

The Chickasaw Nation
Native CLASS Act Testimony
June 29, 2011

Good afternoon, I am Jessica Imotichey, Senior Policy Analyst, representing the Chickasaw Nation from Oklahoma. Thank you Senator Akaka and the Committee for allowing me this opportunity to provide the Chickasaw Nation's conceptual comments as it pertains to portions of the Native CLASS Act. We are at this time continuing our review of the Act and look forward to more dialogue in the future.

The Chickasaw Nation is a federally recognized tribe located in south-central Oklahoma and encompasses all or parts of 13 counties. The Chickasaw Nation division of education serves approximately 14,200 students per year from across the United States. The majority of our Chickasaw students in Oklahoma attend public schools. Currently there are an estimated 59,474 students enrolled in the public school districts within the tribe's jurisdiction; 14,801 are Native American.

The Chickasaw Nation constitution provides the Governor with broad discretion to develop and guide the division of education. The division of education is comprised of 210 employees and 5 departments: childcare, head start/early childhood; education services; supportive programs and vocational rehabilitation. Our goal at the Chickasaw Nation is to develop programs and service that enhance the overall quality of life of Chickasaw people. Our services and programs are not limited

to Chickasaw citizens. We have a wide range of services that benefit other Native American's and non-Natives as well. Many of our programs rely heavily on outside partners in order to address the needs of our people and local communities. We realize that education provides a stepping stone for people to become productive citizens. For that reason, we embrace the idea of becoming better partners with our local schools to improve the education for all students.

Johnson O'Malley

The Chickasaw Nation acts as a contractor for the Johnson O'Malley (JOM) program for 52 public schools within the Chickasaw Nation boundaries. This funding provides supplemental educational opportunities for approximately 8,200 Native American students in our area assisting with school supplies, educational materials, tutoring and cultural education. Each school has a JOM coordinator and parent committee that oversees the use of the funds.

In 1994 the Johnson O'Malley student count was frozen and the funding has not increased since 1995. Currently over 90 percent of Native American students are in public schools yet the funding has remained the same, resulting in fewer services for the students. Additionally when the student count was frozen, the JOM funds were placed under the Tribal Priority Allocation (TPA) category of funding and the JOM office at the Bureau of Indian Affairs (BIA) was closed. There is no contact person for the

JOM program to maintain and administer the program. There has also been a move by the Bureau of Indian Education (BIE) to eliminate the JOM program so they can use the funds for other uses. The BIE's priority is students located within BIE funded schools. As I mentioned earlier, most Native American students attend public schools. The Native students in public schools do not have a voice in the BIE or BIA to advocate for their academic success. The best advocate for Native students is the tribes.

Tribal Interaction with Schools

Tribal interaction with schools could be improved by allowing Tribal Education Agencies (TEA) access to students, and educational data of students enrolled in public schools within the tribal boundaries. These TEAs could assign representatives to the schools to have direct contact with the students and could assist them with tutoring and help address attendance issues with an emphasis on access to tribal programs. Connecting students and families to tribal programs gives much needed access to family counseling, behavioral health professionals, mentoring programs, cultural and language programs to name a few. There are too many issues in public schools to expect the teachers or administrative staff to be aware of tribal programs, which results in tribal students being disconnected to services that could help them perform better academically and socially. Tribal representatives should have access to student records (attendance, grades, etc.) so that tribes can become partners with the schools

to improve the tribal student's education, or prevent at-risk students from failing or dropping out of school.

The curricula for public schools are determined by committees appointed at the district and state level. Unfortunately, in states with populations of Native American students, there are times when schools include offensive material into curricula without being aware of the nature of the offense. For example, in Oklahoma, public schools often conduct activities portraying the "Oklahoma Land Run" without realizing the negative connotation of the act to Native American students. Most teachers and administrators are not aware of the negative impact they have on the students and their families. There are better ways to study historical periods of statehood or other events, and with a tribal representative on the curricula committee, it could be accomplished in a manner that is not offensive.

Accountability

Schools could be held more accountable for the education of Native American students if funding for Indian Education programs such Title VII and Impact Aid were administered by the Tribal Education Agencies in the area. This could be done in a manner similar to the JOM contracts. Currently, schools are only required to have public hearings or oversight committees appointed by the school administration. Tribes are often not given adequate notification for the hearings and may not be asked

to participate at all. As a result the funds are often spent for educational services for the entire school population, not the Native American students for which the funds are allocated. If the TEA had oversight, it could ensure proper expenditures. For years tribes have been asking local schools how the Title VII and Impact Aid funds are spent. Schools are reluctant to share the information with the tribes but when they do answer their typical response is “the funds go into one pool and cannot be tracked;” they cannot tell us specifically if the funds were spent on Native students. Realistically we know the funds are federal dollars and must be reported to the funding agency so there is some type of reporting mechanism involved.

Culture & Native Language

Over the past decades, tribes have made great advances in capturing and preserving their culture, history and languages. Culture, history and language make us who we are and help us to understand our struggles and accomplishments. It is unfortunate that the public school textbooks have not preserved this information or portrayed accurate Native American history to students. History and culture validates people’s existence. Native students look to their history and culture to validate who they are and why they are here. Working with public schools, tribes can provide accurate and relevant history and culture so all students can benefit from the information and presentation. Tribes can be a resource for language, cultural or history

curricula, and it can be designed so that it will abide by State's Common CORE Standards.

The No Child Left Behind Act requires a teacher be considered "highly qualified" in order to teach a language for school credit. Most fluent tribal speakers are elders and do not have the degree or certification to become "highly qualified." Those same speakers are being lost at an alarming rate due to their age. Native languages are highly endangered and action needs to be taken before they are lost. The tribes are the best judge to say who is an expert speaker of their language. NCLB should include language which allows tribes to certify their language speakers according to standards the tribe determines. Additionally, Native language should be certified as a world language credit so that it is accredited for purposes of graduation. Currently, Native language is counted as electives due to the challenges of teacher certification.

In conclusion, we applaud the efforts of this committee to address issues related to Native students and education. Working together, we believe the impact of this Act will not only benefit Native American students but will also positively impact their families, communities, and all students in public schools!