioux Tribe and other tribes to enact and revise their education codes accordingly.

The Section 2020 grantees are just beginning to demonstrate the positive impact they can have in Native American education. We want to continue our important work and build on our fledgling success, and continued – and increased – funding will help us do that. We face many unique challenges with the BIE-funded schools. As I have explained, they are all historically and presently severely underfunded and quite often geographically remote. There is another key aspect of their distinctiveness: BIE-funded schools typically are not well linked either amongst themselves or with their neighboring public school systems, even though all of these schools often serve the same student populations. Extra planning and coordination is required to make connections, share data, resources, and strategies and oversee and monitor efforts to improve education and educational opportunities where BIE-funded schools are involved and TEDs are in the best position to do that work.

This is how Section 2020 grants will best help Native American students – by developing and implementing programs, initiatives and strategies to increase graduation rates and post-secondary school readiness, and foster much-needed cooperation and coordination with entities carrying out education services and programs on Indian reservations. More specifically, TEDs will be able to 1) support early education initiatives and develop culturally relevant curriculum and assessments; 2) increase tribal participation through TEDs providing coordination, administrative support services, technical assistance to schools and education programs, 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 are core educational governance functions that are most appropriately left to the local government closest to the students being served: the Tribes. Section 2020 grants clearly help facilitate *local tribal control* of education.

While TEDNA recognizes this Subcommittee’s long-standing commitment to funding TEDs, we would be remiss if we did not again point out that the \$2 million figure authorized in Section 2020 for TED funding is more than 25 years old and in need of updating to reflect today’s true cost. If the authorization were simply adjusted for inflation, it would more than double. Accordingly, we view a \$5 million authorization as the bare minimum required to fulfill the intent of funding the important work of TEDs in Native American education. Further, while Section 2020 funding of course goes directly to TEDs, TEDNA, working closely with BIE, continues to play an important role in providing technical assistance to TEDs. TEDNA’s role is one that this Subcommittee understands and has long-acknowledged, and we respectfully request that it be memorialized in the report issued by this Subcommittee.

REQUEST

Continued investment in TEDs is sound federal policy. It efficiently focuses and maximizes scarce resources for a historically underserved population. It encourages and supports local control and tribal self-determination in education. This Subcommittee has an exceptional opportunity to further these goals and help generations of Native American students. TEDNA respectfully requests \$5 million for TEDs in the Department of the Interior, Environment, and Related Agencies appropriations bill for Fiscal Year 2018 to continue the ground-breaking, challenging, and beneficial work being done through the Section 2020 grants.