

**Statement by
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**On the Implementation of the No Child Left Behind Act
For American Indian and Alaska Native Children**

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Senate Committee on Indian Affairs
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Mr. Chairman and Members of the Committee:

On behalf of Secretary Paige, thank you for this opportunity to testify on the implementation of the No Child Left Behind Act (NCLB) for American Indian and Alaska Native children. My name is Victoria Vasques, and I am the Deputy Under Secretary and Director of the Office of Indian Education (OIE). I am here with my colleague, Darla Marburger, the Deputy Assistant Secretary for Policy in the Office of Elementary and Secondary Education.

It was, in large part, our Nation's long and unfortunate history of too often ignoring the educational needs of some children that led President Bush to propose his No Child Left Behind reforms. Ignoring these students is no longer an option for States, school districts, and schools, because under NCLB, they are responsible for ensuring that Indian and Alaska Native children meet the same challenging academic standards that other children are expected to meet.

We also know, however, that there are implementation challenges and that a one-size-fits-all approach will not work. There are challenges in areas such as providing school choice for children who live in remote and rural areas, assisting schools in meeting requirements that they employ highly qualified teachers, and determining how native language immersion programs for students in grades K-3 affect assessment requirements that begin in the third grade. However, we are committed to working in consultation with all local, State, and tribal governments to provide flexibility where possible while ensuring that this and future generations of Indian students are not left behind. Working with each of you on this Committee, the Department wants to build upon the special relationship between the Federal government and American Indians and our shared commitment to educational excellence and opportunity.

The President recognized the unique cultural and educational needs of these children in his April 30th Executive Order on American Indian and Alaska Native Education. In particular, the Executive Order emphasizes the importance of helping American Indian and Alaska Native students meet the challenging academic standards of the NCLB Act “in a manner that is consistent with tribal traditions, languages, and cultures.” We believe, in fact, that the No Child Left Behind Act, which combines greater accountability for results with flexibility for local school districts and more choices for parents, provides an excellent framework for meeting the goals of the Executive Order for the nearly 500,000 American Indian and Alaska Native students in our public schools.

Another important event occurring on April 30th was the swearing in of the National Advisory Council on Indian Education. Council members were appointed by the President and will advise Secretary Paige on the funding and administration of all Departmental programs that benefit Indian children or adults.

CHALLENGES

According to the most recent data from the National Assessment of Educational Progress (NAEP), only 16 percent of American Indian and Alaska Native fourth-graders score at or above the proficient level in reading, compared to 41 percent of white students and 31 percent of all students. By the time Indian students reach eighth grade, only 15 percent are proficient in math and only 17 percent are proficient in reading. After falling so far behind in the early years, it is not surprising that Indian students scored 100 points below white students and 60 points below the general population on the 2001 SAT.

THE NCLB ACT: HIGH STANDARDS FOR ALL STUDENTS

Under NCLB, States must ensure that all students, including American Indians and Alaska Natives, are proficient in reading and mathematics—as measured against State standards—by the 2013-2014 school year. We know this won't happen overnight, so the law requires each State as well as the

Bureau of Indian Affairs (BIA) to develop accountability plans for reaching this goal. The plans are based on academic standards for these core subjects, as well as annual assessments based on those standards for all students in grades three through eight and once again in high school. They also include annual objectives for improving student performance on those assessments—part of the concept known as adequate yearly progress (AYP).

A key advance in the new law is the incorporation of subgroup accountability into AYP standards. This means that the performance of schools and school districts is based not just on overall student achievement—which can mask significant gaps between groups of students—but also on the progress of major racial and ethnic subgroups. The result is a system that will hold the BIA, States, school districts, and schools specifically accountable for improving the academic achievement of American Indian and Alaska Native students.

All 50 States, Puerto Rico, and the District of Columbia have developed, and are currently implementing, NCLB accountability plans, which include both a system of rewards for schools that perform well and a system of interventions for schools and districts that are not meeting their goals. These accountability plans are critical to improving the education of American Indian and Alaska Native students because more than 90 percent of these students are enrolled in public schools operated by public school districts, which are held accountable by the States in which they are located. We are confident that the new subgroup

accountability requirements, coupled with significant increases in funding for programs under the NCLB Act, will help close the achievement gaps. We have no doubt that American Indian and Alaska Native students will benefit considerably from the \$3.6 billion, or 41 percent, increase in Title I Grants to Local Educational Agencies funding since the passage of the NCLB Act in 2001. In addition, the National Activities program carried out by my office supports much-needed research and data- collection on the performance of Indian students and will promote ongoing program improvement for Indian education programs.

BIA SCHOOLS

Although most American Indian and Alaska Native students are served by public schools, I know this Committee has a special interest in the Bureau of Indian Affairs-funded schools that serve about 48,000, or some 9 percent, of American Indian students. Under the NCLB Act, total Department funding for schools operated or funded by the BIA has grown to nearly \$131 million, an increase of more than \$60 million or 85 percent since fiscal year 2001. In addition, the law requires that the Departments of Education and the Interior enter into an agreement regarding the distribution and use of program funds under the Act. This agreement must be in place before the Department of Education can transfer funds to Interior. To this point, we have entered into interim annual agreements with the Department of the Interior to transfer these

funds. We are working with Interior to come up with a long-term agreement that will ensure the timely and effective disbursement of NCLB funding to the BIA schools during the remaining years of the current authorization.

Finally, we note that, over the past two years, the BIA has worked diligently to establish the regulations required for implementing various provisions of NCLB, including accountability measures.

DEPARTMENT OF EDUCATION PROGRAM SUPPORT

In addition to the Title I program, the Department of Education provides other significant assistance to States and school districts that support improved achievement for American Indian and Alaska Native students. For example, last year, Secretary Paige announced a six-year, \$30.4 million Reading First grant to the Bureau of Indian Affairs. This major initiative seeks to improve reading achievement using scientifically proven instructional methods for Indian children in kindergarten through third grade.

Putting a highly qualified teacher in every classroom is also a critical concern for Indian students. Assistance is provided through such programs as Improving Teacher Quality State Grants, which is funded at \$2.9 billion and includes a set-aside of \$14.6 million for BIA schools in fiscal year 2004. The Department's OIE will award approximately \$10 million to support the training of high-quality Indian education personnel through the Teacher Corps and

Administrator Corps programs. These funds will be used to support the American Indian Teacher Corps, which trains Indian individuals at the bachelor's degree level or higher to meet full State teacher certification or licensure requirements. These funds will also be used to support the American Indian Administrator Corps to train Indian individuals at the master's degree level to become new school administrators with full State certification. Together, these programs have trained more than 1,000 teachers and administrators to date.

Our OIE awards about \$96 million annually to help approximately 1,200 rural and urban school districts and BIA-funded schools meet the educational and culturally related academic needs of their American Indian and Alaska Native students. OIE also awards about \$10 million for projects that help Indian preschool children learn to read and Indian high school students make the transition from secondary to postsecondary education.

CONCLUSION

The No Child Left Behind Act demands accountability for improving the achievement of all children, including all American Indian and Alaska Native students.

We recognize that the NCLB Act set high standards, and that finding the right mix of accountability and flexibility can be a challenge. However, I am sure that the Members of this Committee would agree that few have more to gain from

a concerted, good-faith effort than our American Indian and Alaska Native students as we continue to implement NCLB for their benefit and for the benefit of all our students.

In closing, I ask you the same question the President asked when he signed the Executive Order on American Indian and Alaska Native education, “How can we work together to raise the standards and expect the best?”

We will be happy to answer any questions you may have.