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Indian Students in Public Schools – Cultivating the Next Generation

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Good afternoon, Chairman Tester, Ranking Member Barrasso, and distinguished Members of the Committee. Thank you for the opportunity to testify today about the status of the American Indian and Alaska Native (AI/AN) students in our public schools.

**AI/AN Student Profile**

American Indian education is sometimes thought to mean the schools operated by the Bureau of Indian Education (BIE) or by Indian tribes or tribal organizations. However, the reality is that the vast majority of AI/AN students --approximately 93 percent-- attend public schools operated by their local school districts. These schools are located both on and off reservations and tribal lands.

In some cases, there is coordination between the local education agency (LEA) and the tribal community. However, more often than not, these public schools exist without meaningful input from the tribal community. Absent this interaction, our public schools are less informed about the culture and unique needs of our Indian students. AI/AN students lack access to culturally appropriate curricula, educators with sufficient cultural training, and sometimes adequate learning conditions. These challenges may act as barriers to a quality education and contribute to poor outcomes for AI/AN students.

We know the earlier we start providing educational opportunities to our students, the more successful they will be as adults. The best investment we can make is to provide our children with a strong start and foundation for learning.

The Department of Education recently released the Civil Rights Data Collection (CRDC) for 2010-2011. This is the first time since 2001 that we have data from nearly every public school in the country that tells us about specific subpopulations including AI/AN students. While we know that AI/AN students comprise about one percent of the overall population, according to the CRDC report about seven percent of the 140,000 kindergarten students held back were AI/AN students. These AI/AN kindergartners are held back at nearly twice the rate of white children. Further, states like Oregon, Wyoming, Montana and Arizona with high American Indian populations are among the States with the lowest percentage of school districts operating pre-school programs.

The CRDC report also collected data on school discipline. Similarly, AI/AN students represent a disproportionate share of disciplinary action as they are less than one percent of the student population but account for two percent of out-of-school suspensions and three percent of expulsions. AI/AN males are suspended at more than two times the rate of their white peers with, on average, six percent of white male students being suspended compared to approximately 13 percent of AI/AN males. Young AI/AN females are more than three times more likely to be suspended from school as their white counterparts, with, on average, two percent of white females students being suspended from school as compared to approximately seven percent for AI/AN female students.

Each day that our students are not in the classroom they are missing out on valuable instruction time.

One of the most important factors in raising student achievement is an effective teacher. While there certainly are effective first year teachers, research shows that teachers on average increase their effectiveness over their first few years of teaching. It is interesting to note that the CRDC report found disparities in access to experienced teachers for AI/AN students. The data shows AI/AN students attend schools with higher concentrations of first-year teachers at a higher rate than white students. Specifically, approximately four percent of AI/AN students attend schools where more than 20 percent of teachers are in their first year of teaching, compared to one percent of white students.

We also know AI/AN students are less prepared for college and career. Looking at the high school graduation rates and drop-out rates for 2011, we see AI/AN students dropout at a rate that is nearly twice that of all students. In fact, AI/AN students account for the highest dropout rate of any racial or ethnic population. And AI/AN students are lagging in increasing their graduation rates. The average graduation rate for all students increased six points, from approximately 75 percent in 2007-08 to 81 percent in 2011-12. Yet, over this period the graduation rate for AI/AN students increased just four points, from approximately      64 to 68 percent.

But graduating isn’t always enough. We must ensure AI/AN students are taking rigorous coursework to be best prepared for today’s economy. In 2009, only about 20 percent of the AI/AN graduates completed an Advanced Placement course. This is extremely low when we consider the comparable approximate figures for Asian/Pacific Islander (66 percent),    White (37 percent), Black (22 percent) and Hispanic (34 percent) graduates.

And even fewer AI/AN high school graduates (approximately 18 percent) have completed an analysis or pre-calculus course compared to the average for all students (approximately    35 percent). We also see drastic differences in the completion of courses in chemistry or physics compared to the averages for all students (approximately 70 percent and 36 percent, respectively).

In 2011, the National Indian Education Study (NIES) reported the results of the mathematic and reading achievement levels of fourth- and eighth- grade AI/AN AI/AN students, using a nationally representative sample.

The math assessment showed that AI/AN fourth-grade students scored approximately 16 points lower on average than non-AI/AN students in math. AI/AN eighth-grade students scored approximately 19 points lower on average in math than non-AI/AN students. This represents and even wider gap compared to the 2005 NIES scores that showed a gap of approximately   12 points for fourth-graders and 15 points for eight-graders. And while there are no significant changes in average reading scores for AI/AN students compared to 2005, overall gaps separating AI/AN students from their white peers have mostly widened.

For those in poverty, the difference is even starker. Using the National School Lunch Program (NSLP) as an indicator of family income, we know that in 2011, AI/AN eighth-grade students who were eligible for NSLP had average reading scores approximately 20 points lower, on average, than AI/AN eight-grade students who were not eligible for NSLP.

**Department Programs that Support AI/AN Students**

The Department administers a variety of formula grants as well as competitive grants to support AI/AN students.

Impact Aid is a formula grant program under section 8003 (Basic Support Payments) of the Elementary and Secondary Education Act (ESEA) that provides direct funding to school districts that are affected by federal activities. The Basic Support Payments program was funded at $1.2 billion for FY 2014 and approximately one-half of those funds will be distributed to districts that provide free public education to children living on Indian lands.

Title VII, Part A provides formula grant funds to over approximately 1,300 districts that educate AI/AN students. The funds must be used for supplementary services to meet the needs of those students, including their language and cultural needs, to help them succeed in school.     In addition, Title VII, Part A also authorizes several discretionary programs designed to improve the quality of education for Indian students and to prepare and train Indians to serve as teachers and school administrators. Funds are awarded competitively and currently support the following programs: Demonstration Grants (Section 7121); Professional Development Grants    (Section 7122); and the State Tribal Education Partnership (STEP) (Section 7131).

Demonstration grants provide support in such areas as innovative programs, remedial instruction, bilingual and bicultural programs, guidance and counseling, early childhood and kindergarten programs, secondary-to-postsecondary education transition programs, school-to-work programs, and family literacy services.

Professional Development grants support increasing of the number of American Indians qualified in teaching, school administration, and other education professions, and improving the skills of those individuals. Individuals receiving training under this program are required to secure employment in a field related to their education and benefiting Indians. If they do not meet this requirement, they must pay back the amount of the assistance. Awards focus on pre-service teacher and pre-service administrator training.

The Alaska Native Education (ANE) program supports activities that provide educational opportunities that are culturally relevant and beneficial to Alaska Native Students and the community. In 2012-13, there were 57 active ANE grants for a total investment of just over  $31 million.

The Department understands the best solutions for AI/AN students come from those that know these students best, the tribes. We remain committed to strengthening and advancing our relations with Indian tribes.

In 2009 President Obama issued a Memorandum to the heads of executive departments and agencies emphasizing his commitment to regular and meaningful consultation and collaboration with tribal officials in policy decisions that have tribal implications. The memorandum called for complete and consistent implementation of Executive Order 13175. It also directed each agency to submit a detailed plan of action that the agency will take to implement the policies and directives of E.O. 13175.

The Department was quick to respond to the Memorandum. In 2010, the Department conducted six tribal consultations with tribal leaders and Indian educators. We held consultations in New Mexico, South Dakota, Oklahoma, Alaska, Arizona, and Washington and learned much from the discussion. As a result, we issues a report in November 2011 titled “Tribal Leaders Speak: The State of Indian Education.”

We continue to have regular consultation with these leaders and have held additional consultations in Denver, Green Bay, Stockton, Los Angeles, Seattle, Chicago, Troy, Anchorage, Scottsdale, Niagara, and Smith River. This year the Department, in partnership with the National Indian Education Association and The United and Southeastern Tribes, held the first consultation of 2014. We have three more consultations scheduled for later this year in Oklahoma, Montana and North Dakota.

One of the consistent themes expressed during these consultations has been the lack of opportunities for tribes to meaningfully participate in the education of their own children.   In response, the Obama Administration proposed, in our ESEA reauthorization blueprint, to elevate the role of tribal education agencies (TEAs).

Additionally, the FY 2012 appropriation provided funding for the Department to create a pilot competition designed to increase the role of the TEA in meeting the education needs of students attending public schools on the tribe’s reservation. The State Tribal Education Program (STEP) is the result of this effort. The STEP program aims to promote collaboration between TEAs and state educational agencies (SEAs). The program is also intended to build the capacity of tribes as they develop and enhance their roles, responsibilities and accountability in Indian education.

The pilot program funded projects created through cooperative agreements between TEAs and SEAs that allow the TEAs to perform some state-level functions for certain Federal grant programs funded through ESEA, specific to public schools located on tribally controlled lands.

In 2013, Secretary Duncan and Secretary of the Interior Jewell traveled to Wyoming for a series of events to highlight the importance of education that included a roundtable discussion with local tribal leaders and two school visits. During this trip the Secretaries engaged with state and tribal representatives as well as youth from the Eastern Shoshone and Northern Arapaho tribes.

I am proud to inform you that the Secretary has visited reservations and tribal communities in Montana, Alaska, South Dakota, New Mexico, Wisconsin, Wyoming and Arizona. These visits have allowed him to witness first-hand the problems that Indian country faces. His visits have included roundtable discussions as well as commencement addresses at Sinte Gleske University, Navajo Technical University and College of Menominee Nation. This year he will be the commencement speaker at Salish Kootenai College in Montana. The Secretary welcomes these opportunities to learn more about the unique challenges facing AI/AN students and to highlight the important role tribal colleges and universities play in providing access to higher education for the community. He understands the vital role tribal colleges and universities (TCUs) play in language and cultural preservation.

The White House Initiative on American Indian and Alaska Native Education (Initiative), housed at the Department of Education, has responsibility to carry out the President’s Executive Order 13592, signed December 2, 2011. The Initiative seeks to support activities that will strengthen the Nation by expanding educational outcome opportunities and improving educational outcomes for all AI/AN students. The Initiative is also committed to furthering tribal self-determination and we work to ensure AI/AN students, at all levels of education, have an opportunity to learn their Native languages and histories as well as receive complete and competitive educations that prepare them for college, and careers so they may lead productive and satisfying lives.

In order to meet the goals of the Executive Order the Initiative is actively engaged in three major activities; the ED Joint Committee on Indian Education, The President’s Interagency Working Group on Indian Education and the Native Languages Working Group.

The Initiative formed a DOI-ED joint Committee on Indian Education (Committee), which

includes tribal leader representatives from the Tribal Education Budget Council. The Committee was formed as a result of a 2012 ED-DOI Memorandum of Understanding (MOU). The MOU leverages the expertise of both departments to improve educational opportunities and outcomes for AI/AN students. The Committee has started working on developing plans to implement seven specific goals and activities that are outlined in the MOU.

The President’s Interagency Working Group on Indian Education (IWG) was established in the E.O. 13592. The IWG held its inaugural meeting in 2013. Senior Administration Officials from 29 agencies came together to begin interagency implementation of the E.O. The departments will work to develop four year plans that will focus on expanding educational opportunities and improving outcomes for AI/AN students including helping ensure the opportunity to learn their Native language.

The Native Language Working Group resulted from a Memorandum of Agreement between the Department of Education, U.S. Department of Health and Human Services Administration for Children and Families and the Department of Interior Bureau of Indian Education. We are working to achieve the goals of the Agreement (MOA) on Native Languages. In addition to developing a course of action, the MOA provides a framework for collaboration and coordination across Federal agencies to help preserve and revitalize native languages.

The Native Language Workgroup is planning a Native American Languages Summit;   *Working Together for Native American Language Success* for June, 2014. During this conference, Federal partners and organizations with Native Language programs will come together to discuss methods for measuring success. The goal is to work together as a team to ensure the preservation and acquisition of Native languages so that they may not only be revitalized but that Native youth have a command of the language from a linguistic and cultural perspective.

The Department of Education has taken significant steps to promote the preservation and revitalization of native languages including the following:

* The Office of Postsecondary Education (OPE) has included an Invitational Priority to support activities that strengthen Native language preservation and revitalization in institutions of higher education in the Title III Alaska Native and Native Hawaiian-Serving Institutions grant competition in FY 2014.
* The Office of Indian Education (OIE) has made several important changes to the application for Title VII formula grants for FY 2014 in order to emphasize the statutory requirement that grant funds be used as part of a comprehensive program for meeting the culturally-related academic needs of Indian students, including the language and cultural needs of the children. In 2013, there were approximately 1,300 Title VII programs and 500,000 students served nationwide.
* In 2013, the South Central Comprehensive Center (SC3), one of three ED Regional Comprehensive Centers, supported the Oklahoma State Department of Education (OSDE) in the development of the native language certification and is continuing to provide technical assistance during statewide implementation of an alternate pathway in native language certification. This work addresses the critical need for fluent native language instructors in efforts to enhance native language revitalization among the   39 Oklahoma tribes.

Through dedicated funding including ED’s Strengthening Institutions Program and Title III grants, several tribal colleges have implemented native language activities as part of their curricula. For example, Cheyenne language courses are currently being offered at Chief Dull Knife College in a four course series and the college also provides summer Cheyenne language immersion experiences for youth in the surrounding communities; Fort Berthold Community College, a tribal college of the Three Affiliated Tribes, has started a project that will provide linguistic training to tribal members in technologically advanced methods of linguistic data collection and analysis aimed at preventing the loss of the highly endangered Mandan language; and the Blackfeet Language Studies curriculum at Blackfeet Community College is designed to promote language fluency in accordance with Blackfeet Language standards, which are equivalent to national standards for language acquisition.

The Department of Education continues to hold consultations with tribal leaders on ways the Department can help address the need to preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop native languages.

In addition, the U.S. Department of Justice and the U.S. Department of Education have collaborated to ensure that AI/AN students who are not proficient in English are appropriately identified as English Learners (ELs) and offered language support services until they achieve proficiency in English. Toward this end, the Departments reached two settlement agreements with the State of Arizona regarding its Home Language Survey (3/25/11) and its process for testing ELs (8/31/12). In February of this year, the Department of Justice also reached a settlement agreement with a school district in Arizona to ensure its Navajo-speaking ELs receive appropriate EL services with teachers who are trained to provide those services.

The National Advisory Council on Indian Education (NACIE) also plays a vital role in how we address the unique needs of AI/AN students**.** NACIE is comprised of fifteen American Indians (including Alaska Native) that are appointed by the President. NACIE advises the Secretary on the funding and administration of any program, including those established under      Title VII, Part A of the ESEA, with respect to which the Secretary has jurisdiction and that includes Indian children or adults as participants or that may benefit Indian children or adults. NACIE annually submits a report to the Congress on the activities of the Council which may include any recommendation the Council considers appropriate for the improvement of Federal education programs that include or may benefit Indian children or adults as participants.

Moving forward, the President has requested funding for vital new programs, such as Race to the Top Equity and Opportunity, a new College Success Grants for Minority-Serving Institutions Initiative, First in the World (FITW) funds focused on institutional innovation, and additional existing programs that are critical to addressing the needs of many AI/AN students.

The Department remains committed to better understanding the needs of AI/AN students and to our responsibility to help improve the educational outcomes for all AI/AN students. Thank you for the opportunity to testify today and I happy to respond to any questions.