



National Indian Education Association

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NIEA RESOLUTION 11-005

TITLE: Opposition to Funding Flexibility Act (H.R. 2445)

WHEREAS, the National Indian Education Association (NIEA) was established in 1970 for the purpose of advocating, planning, and promoting the unique and special educational needs of American Indians, Alaska Natives and Native Hawaiians; and

WHEREAS, NIEA as the largest national Indian organization of American Indian, Alaska Natives and Native Hawaiian educators, administrators, parents and students in the United States, provides a forum to discuss and act upon issues affecting the education of Indian and Native people; and

WHEREAS, through its' unique relationship with Indian nations and tribes, the federal government has established programs and resources to meet the educational needs of American Indians, Alaska Native and Native Hawaiians, residing on and off their reserved or non-reserved homelands; and

WHEREAS, the Funding Flexibility Act (H.R. 2445) enables states to receive funds based on certain populations and formulas and then spend it freely on anything they choose, with no requirement to ensure that the money reach the intended students, schools, and communities; and

WHEREAS, the Elementary and Secondary Education Act, at its core, is a bill that sets out to ensure that underrepresented communities have an equal chance to succeed and to circumvent the intent of the various Titles is in direct opposition with the reality of why such laws are still necessary; and

WHEREAS, funds that are accepted on behalf of Native students should be used to serve Native students and not diverted to other sources, which would result in a decrease of desperately needed funds that Native American students are owed; and

WHEREAS, giving states full autonomy to spend education funds on anything they desire, with no responsibility and accountability to serve Native Americans, has historically been a dangerous practice and opens the possibility of states not fulfilling their obligation to fund Native programs, which would directly go against the trust responsibility that the federal government has to educate Native Americans; now

THEREFORE BE IT RESOLVED, that NIEA does hereby oppose the State and Local Funding Flexibility Act (H.R. 2445), introduced by Representative John Kline from Minnesota; and

BE IT FURTHER RESOLVED, that NIEA opposes this bill because it:

- 1) Potentially abrogates the federal trust responsibility to Indians

- 2) Potentially decreases desperately needed funding to Indians
- 3) Potentially reduces governmental accountability to Indians
- 4) Potentially is a step backwards for all the positive achievement gains in Indian education

Submitted by: Denny Hurtado

Name: Denny Hurtado

Tribe: Skokomish Indian Tribe

Co/Org/School/Tribe: NIEA Board Member, Legislative Committee Chairman