

# **Rural American Indian Education: A Review of Issues**

—by Laura Waterman Wittstock

## **Demographics & Education Status**

Indian education sprang out of the misguided notion that assimilated Indians would be happy Indians. They would not be Indians at all, in fact. That was the goal of government and the religious community. For two hundred years, the federal government and the states have had great difficulty reconciling a free country with free nations located within the boundaries of that country. The Declaration of Independence itself stated an unreasonable and unfounded fear when it described the American Indian in this way: “HE {the King} has excited domestic Insurrections amongst us, and has endeavored to bring on the Inhabitants of our Frontiers, the merciless Indian Savages, whose known Rule of Warfare, is an undistinguished Destruction of all Ages, Sexes and Conditions.”

The notion that when Indians are educated, the courses should be in the mechanical and domestic areas persisted well into the 1960s. Strong undertones of racism larded reports that found Indians to be “good with their hands,” or having “natural” artistic abilities. An entire school of art was developed and taught to Indians early in this century, leading to Indian “genre” art expression in painting and sculpture.

Understanding the losses sustained by the tribes begins with the loss of homelands. The land area of the United States is 2,423,884,160 acres. Excluding Indian lands and other trust areas, federal lands total 549,473,923 acres, or about 23% of all land belonging to states. Federal land areas vary throughout the states, from 63% of Utah to less than .5% of Iowa.

American Indians and Alaska Natives currently hold 100,015,221 acres of tribal lands in 33 States (excluding Hawaii), or a little over 4% of their original land base. There is very little room to grow.

Over 2.3 million people identify themselves as American Indians, an increase of 38% over the previous decade. However, to be identified as an Indian and recognized as such by the United States, an individual must be a confirmed citizen of a tribe. That number is thought to be around 1.9 million. Conflicting numbers arise when counts are attempted for reservation and urban dwellers.

It is generally estimated that 80% of the Indian population lives away from tribal homelands. This is in part due to the former U.S. government policy of removing Indians to distant cities and in part the inability of the mostly rural and thus isolated Indian nations to sustain growing populations.

From the U.S. Constitution to treaties and laws, the United States has undertaken the role of trustee with respect to Indian lands and Indian people. There are twelve geographic area offices of the Bureau of Indian Affairs (BIA), the federal agency mandated to execute the trust responsibility of the United States.

Below is the 1995 BIA estimate of Indians living on or near tribal lands in the 12 service areas, with a comparison column of children under 16 years of age. The BIA is careful to caution that these numbers have not been finalized and will be tested by the 2000 Census.

The Census Bureau puts the median age for all Indians at 27, ten years younger than the median for the white population.

The average representation of the under 16s is 34%, with a high of 40% for Anadarko (Oklahoma, Texas, Kansas and a part of Nebraska), and a low of 29% for Sacramento (California). However, Anadarko does not have the highest population. Muskogee has a much higher population and thus has more children under the age of 16.

	TOTAL	CHILDREN UNDER 16	
ABERDEEN AREA OFFICE —	128,412	41,813	33%
ALBUQUERQUE AREA OFFICE—	59,598	18,668	31%
ANADARKO AREA OFFICE —	45,535	18,224	40%
BILLINGS AREA OFFICE —	42,427	15,943	38%
EASTERN AREA OFFICE —	50,272	16,187	32%
JUNEAU AREA OFFICE —	85,259	28,040	33%

MINNEAPOLIS AREA OFFICE —	76,883	23,963	31%
MUSKOGEE AREA OFFICE —	284,740	91,426	32%
NAVAJO AREA OFFICE —	225,668	87,736	39%
PHOENIX AREA OFFICE —	100,854	33,366	33%
PORTLAND AREA OFFICE —	104,841	37,951	36%
SACRAMENTO AREA OFFICE —	55,717	16,284	29%
	1,260,206	429,601	34%

Generally, American Indians have a poverty rate of nearly one-third (compared to 13% nationally), a high school dropout rate of 34%, and a four-year college degree attainment rate of 9.4%. The number of families are 450,000, 34.2% of which are single parent households. These characteristics vary considerably from one geographic area to another, but as averages, they illustrate a population under stress.

Tribes have control of tribal schools and aspects of federal schools, however, not every tribe operates a school system or has a federal school nearby. Eighty seven percent of all Indian elementary and secondary students go to state public schools, even on reservations. Under current federal law, tribes have yet to define their rights and roles in relation to state public schools, according to the Native American Rights Fund.

The U.S. National Center for Education Statistics, reports that in 1995, 131.3 thousand Indians were enrolled in college, of which number 120.7 thousand were undergraduates, 8.5 thousand were graduates, and 2.1 thousand were first professionals (law, medicine, etc.).

In terms of degrees earned, distribution for the Indian population is very small compared to other groups. For example, for 1994, 4,975 earned associate's degrees, 6,189 earned bachelor's degrees, 1,697 earned master's degrees, 134 earned doctor's degrees and 371 earned professional degrees. No other group is even close to this low attainment record. Of 41,610 doctorates conferred in 1995, 77.1% went to whites, 4.6% to Blacks, 13.5% to Asians, 3.3% to Hispanics and 1.6% to persons of unknown background. Only 0.5 went to Indians. This includes zero for Indians in Earth Sciences and Computer Sciences, two very important academic fields with high worker demands.

The significance of these figures to Indian education can be found among the 5,260,000 instructional faculty in the U.S. Of the total, 2,820,000 (54%) are between 46 and 60 years of age. This group will retire in ever increasing numbers starting in 2003. The numbers retiring now are already said to be larger than the replacement rate. Indians are only 3,000 of the faculty now. If low numbers continue for master's and doctoral programs, the effect will be extremely negative on future quality of Indian education.

With 429,601 Indian children under the age of 16 (table above), the potential is there to raise the number of Indian earned doctorate and professional degrees considerably in the next decade. But, there are many factors working against this outcome.

### **Indian Education's Bitter Legacy**

It is extremely difficult for today's tribes to overcome the history of educational experiments on Indians and the terrible effect this had on generations of people. The inability of the federal government to conduct successful social programs is nowhere better exemplified than in its record regarding Indian education.

From the provision in the U.S. Constitution reserving the federal right to transact with Indians to the end of treaty-making in 1871, the federal government in its various administrative departments along with Congress, attempted to address a range of social issues facing Indian people. This included education. After pushing Indians onto lands that could not support them, government brought in food for distribution.

From the beginning, corruption was evident in the system. The federal practice of tribal allocations was operated under the worst set of colonialist attitudes imaginable. This included theft, inferior goods, services not rendered, immorality, and inhumane cruelty. Right up until 1952, tribes were actually charged for the provisions they received—recorded as “offsets” of lease payments and sales of minerals, land, timber and other natural resources. This despite the wording of treaties and the presumed reluctance of the government to give back the land ceded by the tribes.

Education followed a similar misguided and corrupt pattern. From the beginning, the intent of the U.S. government was to make Indians into white people. Only European

education was considered. All of Indian life: culture, education, social and political systems, norms and religion were disregarded.

There was no uniform agreement among tribes that European education was desirable. Some embraced it in a desire to be progressive, others refuted it for teaching the wrong skills for the Indian environment. Treaties from 1794 (with the Oneidas), included education provisions, but not all treaties contained them. A national Indian education policy did not develop until 1802, when Congress provided that thereafter there would be an annual appropriation “...for teaching their children reading, writing, and arithmetic, and for performing such other duties as may be enjoined according to such instructions and rules as the President may give and prescribe for the regulation of their conduct...”

In a blatant transgression of the separation of church and state, the President handed over the job of educating Indians to Christian religious groups. This top-down policy with no regulation or monitoring resulted in widespread corruption, extreme cruelty to the children, and the start of generations of children forced into long separations from their families. Meanwhile, other Indian policies were forcing families into poverty and dependency.

Not all tribes capitulated. The Choctaw (1805) and Cherokee (1841) ran public school systems for their citizens even before an American system developed.

Interestingly, most of the money for the misbegotten federal school system did not come from Congress. For example, from 1845 to 1855, Congress spent \$102,000, the tribes spent \$400,000, private donations paid \$830,000, and \$824,000 came from treaty funds (funds owed Indians from land and other sales). The money, regardless of source, was issued without controls on the missionary operators of the schools.

A secular approach to Indian education came about after the Civil War. In 1878, the United States Indian Training and Industrial School at Carlisle, Pennsylvania was authorized. On October 6, 1879, Lieutenant General Richard Henry Pratt, after months of recruiting in the Black Hills, brought 82 innocent children to Carlisle. It was the middle of the night and the BIA had not delivered the promised provisions and furnishings for the children. That was the ominous beginning of the federal boarding school system which still exists today.

Although secular, Pratt said of his mission, “In Indian civilization I am a Baptist, because I believe in immersing the Indians in our civilization and when we get them under, holding them there until they are thoroughly soaked.”

His goal, Pratt said, was to “Convert him in all ways but color into a white man and in fact the Indian would be exterminated, but humanely, and as beneficiary of the greatest gift at the command of the white man - his own civilization.”

It made no difference that Pratt was not an educator, or that he summarily cut the hair of the children (an act reserved for the death of a loved one) and put them in itchy woolen uniforms. He practiced military drill as a means of discipline and control. Carlisle stayed open until 1917. No Indian child who entered the school was ever allowed to speak his or her birth language.

Pratt thought Indians should be schooled in the practical arts. No academics for them. Training was the model. He went so far as to take squadrons of students and put them on exhibit at the (Chicago) Columbian Exposition in 1891. Rows of Indian children marched, holding the implements of farming, cooking, sewing, and mechanics.

In a letter home, published in the school newspaper (and thus approved) Harry Shirley, a young Caddo boy, wrote to his father: “And I am coming home in two years from now if Captain Pratt will let me and how are you getting along with the big house and will you tell me in your letter when you write and we get at Carlisle on Thursday and when we got here I did not like the place but since I have being here two or three days I have got used to the place and I like it very well but when we got I felt very home sick and be sure and send my bow and some spike arrows. And we go to church every Sunday. And I have a blue suit to where and there was one Shyenne boy shot himself with a pistol...”

The fear felt by this little boy comes through clearly, despite the cheerful prose. He asks for his bow and arrows twice in the letter and earlier mentions the death of a “Negro boy” in a railroad mishap.

As with other types of boarding schools, putting large numbers of children together invited infectious disease and contagion. Large numbers of children succumbed to illness. The cemetery at Carlisle and at all federal boarding schools, grew as the years went by.

Pratt was able to convince Indian leaders to send their sons and daughters to the school, although it is highly unlikely he told them what he told the white public about his motives. The children of American Horse, Spotted Tail, Two Strike and even Red Cloud's grandson were sent to Carlisle. Spotted Tail was clear about why he wanted his children to go to school: he wanted to deal more effectively with an untrustworthy government. Treaty violations and encroachment into the Black Hills was commonplace only three years after the defeat of Custer.

There seemed to be no end to the federal Indian education policy. No one feared reprisal for the wrongs committed and public opinion, although divided, was not greatly divided. Confident Indian commissioners sent in reports describing their work and popular writers expressed the sentiments of many.

Charles M. Harvey, writing in the Atlantic in 1906 stated, "To tempt the Indian into individual ownership Congress in 1862 passed an act to protect him in the enjoyment of his property if he would abandon his tribe and live the white man's life. As a further incentive Congress in 1875 passed a law to give him a share of his tribe's property if he would give up the tribe and settle on a quarter section of land under the free homes law signed by Lincoln in 1862. In 1877 an act was passed making appropriations to educate Indians for citizenship, and in 1887 one granting citizenship to all Indians who, separated from their tribes, accepted lands in severalty, and adopted civilized life. This act was extended to the Five Tribes of the Indian Territory in 1901, and thus covered all the red men in the United States."

"What use is the Indian making of his opportunities? Let these facts answer. Outside of those in the Five Tribes, in New York, and in Alaska, 30,000 Indians are attending school, or one out of every six of the population. Of these, 26,000 are in the government's 257 schools, and 4000 are in schools supported by churches or by contracts with the government. Civilized clothes are worn wholly by 116,000 Indians, and are worn partly by 44,000; nearly all of these reside in dwelling-houses; 70,000 talk English enough for ordinary purposes, and most of them can read it; and 40,000 are members of churches."

Harvey proudly states, "Only 26,000 blanket Indians are left in the United States."

Then in a marvelous string of prose, Harvey paints an overwrought picture of the dying Indian culture for his readers:

“Down in the foothills of the Wichita Mountains of Oklahoma the Comanches' Epictetus, the aged Quanah Parker, discourses philosophy and stoically awaits the end. Like the Moorish king Abu Abdallah, looking mournfully backward at his lost Granada, Geronimo, from Fort Sill, gazes westward across prairies and hills to the Arizona of his great days, which he will not see again. Up at Pine Ridge agency the Sioux nonogenarian Red Cloud, the most famous of living Indian warriors, who could tell as many marvels as Aeneas told to Dido, refuses to accept the government's offer of an allotment of land, and goes down, like Dickens's Steerforth in the storm at Yarmouth, waving his hand defiantly in the face of destiny.”

Ninety two years later, if Harvey were alive today, he would be astounded at the status of American Indians. What the tribes lost in education, they won in sovereignty protection in the courts. Had they not won, perhaps Harvey's predictions would have come true. Now, from a position of strengthened sovereign status as recognized by the federal courts, all manner of treaty-based, trust responsibility mandates are on the books in support of Indian education.

### **Indian Education's Great Potential**

One hundred years ago, through the benevolence of some benefactors a few Indians became doctors, engineers and received other advanced degrees. But by the 1920s, the norm was more of the numbing curriculum of animal husbandry, mechanics, and “domestic science,” just like that designed by General Pratt. The only difference was that the relentless attacks on Indian culture had begun to ease. After General Pratt resigned from Carlisle in 1904, Indian culture found some acceptability. Without the strength of will of individuals like Pratt, crushing Indian culture became less of a priority.

Now, the old ideas are gone, culture has made a dramatic comeback, languages are being studied and preserved, but educational practice is still stuck in the 1950s, when industrial and manufacturing jobs were plentiful. The overwhelming majority of Indian



students are not educated to go on to post-secondary training. Support is there, for the few. If the numbers were 50% higher, the strain on resources would be tremendous.

The BIA offers the following programs:

The Higher Education Grant Program is available to an individual who is a member of a Federally recognized Indian tribe. The program provides financial aid to eligible students, based on demonstrated financial need, who have plans to attend an accredited institution of higher education.

Graduate Funding: Funding is provided under a contract with the American Indian Graduate Center in Albuquerque, New Mexico, to individuals wishing to do postbaccalaureate studies. All fields of study are given consideration with priority given to business, engineering, Health, Law, and Natural Resources.

Tribally Controlled Colleges: Currently, the BIA provides grants for the operation of 24 tribally controlled community colleges. The number of Indian students enrolled in these colleges in school year 1995-96 was about 25,000 with a total funding of about \$28 million.

BIA Post-Secondary Schools: The BIA operates two post-secondary schools: Haskell Indian Native University in Lawrence, Kansas, and Southwestern Indian Polytechnic Institute in Albuquerque, New Mexico. These schools have a total enrollment of 1,346 students. For the 1995-96 school year they were funded at about \$11.4 million.

There are four parts to the puzzle that must fit together if Indian education is to realize the success it is capable of achieving: responsible tribal control, a continuing trust responsibility, cooperation from states and local government, and the partnership and support of the private/philanthropic sectors. Each of these puzzle pieces has its own set of complex internal issues which present challenges to success. Any one missing from the picture will leave behind a barrier to success.

**Tribal control:** The complexity of tribal conditions and history make general statements difficult. In addition, federal tinkering created the Indian Reorganization Act of 1934. It was well-intentioned but incomplete. The idea was to create democratic government on reservations along with a legislative/administrative body to carry out the business of the tribe. Not all tribes signed on as IRA governments, but the majority did.

Since the 1970s the tribes have had to break free from this model by adding judiciary branches, longer terms of elected office and business operations. This progress did not occur in a vacuum. As tribes were democratizing, so was America. Civil rights and recognition of imbalances were opening up the country. It was difficult in that environment to understand that tribes are not democracies, nor should they become them just because it is such a good idea.

Today there are Indian nations with balanced governments, developing infrastructure, good schools, and thriving business enterprises. Their percentages of high school and college graduates are up and climbing. There are other tribes who are rich in children, and little else. It is fair to say that tribes have uniformly recognized the value of educating their citizens. Only a few, however, have the power and steady control necessary to carry out their educational goals.

In the middle, there are a great number of tribes with internal problems: everything from political corruption to widespread poverty, poor infrastructure, and undulating stability, which make them susceptible to damage from downtrends. Bad economic times in town often spell disaster on reservations. To work with these realities, planning must happen in an organized and sustained way, from one tribal administration to the next.

**Continuing trust responsibility:** Every decade or so, there is some congressional or administrative shift that makes life hard for the tribes. The curse of the 1950s was termination of the trust responsibility. It started as a congressional resolution, but before it was stopped, the policy led to the destruction of several tribes. That termination trend was reversed in the 1970s and throughout the 1980s to the present time, new tribal recognition has taken place.

But there are congressional representatives who think the trust responsibility is something dispensable. Because the United States has never subjected itself to the authority of the World Court, tribes have been frustrated in attempts to have their issues with the United States heard in a court of international law. Thus, the power game goes on, year after year, and as is the case now, a bill is introduced that would wipe out the trust responsibility of government to the tribes.

Balancing these political outbursts has been the record of law and the interpretations and findings of the federal courts. Given no collusion between judiciary and the legislative bodies, the trust responsibility will go on. The level of support is another question. For years, funds for school construction, administrative support and repairs have been withheld. Release of these funds alone will go far to increase the quality of education of several reservations dramatically. An increase in funding would be miraculous.

**Cooperation from states and local government:** The Native American Rights Fund (NARF) has compiled a state by state record of laws and regulations relating to Indian education. An analysis of this record will probably show variations based on the general political leanings of the state, the number of reservations located in the state, the relations between the state and the tribe(s), and the level of racism generally expressed and tolerated in the state. Few tribes overcome a sustained environment of hostility.

But some do. An outstanding example of this is the Choctaw Nation located in Philadelphia, Mississippi. While the high school graduation rate is 52.9% and only 2.5% of the population have bachelor's degrees or higher, unemployment has dropped to 20% and the tribe takes in an estimated \$100 million a year from gambling alone. It is building its infrastructure and it probably resembles a "developing nation" in many respects. All of this was done in a hostile state environment where removal of the Choctaws was tried twice and tribal members were reduced to being fugitives or sharecroppers to survive after leaving their land and going into hiding. Education is high on the priority list for the tribe. Given its economic base, success is likely.

For the tribes with gambling operations, there is varying hostility from states. Some states want to tax tribes, others deny services. The uneven see-saw effect of this changing public policy and practice make tribes wary of dealing with states. Unfortunately, it is a state by state struggle, with no blanket solutions.

**The partnership and support of the private/philanthropic sectors:** American Indian nonprofits, the tribal colleges, and in some cases the tribes themselves, have been successful in convincing corporations and philanthropy to put money into tribal futures. However, the level of support is still a small fraction of overall support from these sources as well as a small fraction of the support needed.

To encourage greater participation and support, understanding of sovereignty and Indian education issues is needed on the one hand and overcoming fear of exploitation is needed on the other. Partnership models should be developed as well as illustrations from some successful cases.

## **Recommendations**

The NARF review of state laws addressing Indian education included a conference on education reform. Following are some NARF observations and recommendations regarding Indian education.

These laws form the basis of Indian education today:

1. The Johnson O'Malley Act of 1934, as amended. Provides federal funding for formula-based supplemental education programs to tribes and state public schools for the special educational needs of Indian students. Requires local Indian education committees to review applications and be involved in operations. Tribes receive preference when applying for JOM funding through the Bureau of Indian Affairs.

Recommendation: Tribal Education Departments could administer JOM funds with other supplemental and categorical funds to provide more coordination and focus on education issues.

2. The Impact Aid Laws of 1950, Public Laws 81-874 and 81-815, as amended. Provide federal subsidies to state public school districts to construct facilities ('815) and educate children residing on federal lands including Indian country ('874). Amendments were passed in 1978 based on the government-to-government relationship between the United States and Indian tribes. These amendments require school districts to have policies and procedures which ensure that Indian parents and tribes have an opportunity to comment on the funding application process and are consulted in the development of school programs. Indian tribes may also file complaints with the Secretary of Education against school districts for violation of Impact Aid policies and procedures.

Recommendation: If Impact Aid funds went through the tribes, they would have more responsibility for program operation and results.

3. The Elementary and Secondary Education Act of 1965, Public Law 89-10, as amended. Provides supplemental federal funding for a variety of education programs including those that are known today as Chapter 1 and Bilingual Education. Both Chapter 1 and Bilingual Education funding may be provided to state public schools, Bureau of Indian Affairs schools, and to tribal contract or grant schools.

Chapter 1 formula-based funding provides supplemental educational services and programs, usually to develop basic academic skills, for disadvantaged youth including Native Americans. Bilingual Education competitive, discretionary funding provides supplemental bilingual education services and programs for limited English proficient youth including Indians. Both programs have a parent advisory committee requirement to provide schools with advice in the planning, implementation, and evaluation of their programs and services. This requirement may be waived and the elected school board may serve as a PAC in tribal contract and grant schools.

Recommendation: If Chapter 1 and Bilingual Education funds were administered through tribal education departments, the tribe could assist in providing more coordination and focus on education issues.

4. The Head Start Program Act of 1965, as amended. Provides formula-based federal funding for comprehensive health, educational, nutritional, social, and other services to economically disadvantaged preschool children including children on federally recognized Indian reservations. Federally recognized Indian tribes may directly receive Head Start funding and operate Head Start programs for Indian children on their reservations.

Recommendation: If the tribal education department administered Head Start funds, there could be better coordination and transition from preschool into elementary school with fewer political complications.

5. The Indian Elementary and Secondary School Assistance Act of 1972, Public Law 92-318, as amended. Provides formula-based federal funding for supplemental programs known as Title V. These programs are designed to meet the special educational or culturally related academic needs of Indian students. Title V formula funds may be provided to state public schools, Bureau of Indian Affairs schools, and tribal contract and

grant schools. Indian parent advisory committees must approve Title V programs and be involved in program administration in the state public schools.

This Act also makes tribes eligible for certain competitive, discretionary grants for elementary and secondary school demonstration and pilot projects, special teacher training programs, Indian controlled schools projects, and adult education programs.

Recommendation: Tribes could administer Title V funds with other supplemental and categorical funds to provide more coordination and focus on education issues.

6. The Indian Self-Determination and Education Assistance Act of 1975, Public Law 93-638, as amended. Allows Indian tribes to contract for the operation of schools that were formerly operated by the Bureau of Indian Affairs or that were funded by the BIA and privately operated. Authorizes direct funding to tribal schools for programs and operations that are regulated under the Education Amendments of 1978, Public Law 95-561.

Recommendation: Tribal education departments could work with contract and grant schools to coordinate tribal education standards, implement tribal education policies, and promote education goals that perpetuate the tribe.

7. The Education Amendments of 1978, Public Law 95-561, as amended provide broad statutory guidance to schools that are operated or funded by the Bureau of Indian Affairs. Provides for Indian school boards in BIA operated schools. Requires the BIA to actively consult with tribes in all matters that relate to Bureau schools. Allows the Secretary of the Interior to implement cooperative agreements between tribes, school boards of Bureau schools, and state public school districts. Establishes formula-based funding for all BIA operated schools and BIA funded tribal schools. Requires that such schools be accredited or meet standards that are equal to or exceed those accreditation requirements. Allows tribes to set academic standards for BIA operated or funded schools that take into account the specific needs of Indian children.

Recommendation: Tribal education departments could assist BIA operated or funded schools in lobbying for or obtaining the resources needed to implement the 95-561 requirements.

8. The Tribally Controlled Community College Assistance Act of 1978, Public Law 98-192, as amended. Provides federal funding for post-secondary institutions

controlled by Indian tribes. Tribal governments now operate 24 tribally controlled colleges. Two of these colleges are four-year institutions.

Recommendation: Tribal education departments could assist tribal colleges in trying to gain needed resources, and tribal education departments could gain assistance from tribal colleges in solving Indian education problems.

9. The Indian Education Act of 1988, Public Law 100-297, as amended. Allows tribes to operate BIA funded schools as grant schools rather than as contract schools. Grant school funding allows tribal schools to receive funding on a more timely basis, to invest those funds under certain restrictions, and to use the interest gained for further educational costs in their schools.

This Act also authorizes federal funding for tribal early childhood programs and tribal departments of education. To date no money has been appropriated for tribal departments of education.

Recommendation: Tribal education departments could be funded through this law when appropriations match authorizations.

10. The Carl D. Perkins Vocational and Applied Technology Education Act of 1990, Public Law 101-392. Provides funding for competitive, discretionary project grants that will provide vocational education opportunities for Indians. Allows tribes and tribal organizations to plan, conduct, and administer vocational education programs that will provide Indian students with skills related to jobs or further post-secondary training. Also allows tribal post-secondary institutions to compete for post-secondary vocational education grants.

Recommendation: Tribal education departments could assist vocational education programs and post-secondary institutions in focusing their training on employment areas relevant to the tribe.

11. The Native American Languages Act of 1990, Public Law 101-477. Recognizes the right of Indian tribes to use their native languages to conduct tribal business and as a medium of instruction in all Bureau of Indian Affairs funded schools. Directs federal agencies to consult with tribes in evaluating the agencies' policies and procedures and bringing these in compliance with the Act.

Recommendation: Tribal education departments could assist BIA funded schools and tribal councils in making the transition to greater use of tribal language to increase in student cultural awareness and self-esteem.

12. The Goals 2000: Educate America Act, Public Law 103-227. Provides funds and a framework for schools to meet the National Education Goals. Includes American Indian and Alaska Native students in public schools and allots set-aside funds for schools operated or funded by the Bureau of Indian Affairs. Authorizes the Secretary of the Interior to establish a plan to develop a reform and improvement plan for BIA education and to conduct a cost analysis of BIA academic and home living/residential standards. Specifically mentions Indian education in the activities of the Office of Educational Research and Improvement (OERI), including placing the Director of BIA Education on the National Educational Research Policy and Priorities Board and the inclusion of American Indian and Alaska Native students in OERI research institutes/activities.

Recommendation: Tribal education departments could assist BIA funded and operated schools and public schools in complying with the National Education Goals. Tribal education departments could also help the OERI with Indian education research.

13. The Improving America's School Act of 1994, Public Law 103-382. Amends the Elementary and Secondary Education Act of 1965, including Title I (formerly Chapter 1), Bilingual Education, Impact Act, and Title IX. This Act also amends the Education Amendments of 1978, which pertain to Bureau of Indian Affairs schools and programs. This Act also provides land-grant status to tribal colleges in accordance with the provisions of the Act of July 2, 1962.

### **Final Observations**

A major question for tribes will be how to serve tribal members who do not live on the homelands. These citizens currently have limited access to services and frequently have no right to vote on tribal matters. If 80% of the potential workforce is estranged from the tribe, how will it make up for the loss?

Tribal governments may also have to do the heavy lifting in developing comprehensive educational policies and plans. NARF gives the example of the Rosebud Sioux in South Dakota. The Tribal Education Code, enacted in 1991, was developed and enacted after the Tribe went through an extensive self-assessment of where it was and



where it wanted to be in education. The Code establishes a tribal education department. It regulates all schools on the reservation including the state public schools. It establishes guidelines and regulations in curriculum and education standards, staffing, alcohol and drug abuse education, and parental and community involvement.

Since enactment of the Code, the Rosebud Sioux Tribe has reached an agreement with the state public school district on its reservation regarding Impact Aid funding. The school district and the Tribe are equal partners in the Impact Aid funding application process and expenditure planning. And the district and the Tribe work jointly to monitor and improve student performance. With federal law changes and further tribal / state cooperation, this model could be extended to other reservations and Indian communities.

Government has to learn the lesson of sovereignty. For the Feds, that's the trust responsibility and adequate financing of the authorizations. It will require the BIA to take its foot off the brakes and put it on the gas, instead.

State governments will have to find a benefit in having a better educated citizenry and a partner tribe that knows its way around Indian education issues.

And all outsiders must understand that Indian culture was once ripped away from the people. They won't let it happen a second time.