



State of Native Education Address “Restoring the Trust in Native Education”

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Himeesqis Qeciyewyew nuunim Hanyawaat piamkcix kine weetespe (thank you to our Creator for gathering us here). ‘iinim weenikt wees Mary Jane Oatman-Wak Wak, an enrolled member of the Nez Perce Tribe of Idaho and descendent of the Delaware Nation. I currently serve as the Coordinator of Indian Education for the State of Idaho. As the President of the National Indian Education Association, it is my honor to provide the 2011 State of Native Education Address.

I want to thank the board members of the NIEA for your efforts and support in these last several months. I also want to thank our NIEA members for their patience and resolve during NIEA’s times of transition. I know that you will find the growing pains and fruits of the labor will be well worth it. Your support is allowing our NIEA to change the conversation about the impact of Native education for our children.

We are on the brink of incredible change and are all gathered with a single goal and purpose: to build our NATIONS. So on this day I speak to all of you about an issue that is central to that future – and that is the issue of our foundation - the important structure on which our Nations will be rebuilt. The foundation in which this occurs is through the right of self-determination, not just in terms of administrative control over federal programs with predetermined priorities, but self-determination that grows from your communities’ desire to shape your own futures and improve the quality of lives for this and many generations to come. This foundation of self-determination reminds me of Stephen Cornell’s chapter on *Colonial Legacies, Indigenous Solutions* that discusses the responsibilities “under conditions of genuine self-determination, what does or does not happen increasingly depends on what they do, and less on what federal governments or other outsiders do.”

There are many layers of policy, funding and politics that impact the education of Native children in this nation, but NIEA has never wavered from our foundational pillar of advocacy or of providing that voice to ensure that the federal trust responsibility for the education of our people is upheld. We will continue to lead in this area- but are emerging into new scopes of services and research development - to shift gears and provide the customer service that our members deserve.

TRUST

The Constitution recognizes the fundamental right and legal distinction of Indians people. The “trust relationship” has existed between the U.S. government and the American Indian ever since. In administering this trust, the various federal agencies are responsible for preserving, protecting, and guaranteeing Indian rights and property. All of these federal programs for Indians share two purposes: the fulfillment of specific treaty provisions and the commitment to the Indian tribes to improve their social and economic conditions.

The pendulum has shifted back and forth in terms of the fulfillment of these responsibilities. Under the Obama Administration, we have had unprecedented levels of Indian Education Policy reform. Yet we proceed with caution, being fully aware of the changing political environment and the increasing budget deficits. The Office of Management and Budget has directed all agencies to reduce their budgets by 5%... we must ensure that our Native communities are held harmless from these cuts, again reflecting on the unique legal and moral duty of the United States to assist Indians in the protection of their property and rights.”

Trust has as its primary purpose the continued survival of Indian tribes and their governments. The trust relationship existing between the federal government and Indian tribes governs that special, unique relationship between the United States government and Indian nations.

Since the introduction of colonial education to our people, the curriculum in Indian schools offered no Indian languages, culture, or history. The same languages that tie Native peoples to the land and their pre-histories are endangered. NIEA

supports Native Nations recognition that culture and land are interrelated-and that the past record of denying our culture and languages were a part of the federal policy to destroy our traditional way of life.

BREACH

The initial attempt at educating American Indians was to fulfill a mission to change our cultures, traditions, and values- our way of life... or "Kill the Indian, Save the Man." In many instances our languages were banned & our people were punished for speaking them. The late Nez Perce elder Hinmatooyalokot Laxaylaxay, Irving Waters I, shared with me his experience on the first day of boarding school when he was a young boy. He was sat next to his brother, whom he had not seen in nearly a year, and turned to him to greet him in Títooqatim only to be spanked for speaking the tongue gifted to him by the Creator.

Schools were established as an attempt to "civilize and convert" the natives. Every attempt at changing the American Indian/ Alaska Native/Native Hawaiian) has met with failure or minimal success. Early approaches at changing the American Indian are explained in an 1899 statement by a top government Indian affairs official:

"The settled policy of the government is to breakup the reservations, destroy tribal relations, settle Indians upon their own homesteads, incorporate them into the national life, and deal with them not as nations and tribes or bands, but as individual citizens. The American Indian is to become the Indian American..."

This statement makes it very clear... that Indian education policies have historically had two thrusts: isolation and assimilation. Both these thrusts have been challenged by Native people: Indians today are deeply concerned with getting effective and relevant education for their children. They want the educational system to reflect tribal values and their way of life, and they feel they ought to influence and exercise control over this education.

In 1928, the most significant investigation ever conducted in the field of Indian affairs-the Merriam Report-was published. Among its major findings was the reality that Indians were receiving poor quality of services, especially health and education, from the public officials charged with upholding the trust responsibility. The report suggested that public schools, with their traditional curriculums, were not the answer: "The Indian family and social structure must be strengthened, not destroyed. The qualifications of teachers in Indian schools must be high, not poor to average. The federal school system must be a model of excellence."

GENERATIONAL POVERTY

The experiences highlighted in the Merriam Report and the history of abuse and poverty are of still of great concern, because our children and families still suffer from the residual effects of the termination and assimilation policies. Current data shows that many of our tribal students suffer from disproportionately low achievement scores, graduation rates, and educational attainment levels. And these dropout statistics have a great impact on the tribal and national economy. According to a study from the Alliance for Excellent Education, if half of the Class of 2008 dropouts actually graduated:

- They would have earned a combined \$23.9 million dollars more than if they didn't graduate.
- Of that \$23.9 million, \$16.8 million would have been spent in the communities and \$6.5 million would have been invested each year. Home purchases would have increased by \$61.5 million.
- This is money that would have been poured back into our Native communities, improving efforts to effectively manage natural resources, improve the reach of tribal governments, and innovate for the future with developing energy resources for a better nation.

The education deficit that continues to plague our students is the impetus for change and the reason that our tribal leaders are stepping up to the plate in the management of education policies and programs impacting their children. NIEA and the National Congress of American Indians will continue to work together to find joint strategies and solutions to ensure the voices of our Native children are heard.

RESTORING THE SACRED TRUST

NIEA is on a relentless pursuit of progress to restore the sacred Trust, and we're doing more behind the scenes to maintain that momentum. We are looking to move forward in this effort in three ways. First, we will increase the emphasis on culture and language instruction, especially by having increased amounts of data and research about what works best for our Native students. Second, we unite to restore the trust by increasing local and tribal control of Indian Education. Third, we need to join together, both within our tribes and also collaborate with Native education organizations and government agencies to

do what is best for our children. And fourth, our success depends on capturing and telling our story of success, both for the benefit of sharing with others, but also so that all will know how incredibly successful we are.

Culture and Language Instruction

We started with the lifeblood of our organization, our members, to make sure that the benefits and services align with our mission and support their efforts to increase education opportunities for Native students. We are encouraged that the US DoE has conducted the tribal leader/community consultations and these key findings and data will be an integral piece in driving the much needed reform in the reauthorization of ESEA.

Local and Tribal Control

We will continue to advocate for the expansion of opportunities for Native nations to set their own priorities and manage their own programs, dollars and systems that INCREASES accountability. Our Native communities have a better idea of what's wrong and what the priorities should be, yet many continue to find themselves competing with each other for funding that does not align with their priorities as a short term mean of improving the lives of their nation's citizens. Our tribal leaders are stepping forward and in a unified voice saying they that they want to lead in the co-management of our Nations greatest natural resource- our children. As one tribal leader so eloquently stated: "If we don't perform, hold us accountable."

Collaboration

Collaborations and partnerships are essential when putting the Native "self" back into self-determination. Former NCAI President and Tribal Chairman Joe Garcia stated it best at the May 2, 2010 Tribal consultation, "If we can initiate a partnership, a partnership between the tribes, NCAI, NIEA, the White House and the Department of Education, as well as the BIE, then we've got the right group moving toward a common goal." A part of this common goal goes back to data - sharing of data between these agencies and our tribal communities are an essential part of telling our stories. But there is a lot we NEED to know: the "where" and "who" of our students. It is imperative that the BIE and DOE work together to conduct a new survey and accounting of our students. Our tribes and schools are currently funded for Johnson O'Malley at a 1994 student count. The funding freeze must be lifted so that funding for these programs are based upon a true reflection of our student populations. As an example, one of the P.L. 93-638 contracts for JOM is funded for the 2008-09 school year at a student count of 3,154 but the actual Indian student count for 2008-09 was 4,242.

We must work with the U.S. Department of Education and Department Of Justice Office of Civil Rights to address the fact that our country suspends, expels, pushes out, and eventually incarcerates our youth and citizens. The United States leads all countries in the percentage of its citizens incarcerated. Our American Indian youth make up 1 percent of the U.S. population ages 10-17, but constitute 2 to 3 percent of the youth arrested for such offenses as larceny-theft and liquor law violations."

Unprecedented levels of collaboration are taking place between the US Department of Education and the Department of Interior's Bureau of Indian Education. The Department of Education's series of Tribal Leader Consultations throughout the country are not over, but were rather the beginning of a collaborative approach at revitalizing the education systems within Native communities. Cooperative agreements and intergovernmental collaboration are a valid means of exercising tribal sovereignty. They do not in and of themselves compromise tribal sovereignty.

The BIE, under the leadership of director, Mr. Keith Moore, is partnering with tribal nations to create an education system that supports academic achievement, safe learning environments, student growth, tribal control, and the teaching of tribal cultures and languages. Tribal control is the essence of local control, and under the current direction of the BIE, those school systems will emerge as successful models of tribal control and excellence.

But the advocacy for the successful transitions for our Native people does not begin in the K-12 setting. Our advocacy starts before a life is formed and follows our people into the transition as wisdom keepers, the elders in our communities. A critical component in our Nation building process includes the establishment of priorities for our Native students in higher education. Tribes must take an active role in promoting and addressing Native higher education issues at a community and national level. Respectively, the BIE has a longstanding role in Native higher education and needs to support tribes in more effectively addressing priority areas. Further the trust responsibility of the federal government to provide for the education of Native students must be a priority. Addressing these issues will require collaborative efforts that involve tribe, federal

agencies, education institutions national organizations and communities.

Sharing our Story

We have a powerful story to tell – one that empowers Native youth to succeed beyond any barriers that are placed in their way. To fully restore the sacred trust, we need to restore the “self” in self-determination by capturing and sharing our story of success. This is incredibly important for two reasons: When we collaborate and share the stories of what works when educating our Native children will rise to the top; and when we share stories of success, all of the world will know how incredibly essential our educational programs are and the power that they hold for the future of Native children. My story is much different than the late Nez Perce elder Hinmatooyalokot Laxaylaxay– I had the opportunity to minor in my Native language in a four year higher education institution. NIEA wants you all to share your story of how language and culture is cherished and shared in a way that builds up the foundation of our Nations, our communities, our families.

The momentum towards self-determination as it relates to Indian Education began many decades ago. As former Deputy Commissioner of the Office of Indian Affairs Purnell Swett stated, “the passage of the Indian Education Act of 1972 marked a milestone of change for Indian people in many ways—in the role they were to play in their children’s education; in the quality of education Indian children were to receive; in the accepted policy of telling Indian people what they could have rather than asking them what they wanted. In essence, the keynote in Indian education continues to be change but with one significant difference. We are now in a position to initiate that change.”

And the change has begun. This new era of Indian Education Policy is moving in the right direction. Please join us in putting the Native at the forefront of education and self-determination. Join us in increasing our ability to more effectively educate our children with the necessary steps to restore the sacred trust. Qeciyewyew/thank you all for gathering to tell our story of success both on Capitol Hill and in our local and state communities so that the discussions about Native education reflect the voice of our Native Nations.

Restoring the Trust and Honoring the Constitution through Federal Appropriations

A critical way to restore the Trust in Native education is to honor the Constitution through Federal Appropriations. Our Republican and Democrat legislators are concerned about the tough economic times that this great nation faces. Some policy makers state that they want to return Federal domestic program funding to 2008 levels – which would be between a \$55 – 60 billion dollar cut and would be catastrophic to American Indian, Alaska Native and Native Hawaiian education programs. Some Members of Congress would go even further, effectively defunding large government programs that support our children. In contrast, in the White House Tribal Nations meeting last December, President Obama said that the FY 2012 budget, those most in need would be cut the least.

We are also in a unique moment in history with a very large freshman Congressional class in the House of Representatives, many of whom represent our homelands. We will be walking onto Capitol Hill this week as both Congressional houses are in a state of flux – the 112th Congress is settling in, committee assignments and rules are being made, and Members are marking out their own roles. This is the perfect time to change the legislative and budget conversation to show the best and most effective practices that we use to educate our children. Our methods work – let’s tell Congress how and why we make a difference through our Native children in ways that impact our great nation.

Despite the budget situation, Native education programs and funding cannot be cut any more than they already have in the past. Federal funding generates dramatic economic, social and cultural returns, and fulfills the Federal government’s trust obligation to Native peoples.

Restoring the Trust Through Increased Culture and Language Instruction

We can work to restore the Trust by making Indian Education a national priority. I was encouraged to hear President Obama place such a high emphasis on education reform in his State of the Union speech a few weeks ago. He stated that EVERY child deserves a quality education and that “higher education must be within the reach of every student.” I stand firm and say that American Indian, Alaska Native and Native Hawaiian students MUST be a part of this conversation. We want to see this realized in the reauthorization of the Elementary and Secondary Education Act in the 112th Congress.

Since 2005, NIEA has actively prepared for the reauthorization of ESEA by conducting 11 field hearings and numerous listening sessions with Native students, educators, school administrators, Native parents, and tribal leaders to learn about the challenges Native people face under ESEA. NIEA developed its proposed amendments to ESEA based upon all the input it

received over two years and submitted these amendments to the House Education and Labor Committee and the Senate Health, Education, Labor, and Pensions Committee, and the ESEA bills drafted in the 110th Congress included many of NIEA's proposed amendments, including provisions that create a Native language immersion and revitalization grant program in Title VII of ESEA within the Department of Education.

In his State of the Union speech, President Obama said that this act would replace No Child Left Behind with "a law that is more flexible and focused on what is best for our kids." To that end, the reauthorization should respect tribal sovereignty, the self-determination of Native peoples, and the protection and instruction of Native American languages. We also recommend that it includes:

- Expanding Title VII to address the unique cultural and educational needs of Native students
- Improving cooperation among tribes, states and the Federal government – making sure all are placing education as a top priority
- Providing support for Native American language instruction
- Improving opportunities for parents, families and tribes to participate in the education process
- Improving the measurement system for Adequate Yearly Progress that reflects our students' success
- Requiring data collection and research evaluation on Native education
- Increasing funding for ESEA, especially Title VII

On behalf of the National Indian Education Association board, staff and members, Himeesqis Qeciyewew nuunim Hanyawaat piamkcix kine weetespe (thank you to our Creator for gathering us here). Thank you to our past warriors, the founders of NIEA, and all of you as our members - the fabric of our organization - that allows us to be strong today while we plan for many, many generations to come. Yox Kalo (Now, that is all).