



# 2014 Native Youth Report

Executive Office of the President  
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(Official White House Photo by Pete Souza)

## Introduction

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*Let's put our minds together to improve our schools -- because our children deserve a world-class education, too, that prepares them for college and careers. And that means returning control of Indian education to tribal nations with additional resources and support so that you can direct your children's education and reform schools here in Indian Country. And even as they prepare for a global economy, we want children, like these wonderful young children here, learning about their language and learning about their culture, just like the boys and girls do at Lakota Language Nest here at Standing Rock. We want to make sure that continues and we build on that success.—President Barack Obama<sup>1</sup>*

In June 2014, President Obama embarked on his first presidential visit to Indian Country, where he and Mrs. Obama witnessed the tale of two Americas. Standing Rock Reservation, like many others, faces myriad social, economic, and educational problems. Together, those problems are coalescing into a crisis for our most vulnerable population – Native youth. The specific struggles that Native youth face often go unmentioned in our nation's discussions about America's children, and that has to change. In their visit to Standing Rock, President and Mrs. Obama met with a group of Native youth, who courageously shared their stories of struggle and triumph. After hearing their stories, President Obama challenged his Administration to do more and do better for the young people of Indian Country.

The Obama Administration is working to find solutions to the pressing problems that confront Native youth, with an emphasis on education, economic development, and health. This report aims to bring attention to these matters and to issue a call to action to all Americans, to work together to remove barriers that stand between Native youth and their opportunity to succeed.

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<sup>1</sup> Barack Obama, President of the U.S., Remarks by the President at the Cannon Ball Flag Day Celebration (June 13, 2014), <http://www.whitehouse.gov/the-press-office/2014/06/13/remarks-president-cannon-ball-flag-day-celebration>.

Native youth have a special role as citizens of tribal nations in defining the future of this country, and also in leading Native cultures, traditions, and governments into the next century. However, they experience significant institutional and intergenerational challenges in reaching their potential. Native children are far more likely than their non-Native peers to grow up in poverty, to suffer from severe health problems, and to face obstacles to educational opportunity. These conditions are systemic and severe, and must be addressed through increased resources and strategic action.

The United States has a unique nation-to-nation relationship with and owes a trust responsibility to Indian tribes. The federal government's trust relationship with Indian tribes (which is based on treaties, agreements, statutes, court decisions, and executive orders) charges the United States with moral obligations of the highest responsibility. Yet, despite the United States' historic and sacred trust responsibility to Indian tribes, there is a history of deeply troubling and destructive federal policies and actions that have hurt Native communities, exacerbated severe inequality, and accelerated the loss of tribal cultural traditions. The repudiated federal policies regarding the education of Indian children are among those with a devastating and continuing effect on Native peoples.

Past efforts to meet trust obligations often have led to problematic results, even when intentions were good. Education was at the center of many harmful policies because of its nexus with social and cultural knowledge. Education was—and remains—a critical vehicle for impacting the lives of Native youth for better or worse. Beginning in the early 1970s, the federal government resumed support of tribal sovereignty and self-determination, recognizing the significant gaps in opportunities and life outcomes created in the previous two centuries. In

education, recognizing that tribes must be part of the solution in Indian country meant that federal policy shifted to align itself more closely with tribal goals.

Unfortunately, in addition to the other negative effects of decades of debilitating poverty on Native youth, educational progress was and continues to be hindered by poor physical infrastructure in the schools serving Native youth. Today, federal and state partners are making improvements in a number of areas, including education, but absent a significant increase in financial and political investment, the path forward is uncertain. Despite advances in tribal self-determination, the opportunity gaps remain startling:

- More than one in three American Indian and Alaska Native children live in poverty<sup>2</sup>
- The American Indian/Alaskan Native high school graduation rate is 67 percent,<sup>3</sup> the lowest of any racial/ethnic demographic group across all schools. And the most recent Department of Education data indicate that the Bureau of Indian Education (BIE) schools fare even worse, with a graduation rate of 53 percent, compared to a national average of 80 percent.<sup>4</sup>
- Suicide is the second leading cause of death—2.5 times the national rate—for Native youth in the 15 to 24 year old age group.<sup>5</sup>

Without many urgently needed investments and reforms targeting Native youth in education and other high impact areas, Native youth face even greater challenges in the future.

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<sup>2</sup> Data from the 2008-2012 Amer. Community Survey 5-year estimates, U.S. Census Bureau, U.S. Dep't of Commerce (Dec. 17, 2013) [hereinafter 2008-2012 ACS].

<sup>3</sup> *Indian Students in Public Schools- Cultivating the Next Generation: Hearing on Indian Education Before the S. Comm. on Indian Affairs*, 113th Cong. (2014) (testimony of William Mendoza, Exec. Dir., White House Initiative on Am. Indian and Alaska Native Educ.).

<sup>4</sup> See MARIE C. STETSER & ROBERT STILLWELL, U.S. DEP'T OF EDUC., NAT'L CTR. FOR EDUC. STAT., PUBLIC HIGH SCHOOL FOUR-YEAR ON-TIME GRADUATION RATES AND EVENT DROPOUT RATES: SCHOOL YEARS 2010-11 AND 2011-12 10 (2014), available at <http://nces.ed.gov/pubs2014/2014391.pdf>.

<sup>5</sup> Pamela Hyde, Adm'r, Substance Abuse and Mental Health Servs. Admin., U.S. Dep't of Health & Human Services, *Behavioral Health and Tribal Communities* (Feb. 8, 2011), at <http://www.store.samhsa.gov/shin/content/SMA11-PHYDE020811/SMA11-PHYDE020811.pdf>.

The impact of these challenges is significant; 39 percent of the American Indian and Alaska Native population is under 24 years old<sup>6</sup>—compared to 33 percent of the total population. Across the United States, tribes and their communities are making meaningful and often transformative differences in the lives of their children. By bolstering the interest and involvement of Native youth in tribal cultures and traditions, Native communities have learned how to reach struggling youth. But the challenges faced by Native youth require broader support. Federal, state, local, and tribal governments, as well as private and nonprofit sector institutions, all have roles in assuring that all young people have the tools and opportunities they need to succeed.

This report summarizes the nature and effect of misguided federal policies on Native children historically, with a particular focus on education. It then examines the breadth of negative consequences, including poor health, education, and employment outcomes, which are the legacy of these past policies. Next, this report describes the education systems currently serving Native youth and focuses on some root causes of the persistent educational disparities identified in the prior section. Finally, this report proposes some broad recommendations on opportunities for tribes to engage with other governmental entities and the private and nonprofit sectors to strengthen ladders of opportunity for youth and to help rebuild more prosperous, resilient tribal nations. In doing so, this report identifies areas where promising work is already taking place and where more work is needed.

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<sup>6</sup> 42 percent compared to 34 percent of the total population—and a large bubble in the 15-19 age group in particular, Data from 2008-2012 ACS, *supra* n. 2.

# The History of Federal Educational Policies

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*"Only by complete isolation of the Indian child from his savage antecedents can he be satisfactorily educated." —John B. Riley, Indian School<sup>7</sup>*

The hallmarks of colonial experiments in Indian education were religious indoctrination, cultural intolerance, and the wholesale removal of Native children from their languages, religions, cultures, families, and communities. The overlapping goals of this “education” and “civilization” operated as euphemisms and justifications for taking culturally and physically injurious actions against Native children and their peoples. As a tool of colonization, education served the dual purposes of imposing European and Euro-American cultures and justifying seizure of Indian land. Early examples include the Puritans’ “praying towns,” established in the 1600s to separate Native people from their nations and to Christianize them,<sup>8</sup> and the first boarding school for Native students in 1754.<sup>9</sup> Early American diplomacy engaged tribes through treaties and substantive diplomatic protocol that acknowledged their importance in securing independence, territory, and unity among the states. At the same time, American policy toward Indian peoples deeply focused on assimilationist strategies. Indian education provisions and vague references to “civilization” became a feature of treaties between the U.S. treaties with tribal nations. In 1819, Congress established a permanent “civilization fund” to “award, in effect, religious franchises of named Indian tribes to Christian denominations for the purpose of education and conversion to Euro-American ways.”<sup>10</sup>

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<sup>7</sup> John B. Riley, *Report of the Indian School Superintendent*, in U.S. BUREAU OF INDIAN AFFAIRS, ANNUAL REPORT OF THE COMMISSIONER OF INDIAN AFFAIRS FOR THE YEAR 1886 LXI (1886).

<sup>8</sup> JON REYHNER & JEANNE EDER, *AMERICAN INDIAN EDUCATION: A HISTORY* 26-28 (2006).

<sup>9</sup> Lorie Graham, *The Past Never Vanishes: A Contextual Critique of the Existing Indian Family Doctrine*, 23 *Am. Indian L. Rev.* 1, 12 (1999).

<sup>10</sup> NATIONAL MUSEUM OF THE AMERICAN INDIAN SMITHSONIAN INSTITUTION, *PAST, PRESENT AND FUTURE: CHALLENGES OF THE NATIONAL MUSEUM OF THE AMERICAN INDIAN* 33 (2011).

Over time, the federal government's support for religious organizations in Indian education became a centralized system of federally-funded Indian boarding schools. The pioneer of this education/civilization model was Captain Richard Henry Pratt, a longtime soldier and



Three young Lakota Indian boys pictured (left) wearing their tribal clothing upon their arrival at Carlisle, and (right) a short time later wearing their school military-style uniforms, ca. 1900. Photos courtesy the Smithsonian National Anthropological Archives.

veteran of the Civil War and Indian Wars. After turning an Army prison in Florida into a “school for civilization” in 1875, Pratt opened the Carlisle Indian School in 1879.<sup>11</sup> His now-infamous maxim—“Kill the Indian, Save the Man”—

encapsulated both the objective of his assimilationist vision and the psychological and actual violence with which it was executed.<sup>12</sup> School officials closely monitored student behavior and punished students for speaking Native languages and practicing tribal traditions or religions.<sup>13</sup> Pratt's arrogant and paternalistic plans sought elimination of Native peoples' cultures and identities under the guise of Indian education.

While many boarding schools did not conform entirely to the Carlisle model, nearly all Native students were subjected to a two-pronged assault on their tribal identities from the moment they entered one of these institutions. First, school officials stripped away all outward signs of Indian children's association with tribal life. School officials mandated uniforms,

<sup>11</sup> RICHARD HENRY PRATT, *BATTLEFIELD AND CLASSROOM: FOUR DECADES WITH THE AMERICAN INDIAN, 1867-1904* xxi (Robert M. Utley ed., Univ. of Okla. Press 2003) (1964).

<sup>12</sup> *AMERICANIZING THE AMERICAN INDIANS: WRITINGS BY THE “FRIENDS OF THE INDIAN” 1880-1900* 261 (Francis Paul Prucha ed., Harvard Univ. Press 1973).

<sup>13</sup> See generally DAVID WALLACE ADAMS, *EDUCATION FOR EXTINCTION: AMERICAN INDIANS AND THE BOARDING SCHOOL EXPERIENCE, 1875-1928* (Univ. of Kan., 1995).



dictated hair length<sup>14</sup>, and in many cases ordered children to change their Indian names to common Euro-American names.<sup>15</sup> Second, the boarding schools' pedagogy was intended to eliminate the traditional culture from Native youth and restructure their minds and life-ways. Boarding school educators commonly had four key goals: to teach students English, Christianize them, inculcate within them the values and beliefs of possessive individualism, and ultimately prepare them for American citizenship.<sup>16</sup> Furthermore, by removing children from the “corrupting” influences of their families and everyday reservation life for years at a time, these institutions usurped Indian parenting responsibilities, tore apart tribal kinship networks, and destroyed the fabric of Indian communities.<sup>17</sup>

Native families responded to these policies with a mixture of resistance and accommodation. One Hopi student recounted how children and their parents evaded compulsory school attendance through “a desperate game of hide-and-seek” with school officials and police. The student recalled that while they hid, they “saw the feet of the principal and the policeman as they walked by, and . . . as they looked about wondering where the children were.”<sup>18</sup> Mandatory school attendance was further enforced through congressional action. Laws and treaties authorized provisions that denied parents subsistence rations if they refused to send their children to school.<sup>19</sup>

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<sup>14</sup> *See Id.* at 101 (explaining that long hair held various cultural meanings for different tribes, and this mandatory policy proved humiliating for the majority of students); *see also* U.S. BUREAU OF INDIAN AFFAIRS, ANNUAL REPORTS OF THE DEPARTMENT OF INTERIOR FOR THE FISCAL YEAR ENDING JUNE 30 1902, Indian Affairs, Part 1. Report of the Commissioner, and Appendixes 13-15 (1903).

<sup>15</sup> Teachers renamed a large portion of their new Native students—a procedure that symbolized bestowing Indian children with a new American identity and discarding the relics of their “savage pasts.” Daniel L. Littlefield, Jr. & Lonnie E. Underhill, *Renaming the American Indian: 1890-1915*, 12 AM. STUDIES 33, 33-45 (1971).

<sup>16</sup> ADAMS, *supra* note 13, at 22-24.

<sup>17</sup> GRAHAM, *supra* note 9, at 14.

<sup>18</sup> MICHAEL C. COLEMAN, *AMERICAN INDIAN CHILDREN AT SCHOOL, 1850-1930*, at 62 (Univ. of Miss. Press 1993).

<sup>19</sup> *See, for example*, Regulations by Secretary of the Interior to secure attendance at school, 25 U.S.C. § 282 (1920); Indian Reform School; rules and regulations; consent of parents to placing youth in reform school, 25 U.S.C. § 302 (1906).

The broader cultural conflict was not lost on tribes; confronted with a changing and increasingly foreign world, some sent their children to school as a survival mechanism, with the hope that Euro-American education would provide the tools needed to succeed in the outside world.<sup>20</sup> Despite these efforts, boarding schools failed in their mission to transform Native children into images of their Euro-American counterparts. Instead, many students experienced traumatic alienation when they returned home, finding themselves no longer able to connect with their families, while simultaneously confronting the endemic racism that limited and undermined their ability to fully join the non-Indian world.

The early twentieth century saw federal policy go full circle, with a brief departure from an assimilation-based approach to one that supported tribal sovereignty and a quick return to assimilationist practices. In 1923, Commissioner of Indian Affairs John Collier declared that “the administration of Indian affairs [is] a disgrace—a policy designed to rob Indians of their property, destroy their culture [,] and eventually exterminate them.”<sup>21</sup> Five years later, the Meriam Report condemned the boarding schools’ “deplorable health conditions,” noting the prevalence of tuberculosis and trachoma, and commented that “the question may very properly be raised as to whether much of the work of Indian children in boarding schools would not be prohibited in many states by child labor laws.”<sup>22</sup>

These criticisms prompted a shift in federal Indian education policy that recognized the value of maintaining Native cultures and strengthening tribal families and social structures.<sup>23</sup> As a result, during the 1930s, the Bureau of Indian Affairs closed 16 boarding schools and opened 84

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<sup>20</sup> COLEMAN, *supra* note 18, at 105.

<sup>21</sup> REYHNER & EDER, *supra* note 8, at 207.

<sup>22</sup> INST. FOR GOV’T RESEARCH., MERIAM REPORT: THE PROBLEM OF INDIAN ADMINISTRATION 32 (1921), [http://www.narf.org/nill/meriam/n\\_meriam\\_chapter9\\_part1\\_education.pdf](http://www.narf.org/nill/meriam/n_meriam_chapter9_part1_education.pdf).

<sup>23</sup> REYHNER & EDER, *supra* note 8, at 11.

reservation-based day schools.<sup>24</sup> However, this positive shift was not universal. For example, the House Select Committee on Indian Affairs declared in 1944 that, “[t]he goal of Indian education should be to make the Indian child a better American rather than to equip him simply to be a better Indian.”<sup>25</sup> The Committee disapproved of on-reservation day schools and encouraged a return to boarding schools<sup>26</sup>, where children could “progress” much more quickly in learning the “white man’s way of life.”<sup>27</sup>

In 1969, the Senate convened a Special Subcommittee on Indian Education to investigate the challenges facing Native students. The resulting report, entitled “Indian Education: A National Tragedy, a National Challenge,” informally known as the Kennedy Report, delivered a scathing indictment of the federal government’s Indian education policies. It concluded that the “dominant policy . . . of coercive assimilation” has had “disastrous effects on the education of Indian children.”<sup>28</sup> The Subcommittee detailed 60 recommendations for overhauling the system, all of which centered on “increased Indian participation and control of their own education programs.”<sup>29</sup>

Congress also moved to enhance the role of Native nations in education, with the Indian Education Act of 1972,<sup>30</sup> the landmark Indian Self-Determination and Education Assistance Act of 1975,<sup>31</sup> the Tribally Controlled Community College Assistance Act of 1978,<sup>32</sup> and the

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<sup>24</sup> INDIAN EDUCATION: A NATIONAL TRAGEDY— A NATIONAL CHALLENGE, S. REP. NO. 91-501, at 13 (1969) [hereinafter KENNEDY REPORT].

<sup>25</sup> H.R. REP. NO. 78-2091, at 9 (1944).

<sup>26</sup> As late as 1974, more than 17 percent—or 34,000—of all Native youth attended federal boarding schools. Ryan SeeLau, *Regaining Control Over the Children: Reversing the Legacy of Assimilative Policies in Education, Child Welfare, and Juvenile Justice that Targeted Native American Youth*, 1 Am. Indian L. Rev. 37, 86 (2012-2013).

<sup>27</sup> H.R. REP. NO. 78-2091, at 9.

<sup>28</sup> KENNEDY REPORT, *supra* note 24, at 21.

<sup>29</sup> KENNEDY REPORT, *supra* note 24, at xiii.

<sup>30</sup> Pub. L. No. 92-318, 86 Stat. 334 (1972) *repealed by* Tribally Controlled Schools Act of 1988, 102 Stat. 414.

<sup>31</sup> Pub. L. No. 93-638, 88 Stat. 2206 (1975) (codified as amended at 25 U.S.C. § 450 et. seq. (2006)) (authorizing tribes to contract directly with the federal government to operate Bureau of Indian Education schools).

<sup>32</sup> Pub. L. No. 95-471, 92 Stat. 1325 (1978) (codified as amended at 25 U.S.C. § 1802 et. seq. (1988) (supporting the development of tribal colleges and universities)).

Tribally Controlled Schools Act of 1988.<sup>33</sup> These laws provided tribal governments, communities, and families with unprecedented opportunities to influence the direction of their children's future.

The inconsistent and often detrimental history of education policy up to that point left lasting scars, which continue to affect Native youth and the underlying nation-to-nation relationship. Today, tribes operate more than two-thirds of Bureau of Indian Education schools<sup>34</sup> and 37 tribal colleges and universities.<sup>35</sup> More than 200 tribal nations have created their own education departments or agencies and vested them with the authority and responsibility to implement tribal education goals and priorities.<sup>36</sup> Despite these significant strides, today's Native youth continue to confront formidable barriers to success.

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<sup>33</sup> Pub. L. No. 100-297, 102 Stat. 385 (1988) (codified as amended at 25 U.S.C. §§ 2501 et seq. (2002)).

<sup>34</sup> Bureau of Indian Education Study Group, Findings and Recommendations, Submitted to the Secretaries of the Dep'ts of the Interior and Educ. (June 27, 2014) [hereinafter BIE Blueprint], *available at* <http://www.doi.gov/news/loader.cfm?csModule=security/getfile&pageid=537280>.

<sup>35</sup> American Indian Higher Education Consortium, *at* <http://www.aihec.org/index.cfm> (last visited Nov. 30, 2014).

<sup>36</sup> AMY BOWERS, TRIBAL EDUCATION DEPARTMENTS NATIONAL ASSEMBLY, TRIBAL EDUCATION DEPARTMENTS REPORT 1 (2011), *at* <http://www.narf.org/narf/resources/education/reports/tefnareport2011.pdf>.

# The Current Crisis of Native Youth

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*“Whoever controls the education of our children controls our future.”—Wilma Mankiller, former Principal Chief of the Cherokee Nation<sup>37</sup>*

While the many challenges facing today’s Native youth are complex and interconnected, they cannot be divorced from the enduring legacies of historic U.S. policies. In 2000, then-Assistant Secretary of Indian Affairs Kevin Gover (Pawnee) incisively described this relationship when he reflected on the 175<sup>th</sup> Anniversary of the Bureau of Indian Affairs:

This agency forbade the speaking of Indian languages, prohibited the conduct of traditional religious activities, outlawed traditional government, and made Indian people ashamed of who they were. Worst of all, the Bureau of Indian Affairs committed these acts against the children entrusted to its boarding schools, brutalizing them emotionally, psychologically, physically, and spiritually. Even in this era of self-determination, when the Bureau of Indian Affairs is at long last serving as an advocate for Indian people in an atmosphere of mutual respect, the legacy of these misdeeds haunts us. The trauma of shame, fear and anger has passed from one generation to the next, and manifests itself in the rampant alcoholism, drug abuse, and domestic violence that plague Indian country. . . . So many of the maladies suffered today in Indian country result from the failures of this agency.<sup>38</sup>

## *Educational Disparities*

The negative effects of entrenched poverty and the troubled history of Indian education have combined with systemic challenges to result in sharply lower academic and educational outcomes for Native youth, who also have dramatically fewer educational opportunities than their peers. This disparity has dire consequences for both individual Native youth and tribal

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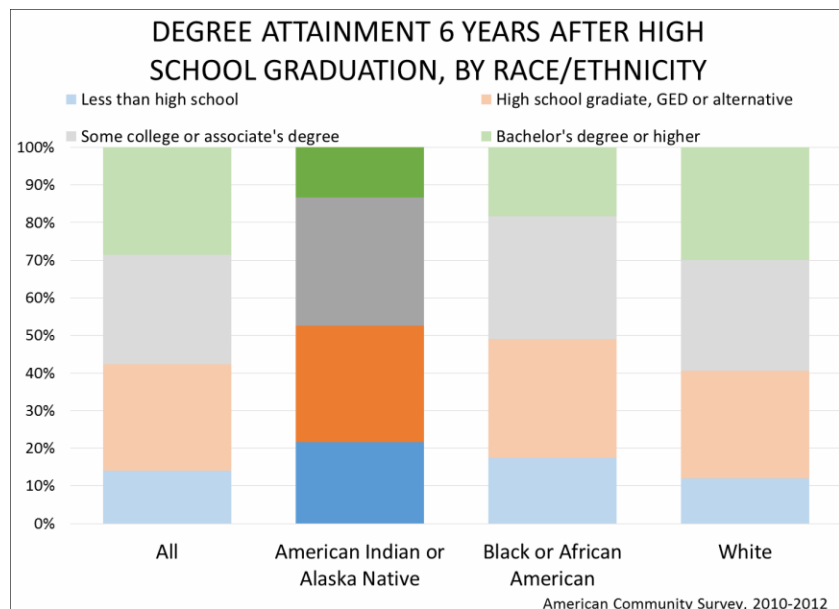
<sup>37</sup> WORDS OF POWER: VOICES FROM INDIAN AMERICA 19 (Norbert S. Hill ed.1994).

<sup>38</sup> Kevin Gover, Assistant Secretary – Indian Affairs, U.S. Department of the Interior, Remarks at the Ceremony Acknowledging the 175th Anniversary of the Establishment of the Bureau of Indian Affairs (Sept.8, 2000), at <http://www.nativeweb.org/pages/legal/gover.html>.

nations. For Native youth, this means fewer opportunities to complete college or career training and move into meaningful jobs; for tribal nations, it means fewer opportunities to develop leaders who can build stronger tribal economies and contribute to the overall rebuilding of Native nations.

While progress has been made in recent decades,<sup>39</sup> American Indians and Alaska Natives continue to have worse

educational outcomes than the general population by nearly all measures. Twenty-two percent of American Indians and Alaska Natives ages 25 and older have not finished high school, and only 13 percent have completed a



bachelor's degree or higher, compared to 29 percent of the U.S. population who have a bachelor's degree or higher.<sup>40</sup>

The vast majority of Native students—92 percent—attend local public schools operated by state and local educational authorities. States have a responsibility to educate all students who live within the state's borders, including students who are members of Indian tribes.<sup>41</sup> The other

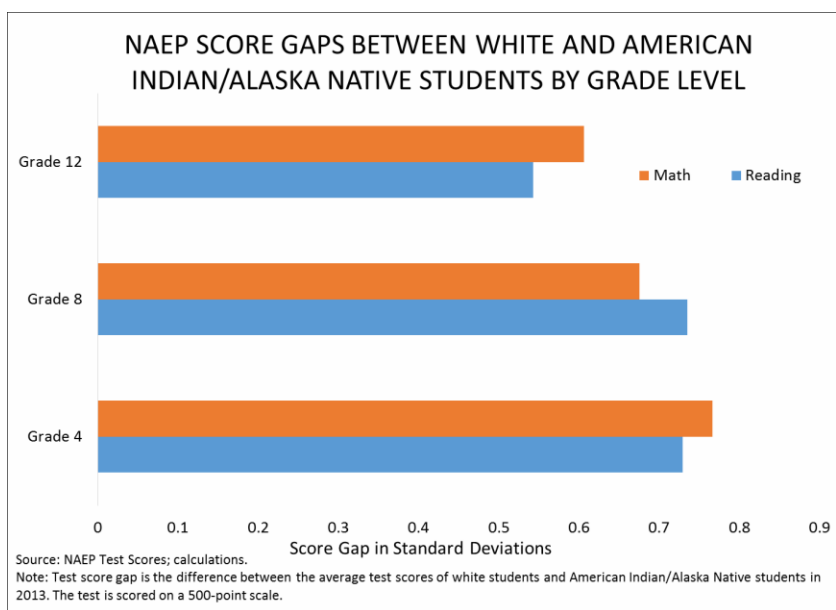
<sup>39</sup> Native college enrollment more than doubled between 1976 and 2006. JILL FLEURY DEVOE & KRISTEN DARLING-CHURCHILL, STATUS AND TRENDS IN THE EDUCATION OF AMERICAN INDIANS AND ALASKA NATIVES: 2008 U.S. DEP'T OF EDUC., NAT'L CTR. FOR EDUC. STATISTICS 126 (Sept. 2008), at <http://nces.ed.gov/pubsearch/pubsinfo.asp?pubid=2008084>.

<sup>40</sup> 2010-2012 Amer. Community Survey 3-year estimates, U.S. Census Bureau, U.S. Dep't of Commerce (Nov. 14, 2013), at [http://www.census.gov/acs/www/data\\_documentation/2012\\_release/](http://www.census.gov/acs/www/data_documentation/2012_release/).

<sup>41</sup> The federal trust responsibility or other obligations "do not undermine the independent responsibilities of states and local governments." COHEN'S HANDBOOK OF FEDERAL INDIAN LAW §§ 22.01[3], 22.03[1][b] (Neil Jessup Newton ed. 2012) [hereinafter COHEN'S HANDBOOK].

8 percent of Native students—approximately 41,600—are enrolled in 183 federally-funded Bureau of Indian Education schools.<sup>42</sup> These schools are located on 63 reservations in 23 states.<sup>43</sup>

Native youth experience major disparities in many aspects of their education. Overall, Native students score far lower than other students on national tests; the gap in reading and math



test scores between Native and white students is more than half of a standard deviation throughout their educational careers. Twenty-two percent of Native fourth graders and 17 percent of Native eighth graders scored at the “proficient” or “advanced”

levels in math in 2011.<sup>44</sup> Nationally, 40 percent of fourth graders and 35 percent of eighth graders scored in this range. This reflects a profound gap in primary and secondary academic achievement.

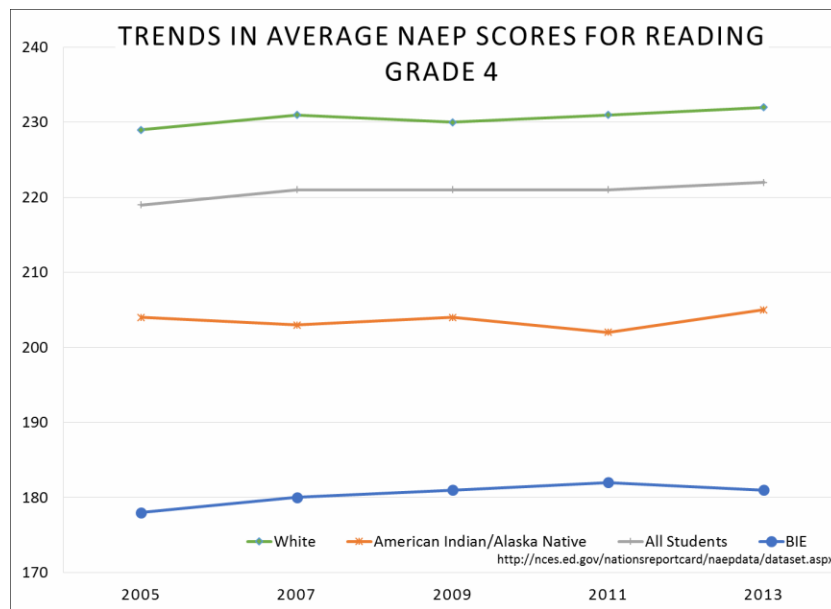
In addition to disparate educational outcomes, American Indians and Alaska Natives are over represented in the school discipline system. They are disproportionately suspended and expelled, representing less than one percent of the student population but two percent of out-of-school suspensions and three percent of

<sup>42</sup> U.S. Dep’t of Interior, Bureau of Indian Educ. webpage, at <http://bie.edu/HowAreWeDoing/index.htm>.

<sup>43</sup> DEVOE, *supra* n. 39, at 46.

<sup>44</sup> NAT’L CTR. FOR EDUC. STATISTICS, U.S. DEP’T OF EDUC., NATIONAL INDIAN EDUCATION STUDY 2011: THE EDUCATIONAL EXPERIENCES OF AMERICAN INDIAN AND ALASKA NATIVE STUDENTS AT GRADES FOUR AND EIGHT 2 (2011), at <http://nces.ed.gov/nationsreportcard/pdf/studies/2012466.pdf>.

expulsions.<sup>45</sup> Research has suggested that these racial disparities (reflected in Civil Rights Data Collection data) are not explained by more frequent or more serious misbehavior by students of color.<sup>46</sup> Native kindergarten students are also held back at



nearly twice the rate of white kindergarten students.<sup>47</sup> With these systemic challenges, it is not surprising that American Indian and Alaska Native students had the lowest four-year high school graduation rate, 67 percent, of any racial or ethnic group in the 2011-2012 school year.<sup>48</sup>

These national statistics, although discouraging, may mask an even more acute problem on tribal lands within BIE funded schools. Of the 183 BIE schools, 34 percent (63 schools) are

<sup>45</sup> OFFICE FOR CIVIL RIGHTS, U.S. DEP'T OF EDUC., ISSUE BRIEF NO. 1, DATA SNAPSHOT: SCHOOL DISCIPLINE 1 (March 2014), at <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-discipline-snapshot.pdf>.

<sup>46</sup> See generally Michael Rocque & Raymond Paternoster, *Understanding the Antecedents of the "School-to-Jail" Link: The Relationship Between Race and School Discipline*, 101 J. CRIM. L. & CRIMINOLOGY 633 (2011); Russell J. Skiba et al., *Race Is Not Neutral: A National Investigation of African American and Latino Disproportionality in School Discipline*, 40 SCH. PSYCHOL. REV. 85 (2011); T. FABELO, PH.D. ET AL., COUNCIL OF STATE GOVERNMENTS JUSTICE CTR., *BREAKING SCHOOLS' RULES: A STATEWIDE STUDY OF HOW SCHOOL DISCIPLINE RELATES TO STUDENTS' SUCCESS AND JUVENILE JUSTICE INVOLVEMENT* (July 2011); A. Gregory & A.R. Thompson, *African American High School Students and Variability in Behavior Across Classrooms*, 38 J. COMMUNITY PSYCHOL. 386 (2010); R.J. Skiba, et al., *The Color of Discipline: Sources of Racial and Gender Disproportionality in School Punishment*, 34 URBAN REV. 317 (2002); Michael Rocque, *Office Discipline and Student Behavior: Does Race Matter?*, 116 AM. J. EDUC. 557 (2010).

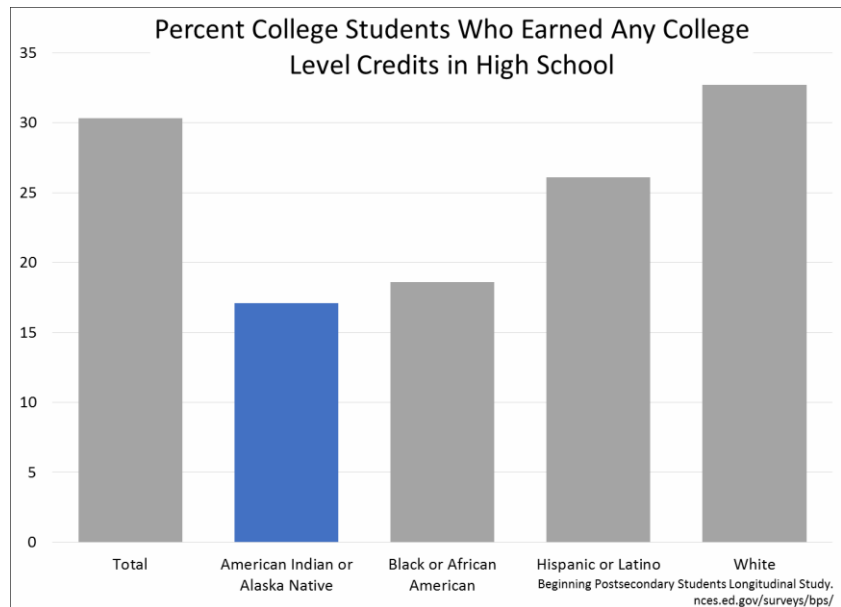
<sup>47</sup> OFFICE FOR CIVIL RIGHTS, U.S. DEP'T OF EDUC., ISSUE BRIEF NO. 2, DATA SNAPSHOT: EARLY CHILDHOOD EDUCATION 1 (March 2014), at <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-early-learning-snapshot.pdf>.

<sup>48</sup> MARIE C. STETSER & ROBERT STILLWELL, NAT'L CTR. FOR EDUC. STATISTICS, U.S. DEP'T EDUC., *PUBLIC HIGH SCHOOL FOUR-YEAR ON-TIME GRADUATION RATES AND EVENT DROPOUT RATES: SCHOOL YEARS 2010-11 & 2011-12 at 7-10* (April 2014), at <http://nces.ed.gov/pubs2014/2014391.pdf>.



in poor condition,<sup>49</sup> and 27 percent are over 40 years old. The needed repairs are estimated to cost \$967 million across all BIE funded schools.<sup>50</sup> In these schools, fourth graders scored, on average, 22 points lower in reading and 14 points lower in math than Native students attending public schools.<sup>51</sup> Sixty percent of BIE-funded schools do not have adequate digital bandwidth or computers to meet the requirements of new assessments aligned to college and career ready standards.<sup>52</sup>

Those Native students who do graduate and go on to college are too often ill equipped. They attend high schools that simply do not have the right courses, strong mentorship, or opportunities that lead to a successful college experience. Few Native youth are enrolled in high-level math courses in high school, such as calculus, or in other rigorous high school classes, which are a gateway to higher education.



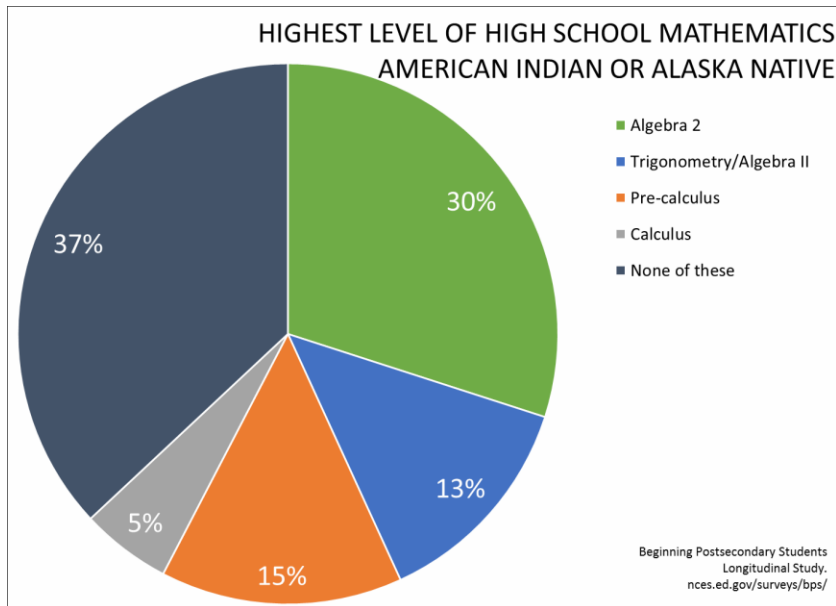
<sup>49</sup> Poor condition is determined by the formula. If the Cost of Deficiencies/Current Replacement Value is greater than .10 than the school is determined to be in poor condition. One way to think about this is that the cost of repairs are greater than 10 percent of the value of the school itself.

<sup>50</sup> BIE Blueprint, *supra* n. 34, at 20.

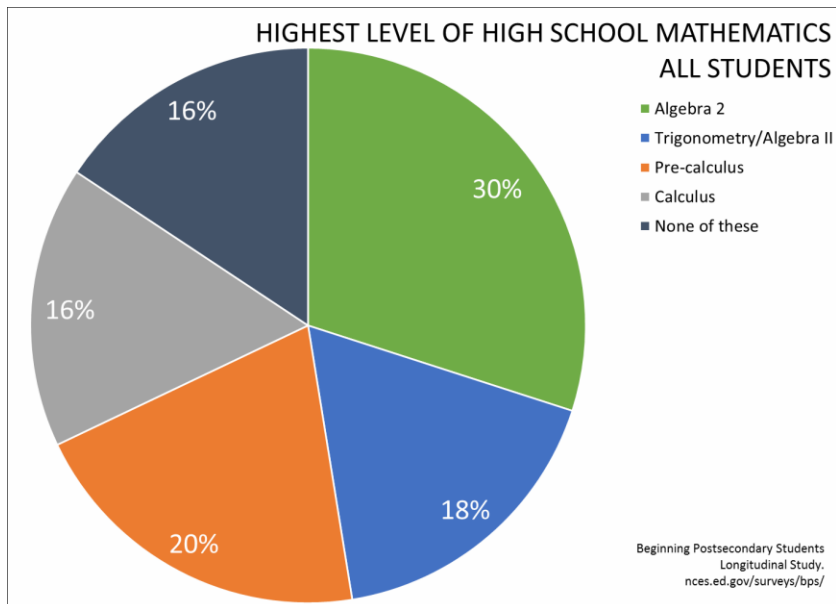
<sup>51</sup> DEVOE, *supra* n. 39, at 72-79.

<sup>52</sup> DEVOE, *supra* n. 39, at 102-103.

American Indian and Alaska Native youth are the least likely of all student populations to attend a high school that offers Advanced Placement courses,<sup>53</sup> and fewer than half of



Native high school students have the full range of math and science courses available at their schools.<sup>54</sup> Only one in four Native high school students who take the American College Test (ACT) score at the college-ready level in math, and only about one-third score at the college-ready level in reading.<sup>55</sup> Due in part to these disparities in



<sup>53</sup> CHRISTINA THEOKAS & REID SAARIS, THE EDUCATION TRUST, FINDING AMERICA'S MISSING AP AND IB STUDENTS 3 (June 2013), [http://www.edtrust.org/sites/edtrust.org/files/Missing\\_Students.pdf](http://www.edtrust.org/sites/edtrust.org/files/Missing_Students.pdf).

<sup>54</sup> OFFICE FOR CIVIL RIGHTS, U.S. DEP'T OF EDUC., ISSUE BRIEF NO. 3, DATA SNAPSHOT: COLLEGE AND CAREER READINESS 1 (March 2014), at <http://www2.ed.gov/about/offices/list/ocr/docs/crdc-college-and-career-readiness-snapshot.pdf>.

<sup>55</sup> AMERICAN COLLEGE TESTING (ACT), THE CONDITION OF COLLEGE AND CAREER READINESS, 2012 NATIONAL 5, at <http://www.act.org/research-policy/college-career-readiness-report-2012>.

secondary education, only 39 percent of Native students who enrolled in a four-year institution in the fall of 2004 completed a bachelor's degree by 2010, compared to 62 percent of white students.<sup>56</sup>

These statistics point to a stark reality: Native youth and Native education are in a state of emergency. Low rates of educational attainment perpetuate a cycle of limited opportunity for higher education or economic success for American Indians and Alaska Natives. This crisis has grave consequences for Native nations, who need an educated citizenry to lead their governments, develop reservation economies, contribute to the social well-being of Native communities, and sustain Indian cultures.

### ***Root Causes of Disparities in Native Educational Attainment***

While the reasons for such low Native student academic achievement and educational attainment are multi-faceted and complex, some of the key factors responsible for this crisis are clear:

- **Continued Lack of Genuine Tribal Control:** Historically, states that have Indian lands within their geographic boundaries have not been required, or even encouraged, to collaborate with tribes in operating schools. Public education, which serves the vast majority of Native students in schools both on and off reservation and tribal lands, continues to exclude tribes and maintains non-tribal control over academic goals, funding, staffing, and curriculum. The lack of culturally-relevant curriculum and culturally competent staff that understand how to reach Native youth may lead to the high drop-out rates and low high-school graduation rates for AI/AN students. Although there are over 200 Tribal Education Departments, they are not adequately funded to develop tribal expertise. In addition, the BIE, which has transferred operation of two-thirds of schools to tribes, has not been adequately restructured to recognize its new primary role of supporting tribal programs, rather than being the primary provider of Indian education.<sup>57</sup> Tribes and Indian educators identify

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<sup>56</sup> LAURA G. KNAPP ET AL., NAT'L CTR. FOR EDUC. STATISTICS, U.S. DEP'T OF EDUC., ENROLLMENT IN POSTSECONDARY INSTITUTIONS, FALL 2010; FINANCIAL STATISTICS, FISCAL YEAR 2010; AND GRADUATION RATES, SELECTED COHORTS, 2002–07, at 17, Table 7 (2012), at <http://nces.ed.gov/pubs2012/2012280.pdf> (providing rates of graduation for first-time postsecondary students, enrolling in four-year institutions and seeking a bachelor's degree).

<sup>57</sup> BIE Blueprint, *supra* at 34, at 3.

infrastructure investments and administrative grant support costs as necessary resources to execute genuine tribal control.

- Lack of Comprehensive Student Support: As indicated above, Native children and youth grapple with a number of extraordinary challenges that stem from severe poverty. Schools that serve them are often not equipped to address these complex needs—mental health, nutrition, wellness, substance abuse, family life issues, exposure to bullying and violence, housing shortages, and other critical needs.
- Challenges in Recruiting and Retaining Highly Effective Teachers and School Leaders: No in-school factor has a greater impact on a child’s learning than the quality of his or her teacher.<sup>58</sup> Reservation-based and other schools with large Native populations face tremendous obstacles in recruiting and retaining teaching and leadership talent, including, uncompetitive salaries, isolated rural settings, tough working conditions, few amenities, lack of job opportunities for spouses, and marginal housing.<sup>59</sup>
- Lack of Native Languages and Cultures in School: Experience suggests that incorporating Native languages and culture into academic settings can improve educational engagement and outcomes. Such practices bolster their identity and self-worth of Native youth by respecting the norms and culture of their families and communities. Moreover, the local community, including elders, engages more in the learning process when it reflects and includes key elements of Native language and culture. However, few schools adequately incorporate Native cultures into the curriculum. In 2011, 27 percent of AI/ANs ages 5 years and older spoke a language other than English at home, compared to 21 percent for the entire nation.<sup>60</sup> Of the 187 languages still spoken in the United States and Canada, 149 are no longer being taught to children.<sup>61</sup> Approximately 100 Native languages were located in California alone in the 1800s, yet today only 50 still have speakers, and none are being learned as the primary language of the household.<sup>62</sup>

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<sup>58</sup> RAND Education, *Teachers Matter: Understanding Teachers’ Impact on Student Achievement*, at <http://www.rand.org/education/projects/measuring-teacher-effectiveness/teachers-matter.html>.

<sup>59</sup> WHITE HOUSE INITIATIVE ON TRIBAL COLLEGES AND UNIVERSITIES, U.S. DEP’T OF EDUC., TRIBAL LEADERS SPEAK: THE STATE OF INDIAN EDUCATION, REPORT OF THE CONSULTATIONS WITH TRIBAL LEADERS IN INDIAN COUNTRY 27-31 (2010), at <http://www2.ed.gov/about/inits/ed/indianed/docs.html>.

<sup>60</sup> U.S. CENSUS BUREAU, U.S. DEP’T OF COMMERCE, CB12-FF.22, AMERICAN INDIAN AND ALASKA NATIVE HERITAGE MONTH: NOVEMBER 2012, at 4 (2012), at [http://www.census.gov/newsroom/releases/pdf/cb12ff-22\\_aian.pdf](http://www.census.gov/newsroom/releases/pdf/cb12ff-22_aian.pdf).

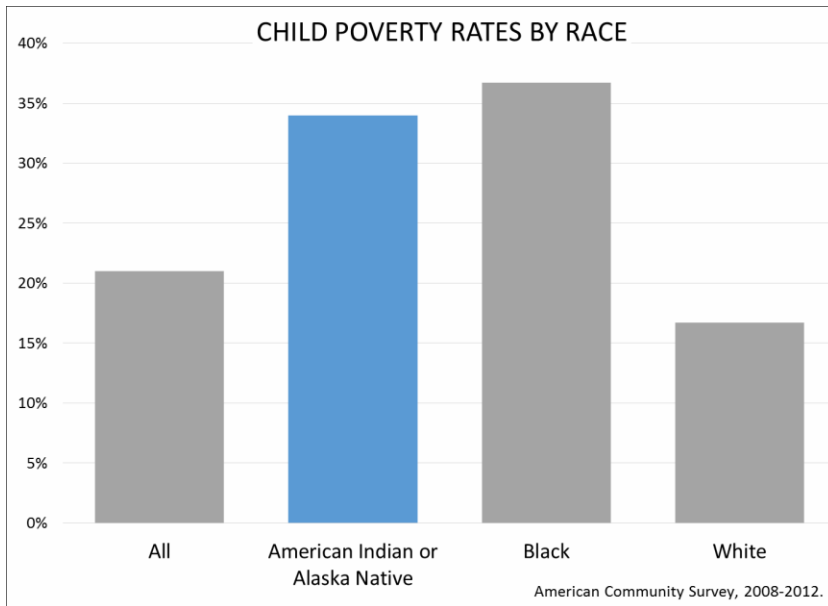
<sup>61</sup> LYLE CAMPBELL, AMERICAN INDIAN LANGUAGES: THE HISTORICAL LINGUISTICS OF NATIVE AMERICA 16 (1997).

<sup>62</sup> *Id.*

- **Insufficient Funding:** There persists a large backlog of unmet Native American needs to overcome a long history of neglect and discrimination.<sup>63</sup> Nearly \$1 billion is needed for repairs and construction for BIE funded schools alone. The lack of sufficient funding by the federal government is also an issue for health care. A 2003 report by the Civil Rights Commission indicated that the federal government spends less per capita on Native American health care than any other group for which it has this responsibility, including Medicaid recipients, prisoners, veterans, and military personnel.<sup>64</sup>

***Socioeconomic Disparities in Childhood***

Still reeling from centuries of policies designed to dismantle tribal governments and identities, American Indians and Alaska Natives living on reservations and other tribal lands represent one of the most economically disadvantaged groups in the United States.<sup>65</sup> Improving the outcomes for Native youth requires addressing larger socioeconomic disparities. Although tribes have experienced significant economic gains in recent decades—with average per capita



incomes nearly doubling since 1970<sup>66</sup>—many of these gains occurred from 1970 to 1980. While most Americans’ income was rising through the 1980s and early 1990s, American Indians on reservations saw their incomes stagnate.<sup>67</sup>

<sup>63</sup> See U.S. COMM’N ON CIVIL RIGHTS, A QUIET CRISIS: FEDERAL FUNDING AND UNMET NEEDS IN INDIAN COUNTRY 43 (2003), at <http://www.usccr.gov/pubs/na0703/na0731.pdf>; see generally COHEN’S HANDBOOK, *supra* 41, at §22.03.

<sup>64</sup> *Id.*

<sup>65</sup> Data from 2008-2012 ACS, *supra* n. 2.

<sup>66</sup> A faster rate than the rest of the United States and faster than any other racial and ethnic group. Randall K.Q. AKEE & JONATHAN B. TAYLOR, SOCIAL & ECONOMIC CHANGE ON AMERICAN INDIAN RESERVATIONS: A DATABOOK OF THE US CENSUSES & THE AMERICAN COMMUNITY SURVEY 1990-2010, at 6-7 (2010), available at <http://taylorpolicy.com/us-databook/>.

<sup>67</sup> *Id.*

In 2012, median household income for the American Indian and Alaska Native population stood at \$39,715 compared to \$56,746 for the U.S. overall. The poverty rate among American Indians and Alaska Natives was 27 percent compared to 15 percent for the nation, and at 34 percent, child poverty was 13 percentage points higher than the national average of 21 percent. However, even these data may mask more severe disparities for some Native communities. For example, some Native communities faced almost no poverty between 2008 and 2012, while others experienced poverty rates greater than 60 percent.<sup>68</sup>

### ***Socioeconomic Disparities in Adulthood***

A portion of these disparities in socioeconomic status likely stem from differences in labor market opportunities and outcomes. The unemployment rate for American Indian/Alaska Native workers in the twelve months ending in September 2014 was 12.4 percent—4.4 percentage points higher than the equivalent unemployment rate for Hispanic workers and 0.5 percentage points higher than the rate for black workers. For young workers, the gaps are even more pronounced: 23.9 percent of American Indian/Alaska Native workers ages 16-24 were unemployed compared to 14.6 percent for Hispanic youth and 23 percent for black youth.<sup>69</sup>

Once employed, American Indian/Alaska Native workers earn less than other workers. Among those with wage income, median earnings were just \$21,775 relative to the median earnings for all workers of \$30,000. This is true even when education levels are taken into account. Although the median wage for all workers with a bachelor's degree or higher was

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<sup>68</sup> Data from 2008-2012 ACS, *supra* n. 2.

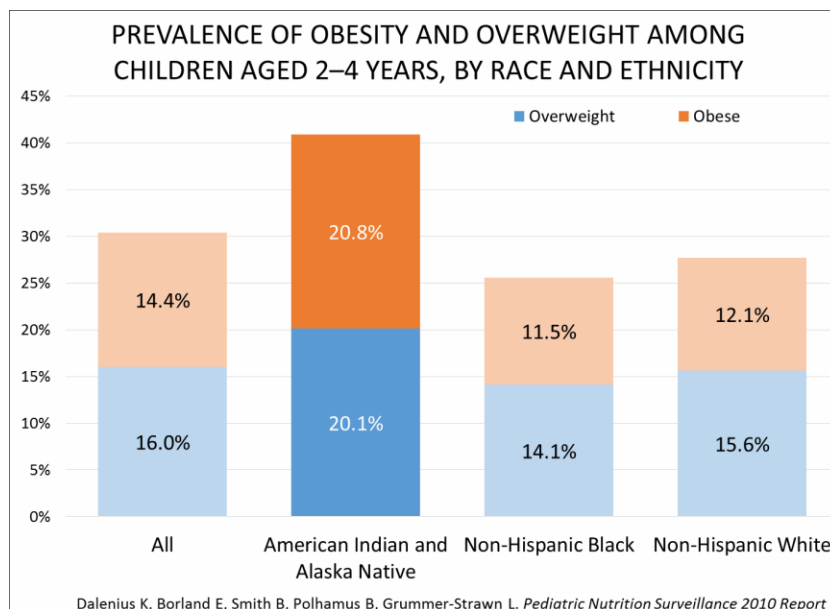
<sup>69</sup> Unemployment data from the Bureau of Labor Statistics, U.S. Dep't of Labor, Current Population Survey basic monthly Oct. 2013-Sept. 2014.

\$51,035, the median wage for American Indian/Alaska Native workers with a bachelor’s degree or higher was only \$41,263.<sup>70</sup>

### ***Health Disparities Faced by American Indians and Alaska Natives***

Many Native youth face severe health barriers throughout their lives. Early disparities in the two to four year-olds population are particularly troublesome, because of the lifelong impact

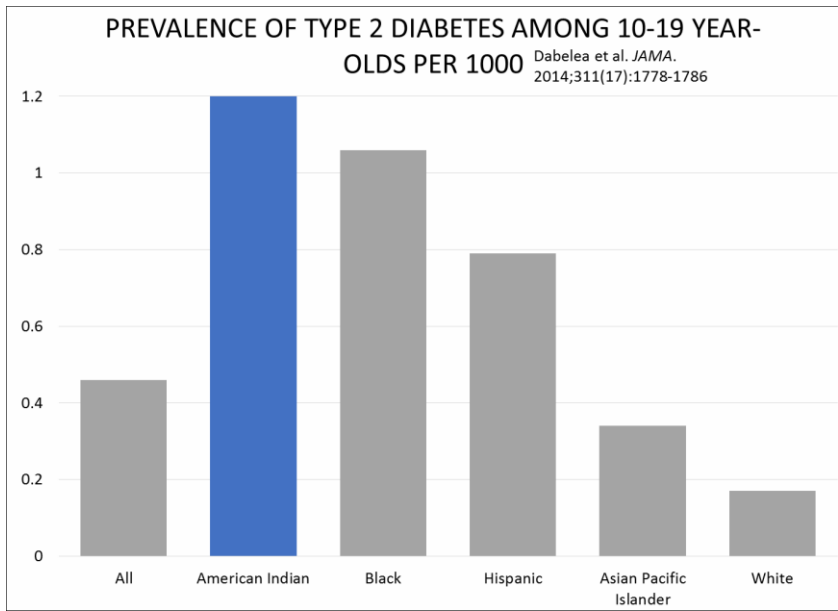
of those crucial years in a child’s development. In 2010, over 40 percent of American Indian/Alaska Native children between the ages of two and four were overweight or obese; representing the highest prevalence among all major racial/ethnic groups.<sup>71</sup>



Among 10 to 19 year olds, the prevalence of type-2 diabetes is nearly three times the national average and five times higher than the average among white youth. This pattern continues into adulthood where American Indian/Alaska Natives have the highest rate of age-

<sup>70</sup> Income data from ACS 2008-2012, *supra* n. 2

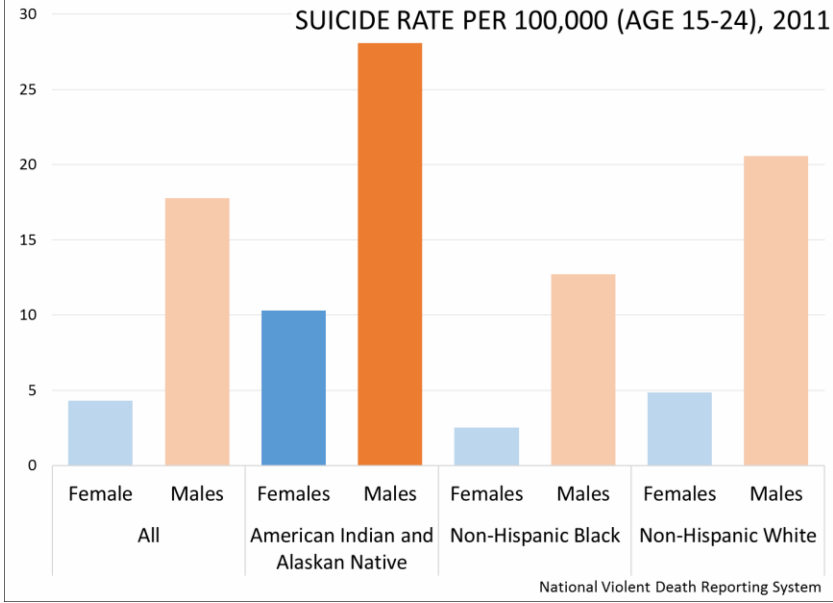
<sup>71</sup> DALENIUS K ET AL., NATIONAL CENTER FOR CHRONIC DISEASE PREVENTION AND HEALTH PROMOTION, U.S. DEP’T OF HEALTH & HUMAN SERVICE, PEDIATRIC NUTRITION SURVEILLANCE 2010 REPORT 8, at [http://www.cdc.gov/pednss/pdfs/PedNSS\\_2010\\_Summary.pdf](http://www.cdc.gov/pednss/pdfs/PedNSS_2010_Summary.pdf).



adjusted diabetes. In some Native populations, the rates are even more serious, reaching, for example, more than 24 percent of American Indians in southern Arizona.<sup>72</sup>

Mental and substance use disorders are also major concerns within the Native

youth population. Among U.S. adolescents ages 12 to 17, Native youth have the highest lifetime prevalence of major depressive episodes.<sup>73</sup> Native children are also 70 percent more likely to be identified in school as students with an emotional disturbance.<sup>74</sup> And suicide is the second leading cause of death—2.5 times the national rate—for



<sup>72</sup> NAT'L CENTER FOR CHRONIC DISEASE PREVENTION & HEALTH PROMOTION, U.S. DEP'T OF HEALTH & HUMAN SERVICES, NATIONAL DIABETES STATISTICS REPORT (2014), at <http://www.cdc.gov/diabetes/pubs/statsreport14/national-diabetes-report-web.pdf>.  
<sup>73</sup> SPERO M. MANSON, PH. D, SUBSTANCE ABUSE & MENTAL HEALTH SERVICES ADMIN, CULTURALLY APPROPRIATE STRATEGIES FOR PREVENTION-BASED WORK IN TRIBAL COMMUNITIES (Aug. 2013), at [http://www.nasmhpd.org/docs/Webinars%20ppts/Culturally%20Appropriate\\_Tribal%20webinar%2008.21.2013.pdf](http://www.nasmhpd.org/docs/Webinars%20ppts/Culturally%20Appropriate_Tribal%20webinar%2008.21.2013.pdf).  
<sup>74</sup> OFFICE OF SPECIAL EDUC. PROGRAMS, U.S. DEP'T OF EDUC., MY BROTHER'S KEEPER TASK FORCE REPORT TO THE PRESIDENT REPORT 29 (2014), at [http://www.whitehouse.gov/sites/default/files/docs/053014\\_mbk\\_report.pdf](http://www.whitehouse.gov/sites/default/files/docs/053014_mbk_report.pdf).



Native male youth in the 15 to 24 year old age group.<sup>75</sup> The education system is particularly impacted by mental health disorders, as more Native youth ages 12 to 17 used mental health services in education versus other settings, requiring resource-intensive coordination between schools and service providers.<sup>76</sup>

Native youth also face substance abuse problems and some have co-occurring mental and substance use disorders. In 2013, among persons aged 12 or older, the rate of substance dependence or abuse was higher among American Indians/Alaska Natives than any other population group.<sup>77</sup> That same year, an estimated 38.7 percent of Native adolescents aged 12 to 17 years had a lifetime prevalence of illicit drug use. Compared with the national average for adolescents aged 12 to 17, Native adolescents had the highest rates of lifetime tobacco product use, marijuana use, nonmedical use of pain relievers, and nonmedical use of prescription-type psychotherapeutics.

From 2003-2011, American Indian/Alaska Native were more likely to need alcohol or illicit drug use treatment than persons of other groups by age, gender, poverty level, and rural/urban residence.<sup>78</sup> In 2012, almost 69 percent of Native youth ages 15 to 24 who were admitted to a substance abuse treatment facility reported alcohol as a substance of abuse compared to 45 percent for non-AI/AN admissions.<sup>79</sup> Among other issues, underage drinking

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<sup>75</sup> HYDE, *supra* n. 5, at 5.

<sup>76</sup> CENTER FOR BEHAVIORAL HEALTH STATISTICS AND QUALITY, U.S. DEP'T OF HEALTH & HUMAN SERVICES, ICPSR 34933, NATIONAL SURVEY ON DRUG USE & HEALTH (2012).

<sup>77</sup> CENTER FOR BEHAVIORAL HEALTH STATISTICS & QUALITY, U.S. DEP'T OF HEALTH & HUMAN SERVICES, RESULTS FROM THE NATIONAL SURVEY ON DRUG USE & HEALTH: SUMMARY OF NATIONAL FINDINGS 26, 38, 88 (2013), *at* <http://www.samhsa.gov/data/sites/default/files/NSDUHresultsPDFWHTML2013/Web/NSDUHresults2013.pdf>.

<sup>78</sup> CENTER FOR BEHAVIORAL HEALTH STATISTICS & QUALITY, U.S. DEP'T OF HEALTH & HUMAN SERVICES, THE NSDUH REPORT: NEED FOR AND RECEIPT OF SUBSTANCE USE TREATMENT AMONG AMERICAN INDIANS OR ALASKA NATIVES (2012), *at* <http://www.samhsa.gov/data/sites/default/files/NSDUH120/NSDUH120/SR120-treatment-need-AIAN.htm>.

<sup>79</sup> CENTER FOR BEHAVIORAL HEALTH STATISTICS & QUALITY, U.S. DEP'T OF HEALTH & HUMAN SERVICES, BHSIS SERIES S-71, HHS PUBL'N NO. (SMA) 14-4850, TREATMENT EPISODE DATA SET (TEDS): 2002-2012 NATIONAL

increases the risk of suicide and homicide, physical and sexual assault, using and misusing other drugs, and is a risk factor for heavy drinking later in life.

## Recommendations for Change

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*We have a profound obligation to ensure that all children, including American Indian and Alaska Native students, have the opportunity to receive a 21st century education. . . Tribal leaders, teachers, and parents are best suited to identify and address the needs of their children, and tribal communities deserve to play a greater role in providing American Indian and Alaska Native students with the tools and support they need to be successful in school and beyond.*  
— Secretary of Education, Arne Duncan<sup>80</sup>

Although the challenges facing today's Native youth may seem insurmountable, tribal nations and their communities are proving that it is possible to overcome these obstacles with focused, strategic efforts. Those who serve Native students are developing innovative programs grounded in both high academic expectations and tribal values and traditions, and beginning to reverse more than two centuries of oppressive and stifling policies. In addition, over the last six years, the Administration has created new programs (in ED and BIE) to support building tribal sovereignty over education. BIE and ED entered a Memorandum of Agreement to improve two-way communications between the two agencies and address common issues affecting AI/AN students. In addition, ED increased the emphasis in its Title VII formula grants, on the need for school districts to provide culturally-relevant education for Indian students.

However, despite the bright spots, the data recounted herein reflects the staggering challenges that Native youth face, and justify a call to action. Native youth are the future of Indian country. They are essential to reaching the vision of strong, resilient, prosperous tribal nations. This is the critical time to partner with tribal nations and invest in the success of all our youth.

Given the complexity and magnitude of the challenges, there is a need for a broad array of partners to support tribes in identifying solutions to help Native youth reach their potential.

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<sup>80</sup> Video Press Release, Secretary Arne Duncan, U.S. Dep't of Educ., Secretary Duncan Announces the Launch of the STEP Pilot Program (May 7, 2012), at <http://youtu.be/ROIJgmPIQf0>.

Federal commitments will be critical to this collaboration. Substantial opportunities exist for tribal nations to engage the private sector and public sector to create and maintain transformative programs. Organizations committed to working on issues of poverty, health, juvenile justice, educational inequality, and student opportunities can play an important role in improving the lives of Native youth.

As such, we offer the following overarching recommendations to reverse historical failures and strengthen ladders of opportunity for all students in Native American communities.

**1. Strengthen tribal control of education:** Education is a key component in improving the life trajectories of Native youth and ultimately rebuilding strong tribal nations. Tribal nations are in the best position to address the unique needs of their students because they best know their own children and communities. Research identifies tribal self-determination as a strategy that has improved the well-being of American Indians and Alaska Natives across many areas of government service.<sup>81</sup> Increasing tribal control also is likely to lead to greater development of curricula that include Native languages, cultures, and values. Tribal/state and tribal/school district partnerships in education are important opportunities for improving outcomes for Native youth.<sup>82</sup> Elevating the role of tribes in education allows them to design schools and programs rooted in high expectations for all students, while embracing tribal values and traditions that meet the specific needs of their citizens.

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<sup>81</sup> “[F]ederal promotion of tribal self-government under formal policies known as ‘self-determination’ is turning out to be, after a century or more of failed efforts to improve the lives of the U.S. indigenous people, the only strategy that has worked.” Stephen Cornell & Joseph P. Kalt, *American Indian Self-Determination: The Political Economy of a Policy that Works*, Working Paper No. RWP10-043, at 15 (Harvard Kennedy School of Gov., 2010), at <http://nrs.harvard.edu/urn-3:HUL.InstRepos:4553307>.

<sup>82</sup> See generally BOWERS, *supra* n. 36.

- Work Underway:
  - In June 2014, the Department of the Interior (DOI) released the BIE Blueprint for Reform, which describes the Department’s plan to transition the control of BIE schools from DOI to tribes. BIE is working to change from a direct operator of schools into a resource provider that serves tribally controlled schools, similar to a state department of education.<sup>83</sup> This would include reshaping the function of BIE’s technical assistance capacity so that it is better positioned to support tribes as the leaders of their own highly effective schools, as well as providing assistance to schools so they are better positioned to support student academic success in a setting that embraces tribal values and traditions.
  - The State Tribal Education Partnership (STEP) grant program is designed to strengthen tribal education agencies (TEAs), and improve partnerships between tribes, states, and school districts so they can work together more effectively to meet the academic, cultural, and social needs of Native students. The lessons learned during the three-year pilot and, in consultation with tribes have contributed to proposed revisions to the STEP program, which will be finalized in time for new grants awards in 2015.
  
- Additional Opportunities:
  - Advance support for infrastructure and grant support costs to provide adequate resources to execute genuine tribal control.
  - Significantly streamline and simplify the administration of BIE-funded schools to increase tribal control and meet the unique cultural and educational needs of Native students. Significantly streamline and simplify expectations for BIE schools to increase local control and create an outcome-oriented focus on academic success for Native students.
  - Support states in authorizing tribal charter schools as part of public school systems to develop models and meet the unique cultural and educational needs of Native youth.
  - Provide funding and support for tribal preschool programs, such as the Preschool for All proposal, to ensure that every child can start school ready to learn.
  - Support and disseminate best practices around tribal partnerships with states and districts.

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<sup>83</sup> BIE Blueprint, *supra* n. 34, at 3.

**2. Provide comprehensive, community-based student supports:** The formidable challenges that Native youth face as a result of systemic poverty demand a holistic approach to education. Supporting students’ physical, emotional, and social needs in a culturally-sensitive manner is critical for each child to truly succeed as a student and, more importantly, as a human being. Schools need access to resources that allow them to build school-based programs providing comprehensive student supports, which would enable students to excel in college and their careers.

- Work Underway:

- The Department of Education is working to increase support for comprehensive, locally determined education reforms in tribal communities through a new priority in the Indian Education Demonstration Grants program. Local Native Youth Community Projects would provide support to tribes to identify key in-and-out-of school barriers and opportunities to college-and-career-readiness and to develop strategies to address the identified needs of Native Youth.

- Additional Opportunities:

- Expand the NYCP to address comprehensive, cradle-to-career interventions.
- Expand partnerships between schools, communities, and organizations to make schools the center of communities.
- Continue to support investments in Tribal Colleges and Universities and higher education institutions to improve and expand educational opportunities.

**3. Strengthen the integration of Native cultures and languages into school climate and classrooms:** Strengthening tribal language and culture is a responsibility at the core of our trust relationship with tribal nations. It bolsters a healthy sense of individual identity and

belonging, while simultaneously improving self-esteem.<sup>84</sup> Working with tribes and experts, schools should have the ability and support to fully integrate Native cultures and languages into the classroom.<sup>85</sup> In addition, it is critical that students are able to attend schools that support their identity and are free from bullying, disproportionate discipline, and offensive imagery and symbolism. Moreover, tribes and tribal colleges should be supported to better facilitate language revitalization efforts.

- Work Underway:
  - The Department of Education conducted its first ever School Environment Listening Tour in nine cities with over 1,000 students and community members. The tour provided a space for schools and communities to discuss challenges and identify proactive ways to support Native students and create positive school climate.
  - The Memorandum of Agreement (MOA) on Native Languages between DOI, HHS, and ED provides a framework for collaboration and coordination across federal agencies to help preserve and revitalize Native languages. The MOA sets forth the methods for cooperation in these areas through the Native Language Workgroup. The Native Language Workgroup hosted a Native American Languages Summit; *Working Together for Native American Language Success* in June, 2014.
  - After the 2014 Native American Languages Summit, several federal agencies demonstrated interest in protecting and promoting Native American languages by

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<sup>84</sup> TERESA L. MCCARTY, PH. D., ALICE WILEY SNELL PROF. OF EDUC. POLICY STUDIES & PROF. OF APPLIED LINGUISTICS, ARIZ. STATE UNIV., STATE OF THE FIELD: THE ROLE OF NATIVE LANGUAGES AND CULTURES IN AMERICAN INDIAN, ALASKA NATIVE, AND NATIVE HAWAIIAN STUDENT ACHIEVEMENT (2011), at [http://center-for-indian-education.asu.edu/sites/center-for-indian-education.asu.edu/files/McCarty,%20Role%20of%20Native%20Lgs%20&%20Cults%20in%20AI-AN-NH%20Student%20Achievement%20\[2\]%20\(071511\).pdf](http://center-for-indian-education.asu.edu/sites/center-for-indian-education.asu.edu/files/McCarty,%20Role%20of%20Native%20Lgs%20&%20Cults%20in%20AI-AN-NH%20Student%20Achievement%20[2]%20(071511).pdf). Students who enter school with a primary language other than the school language (e.g., English) perform significantly better on academic tasks when they receive constant and cumulative academic support in the primary language for a minimum of four to seven years. TERESA L. MCCARTY, PH. D., LANGUAGE PLANNING AND POLICY IN NATIVE AMERICA: HISTORY, THEORY, PRAXIS (2013).

<sup>85</sup> For example, one school district reported that it “achieved a tremendous success in reading scoring, going from 0 percent reading proficiency over quite a few years to 60% reading proficiency in grades K-6. This was due to instituting a research-based, culturally relevant professional development program. . .” Oversight Hearing: Indian Education Series: Indian Students in Public Schools - Cultivating the Next Generation Before the Senate Comm. on Indian Affairs, 113th Cong. 1 (April 9, 2014) (statement of Dan Hudson, Assistant Superintendent, Fremont County School District #14 (WY)), at <http://www.indian.senate.gov/hearing/oversight-hearing-receive-testimony-indian-education-series-indian-students-public-schools.>

providing important resources and input towards the implementation of the goals of the MOA and the Native American Native Language Act.

- Every state has its own requirements for teacher qualifications; some states have taken action to facilitate the hiring of Native language teachers and the Department of Education is supporting those efforts. For example, in 2013 the South Central Comprehensive Center (SC3), under a grant from the Department that includes supporting states in the education of AI/AN students, helped the Oklahoma State Department of Education (OSDE) develop a Native Language Certification process and is continuing to provide technical assistance during statewide implementation of an alternate pathway in Native language certification. The SC3 Native Language Revitalization initiative is working to improve the pathway for Native Language Certification to address the critical need for fluent Native language instructors in order to enhance Native language revitalization among 39 Oklahoma tribes. SC3 supported modification of OSDE's World Language Certification to provide access to classroom instruction by fluent tribal language speakers in districts and schools. This model is shared with other comprehensive centers that serve AI/AN populations.

- *Additional Opportunities:*

- Continued commitment from federal agencies to support Native language preservation and revitalization. ED, HHS, and DOI conduct, annually, an interagency Native American Languages Summit to: provide updates from federal offices on current efforts; provide support to Native American communities seeking to revitalize Native American languages; share successes from the field in two areas identified as challenges (integrating Native language immersion in schools and developing assessments); and discover through small group discussions ways to further support Native American communities teaching their Native languages in an effort to improve accountability for educational progress and measurable success.
- Work with Congress to enact changes to the Department of Education's Indian Education formula grants to school districts and BIE-funded schools that would clarify the list of authorized activities to specifically include Native language immersion and Native language restoration programs, which may be taught by Native language speakers.

**4. Support highly effective teachers and school leaders:** There is an acute shortage of teachers in Indian country, but opportunities exist for tribal nations to engage with local universities and the education community to find ways to increase the flow of high quality



teachers and provide culturally relevant professional development for teachers and leaders in their communities. Schools must be able to recruit, hire, support, and develop effective teachers and school leaders who are committed to long-term improvements. These efforts should focus both on creating new, high quality teacher pipelines, and on strengthening the skills of current instructional staff, for example, by infusing cultural competence training into professional development.

- Work Underway:

- Continue to support existing BIE teachers through the partnership with National Board Certification.
- Continue to support the Professional Development Grants at ED to prepare and train Native Americans to serve as teachers and school administrators.
- Establish, for the first-time, a School Operations Division that will strengthen BIE's capacity to recruit, hire, and retain highly effective teachers and principals.

- Additional Opportunities:

- Support leadership development programs to supply BIE school leaders to schools that serve Native students. Successful programs would produce principals, heads of schools or faculty instructional leaders (such as coaches) for BIE schools.
- Expand existing teacher and principal training programs in Indian country. Support partnerships between existing teacher and leader training programs and Tribal Colleges and Universities (TCUs). In addition, BIE should establish relationships with high-performing teacher preparation programs to focus on BIE schools.
- Build or expand partnerships with teacher and leader recruitment and support organizations and TCUs to recruit, train, support, and retain teachers.
- Expand virtual networks of teachers and leaders in Indian Country to achieve mentorship and share best practices.

- Learn from and work with existing non-profits and programs that have had success in other communities facing persistent opportunity gaps. Create incentives for them to come to or expand their work in Indian country.

**5. Promote 21<sup>st</sup> century technology for tribal education:** Access to high-speed broadband and adequate learning facilities are key to student learning and success. A 21<sup>st</sup> century education system is not possible without the tools available to the rest of America's educational systems, and American Indians and Alaska Natives should be included in any efforts to connect America and improve infrastructure. In addition to educational tools, online assessments are critical to evidence-based improvement and evaluation.

- Work Underway:

- *ConnectED* is a national initiative underway to ensure 99 percent of America's students have access to high-speed broadband and high-speed wireless in their schools.
- DOI is providing technical assistance to BIE-funded schools to increase the competitiveness of E-Rate applications.
- DOI has also worked with the private sector to expand broadband connectivity for the more than 1,000 Native children who live in federally-funded dormitories while attending public schools outside of their reservations. As part of a greater effort to upgrade the network bandwidth to all Bureau of Indian Education Schools, interim bandwidth upgrades occurred in 45 schools.
- Assistant Secretary - Indian Affairs officials continue to tap the Federal Communication Commission's (FCC) E-rate program to obtain funding for faster bandwidth speeds. The system received an E-rate funding commitment of over \$4.3 million for the school year 2014 – 2015, which will fund upgrades for 35 additional schools.

- Additional Opportunities:

- Encourage district and school leaders serving tribal populations to attend Future Ready Regional Summits. These summits, which will be hosted by the U.S. Department of Education and the Alliance for Excellent Education, are

designed to help districts create and implement district-wide action plans to use technology to personalize learning. These summits will be open to all districts leaders that take the Future Ready District Pledge.

**6. Strengthen and expand efforts that target suicide prevention.** Federal agencies have developed myriad workforce and training activities, tele-health resources, and programs to promote and support suicide prevention in tribal communities. Despite important investments, key challenges remain, including ensuring a well-prepared behavioral health workforce and access to behavioral health services in Native communities.

- Work Underway:
  - The Substance Abuse and Mental Health Services Administration’s (SAMHSA) Tribal Behavioral Health Grant (TBHG/Native Connections) is a new program for tribes and tribal organizations to prevent and reduce suicidal behavior and substance abuse and promote mental health among American Indian and Alaska Native young people up to and including 24 years of age.
  - Under the Garrett Lee Smith State/Tribal Youth Suicide Prevention program SAMHSA is supporting implementation of statewide or tribal youth suicide prevention and early intervention strategies. Grants support public/private collaboration among youth-serving institutions, schools, juvenile justice systems, foster care systems, substance abuse and mental health programs, and other child and youth supporting organizations.
  - SAMHSA’s Partnership for Success program now includes a tribal-specific cohort to address underage drinking and prevention infrastructure. Likewise, SAMHSA’s drug court program now includes a first-time set-aside for tribal wellness courts, and SAMHSA’s LAUNCH program reaches Native children and addresses early development fundamental to improving Native youth outcomes.
  - The Indian Health Service’s (IHS) Methamphetamine and Suicide Prevention Initiative (MSPI) provides funding to increase access to methamphetamine and suicide prevention services, improve the quality of behavioral health services associated with methamphetamine use and suicide prevention, promote the development of new and promising services that are culturally and community relevant, and demonstrate efficacy and impact.

- The IHS TeleBehavioral Health Center of Excellence offers workforce development and training opportunities on current and pressing behavioral health topics, including series on childhood trauma, parenting, child mental health, historical trauma, child and adolescent psychiatry, and suicide assessment, evaluation, and prevention.
- Tribes and tribal organizations have access to culturally relevant and evidence-based support to address mental and substance use disorders, suicide prevention, and promotion of mental health through SAMHSA's Tribal Training and Technical Assistance Center.
- Additional Opportunities:
  - Expand the number of school-based behavioral health services in Native American communities.
  - Strengthen collaborations among federal departments/agencies and Native communities that target suicide risks in order to more comprehensively support suicide prevention efforts.
  - Engage tribes on implementation of the National Strategy for Suicide Prevention respecting cultural and traditional practices.
  - Consider behavioral health providers focused on child, adolescent, and family services.
  - Support and strengthen evidence-based training for school personnel, law enforcement officers, community representatives, and staff of youth-serving organizations to recognize youth at risk for suicide and mental and substance use issues to improve early referrals for Native youth.
  - Strengthen collaboration that targets suicide risk and response.

7. **Improve community systems of care to better address the behavioral health needs of Native youth.** Many of the challenges impacting tribal communities are rooted in substance abuse and mental health issues. Additional supports are needed to improve coordination of available resources and strengthen local systems to more effectively address behavioral health issues faced by Native youth.

- Work Underway:
  - A system of care helps children, youth, and families function better at home, in school, in the community, and throughout life. Through the SAMHSA Circles of Care program tribes receive support to increase the capacity and effectiveness of mental health systems serving their communities. Circles of Care grantees focus on reducing the gap between the need for mental health services; the availability and coordination of mental health, substance use, and co-occurring disorders; and the impact of historical trauma.
  - The SAMHSA Systems of Care program improves behavioral health outcomes for children and youth with serious emotional disturbances and their families. The program supports the availability and provision of mental health and related recovery support services along with systemic changes in policy, financing, services and supports, training and workforce development, and other areas that are necessary for expanding and sustaining the system of care approach.
  - SAMHSA supports the National American Indian and Alaska Native Addiction Technology Transfer Center to: provide workforce development resources, manuals, webinars, and curricula to increase the skills of substance use disorder workforce in providing culturally and linguistically sensitive services; and increase the number of American Indians and Alaskan Natives in the substance use disorders workforce.
  
- Additional Opportunities:
  - Increase the number of tribes accessing SAMHSA and other federal grant programs that support integration of physical and behavioral health services, improve systems of care, and build community coalitions to reduce substance abuse in tribal communities.
  - Continue to support behavioral health professionals in Native communities through innovative workforce programs, for example, through the President's *Now Is the Time* workforce development programs.
  - Improve coordination of federal technical assistance resources to more efficiently build the skills of behavioral health professionals, law enforcement personnel (school safety officers), school personnel, and staff of youth-serving organizations in Native American communities.
  - Improve flexibility in federal funding opportunities to support tribal applications that focus on place-based approaches to improving community well-being.

## Conclusion

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*“The future of Indian Country rests on ensuring American Indian children receive a world-class education that honors their cultures, languages and identities as Indian people.”*  
— Secretary of the Interior Sally Jewell<sup>86</sup>

This report makes clear that Native youth continue to face education, socioeconomic, health, and other barriers. This is nothing short of a national crisis. All of us, including the federal government, have an important role in helping to improve the lives of Native youth. Strengthening partnerships and sustained engagement serve as linchpins to bring together the necessary resources to improve life outcomes for future generations.



(Tami Heilemann, Photographer, Department of the Interior, Youth of the Mississippi Band of Choctaw)

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<sup>86</sup> Press Release, U.S. Dep’t of the Interior, Secretary Jewell Announces Plan to Improve Achievement, Promote Tribal Control in Bureau of Indian Education-Funded Schools (June 13, 2014), *at* <http://www.doi.gov/news/pressreleases/secretary-jewell-announces-plan-to-improve-achievement-promote-tribal-control-in-bureau-of-indian-education-funded-schools.cfm>.