



NATIONAL INDIAN EDUCATION ASSOCIATION

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NIEA Resolution 2014-19

TITLE: SUPPORT UTILIZING U.S. CENSUS DATA FOR UPDATING THE JOHNSON O'MALLEY STUDENT COUNT

WHEREAS, we, the members of the National Indian Education Association (NIEA) of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Indian Education Association was incorporated in 1970 and advances comprehensive educational opportunities for American Indians, Alaska Natives, and Native Hawaiians throughout the United States.; and

WHEREAS, the National Johnson-O'Malley Association (NJOMA) is the elected advocate representing students, ages 3 through high school, who are enrolled or eligible for enrollment in federally-recognized tribes, not attending or served by Bureau of Indian Education (BIE) schools, and currently being served from respective tribal jurisdiction boundaries and service areas; and

WHEREAS, NIEA and NJOMA have established a consensus that the academic, social, and economic well-being of our Native students are our highest priority, regardless of where they attend school; and

WHEREAS, according to 25 CFR 273.1, the purpose of the Johnson-O'Malley (JOM) program is to meet the specialized and unique educational needs of Indian children attending public and some tribal schools through the use of supplemental education programs, and

WHEREAS, the BIE completed an inaccurate and unofficial student count in 2012 resulting in the continued use of the outdated certified student count of 278,000 from 1995; and

WHEREAS, according to the U.S. Census Bureau, there were 798,486 American Indian and Alaska Native students (alone) in the JOM-eligible age group, and 1,469,722 American Indian and Alaska Native students (alone or in any combination) in 2010, forcing more than 400,000 Native students to attend

school with unmet needs; and Census data is regularly collected, reliable information upon which the federal government regularly relies on for many other programs, including tribal; and

WHEREAS, without continued and accurately assumed levels of annual congressional funding, JOM programs that foster specialized, culturally-sensitive and unique educational programs will decrease in its ability to serve the true number of Native students eligible for JOM assistance; and

WHEREAS, federal agencies continue to forego providing accurate and timely JOM student count information to the United States Congress nor are sufficient steps being taken to guarantee the full participation of all eligible Native students and the public schools in which they attend;

NOW THEREFORE BE IT RESOLVED, that NIEA joins the NJOMA, the National Congress of American Indians (NCAI), the United South and Eastern Tribes (USET), and the Tribal Education Departments National Association (TEDNA) in support of efforts to use U.S. census data for a student count for the JOM program and for funding level determinations; and

BE IT FURTHER RESOLVED, that NIEA calls for the use of a uniform allocation funding formula based on U.S. census data after it has determined the most accurate depiction possible of the JOM-eligible student population; and

BE IT FURTHER RESOLVED, that NIEA welcomes the opportunity to work with NJOMA, NCAI, USET, TEDNA, and other stakeholders in developing and enacting federal policy and regulatory measures to modernize and position the Supplemental Education Program (known as the Johnson-O'Malley program) as a sustainable program whose future funding levels are adequate for assist all eligible students achieve academically so they may become the future leaders of tribal nations and promote positive academic, social, and economic changes for future generations; and

BE IT FINALLY RESOLVED, that NIEA recognizes the immediate nature and timely need to address this issue and therefore will officially request within two weeks immediate action pertaining to this issue within the Department of the Interior, the Bureau of Indian Education, and the United States Congress; and

CERTIFICATION

I do hereby certify that the following resolution was dully considered and passed by the National Indian Education Association on October 18, 2014 at which time a quorum of the membership was present.



Melvin Monette
President