

August 21, 2014

Carrie L. Billy
President & CEO

The Honorable Jon Tester
Chair

The Honorable John Barrasso
Vice-Chair

MEMBERSHIP:

ALASKA

Ilisagvik College

ARIZONA

Diné College
Tohono O'odham Community College

KANSAS

Haskell Indian Nations University

MICHIGAN

Bay Mills Community College
Keweenaw Bay Ojibwa Community College
Saginaw Chippewa Tribal College

MINNESOTA

Fond du Lac Tribal and Community College
Leech Lake Tribal College
Red Lake Nation College
White Earth Tribal and Community College

MONTANA

Aaniiih Nakoda College
Blackfeet Community College
Chief Dull Knife College
Fort Belknap College
Little Big Horn College
Salish Kootenai College
Stone Child College

NEBRASKA

Little Priest Tribal College
Nebraska Indian Community College

NEW MEXICO

Institute of American Indian Arts
Navajo Technical College
Southwestern Indian Polytechnic Institute

NORTH DAKOTA

Cankdeska Cikana Community College
Fort Berthold Community College
Sitting Bull College
Turtle Mountain Community College
United Tribes Technical College

OKLAHOMA

College of the Muscogee Nation
Comanche Nation College

SOUTH DAKOTA

Oglala Lakota College
Sinte Gleska University
Sisseton Wahpeton College

WASHINGTON

Northwest Indian College

WISCONSIN

College of Menominee Nation
Lac Courte Oreilles Ojibwa Community College

WYOMING

Wind River Tribal College

ALBERTA, CANADA

Red Crow Community College

Committee on Indian Affairs
United States Senate
838 Hart Senate Office Building
Washington, DC 20515

Dear Messrs. Chairman and Vice-Chairman:

On behalf of the nation's Tribal Colleges and Universities (TCUs), which are collectively the American Indian Higher Education Consortium (AIHEC), I am pleased to submit recommendations for inclusion in the proposed bill(s) being drafted by the Committee to address the education challenges and outright needs of American Indians/Alaska Natives.

TCUs are tribally or federally chartered operating more than 75 campuses in 16 states, and serve students from well over 250 federally recognized tribes. While TCUs vary in enrollment (size), focus (liberal arts, sciences, workforce development/training), and location (woodlands, desert, frozen tundra, rural/isolated reservation, urban) there is one constant among the TCUs; the need for adequate federal operating and programmatic funding to continue to provide and expand high quality, culturally relevant higher education opportunities for Native students.

This letter provides an overview of the recommendations from TCUs. Should the Committee decide to update current law, an accompanying document is included with suggested modification in legislative language for the *Higher Education Act (HEA)*, *Elementary and Secondary Education Act (ESEA)*, and the *Workforce Innovation and Opportunity Act (WIOA)*.

Honoring Tribal Sovereignty and Supporting TCU Operations:

- **A Five-Year Plan for Funding Equity:** TCUs should be funded at their authorized level of \$8,000 per American Indian student. They currently receive less than \$6,000 per student. At the Department of Agriculture, TCUs are also woefully underfunded relative to their land-grant counterparts. The Committee should work with the Departments of Interior, Agriculture, and Education to recognize the funding inequities facing American Indians in education and develop a long-term plan for addressing them. This Committee, the Departments of Interior and Education, and the Bureau of Indian Education can put together the best plans for reforming American Indian Education, but they will ultimately mean very little if TCUs and BIE schools are not adequately funded.
- **Opposition to federal assumption of any state's legal responsibility for cost of Native American tuition waiver:** Currently, through support from the state, as mandated by federal statute, tuition at Fort Lewis College is waived for American Indian/Alaska Native students who are admitted, in exchange for the transfer of land and facilities to either the state or college. Colorado, citing 'severe budget constraints' is seeking to have the federal government assume at least 40 percent of the cost of tuition for those Native students enrolled at Fort Lewis College, who are not Colorado residents.

AIHEC is the collective spirit and unifying voice of our nation's Tribal Colleges and Universities.



For past academic year, Congress appropriated less than 75 percent of the authorized level for Tribal institutions of higher education (the TCUs.) Consideration of Colorado's request prompts some clear questions: If federal funds can be found to relieve any state of its obligation to waive tuition for any Native student, which it readily agreed to do when it negotiated the transfer of land and facilities, then why are the Tribally chartered colleges and universities, to which the federal government has its own direct responsibility, still not fully funded at the congressionally authorized level? How can the cash-strapped federal government even begin to consider bailing out a state from its obligation to provide tuition waivers to Native students before it fulfills its own direct responsibility to the federally recognized Tribal governments that signed treaties and chartered institutions of higher education and receive no federal funds for the 20 percent of non-Indian students who are enrolled in TCUs?

Until all of the TCUs are fully funded, the TCUs stand opposed to any federal funding being appropriated to bailout Colorado, or any other state, from its legal obligation to pay tuition for any Native student. Further, should the TCUs reach and maintain full funding, any federal funds designated to pay any portion of a state's obligation for tuition waivers for Native students at a non-Tribal institution of higher education should be capped at the level authorized for TCUs in the Tribally Controlled Colleges and Universities Assistance Act.

Supporting Our Students and Preserving Native Culture:

- **Create a TCU Native Language Vitalization and Training Program:** The nation's 37 TCUs are ideal forums for advancing the time-sensitive efforts to rescue Native languages from extinction. Of the 155 Indigenous languages still being spoken in the United States, 135 of these are spoken only by elders. Native languages have rich oral cultures with stories, songs, and histories passed on to younger generations, but many have no written forms. When a language is lost, it is lost forever and with it an entire culture is lost. Language and culture are at the heart of the mission of each TCU, and these institutions play a strong leadership role in Native language immersion. Despite the proven success of TCU Native language preservation and vitalization efforts, only minimal federal and private sector resources are dedicated for these critical activities. A Native Language Vitalization and Training Program could be authorized for TCUs to continue this important and time sensitive work, through Title III of the *Higher Education Act*.
- **Create a TCU Support Services Program:** Among institutions of higher education, TCUs have a disproportionate number of students in need of developmental/remedial education and other services. Currently, about 70 percent of entering TCU students need developmental courses in math and more than half must take one or more developmental courses in reading and writing. These barriers require a sustained and comprehensive student support program. AIHEC recommends the development of a competitive grant program for TCU Student Support Services, which could be authorized under Title III of the *Higher Education Act*.

Training Our Teachers:

- **Recognize the Inherent Role of TCUs in Training Educators of Native Learners:** TCUs need to be recognized and adequately supported so that they can continue to play a fundamental role in developing a critical mass of educators for Native learners. As Tribal institutions, TCUs should be the primary training sites for pre-service and in-service educators who work with Native learners. As the primary goal of Professional Development for American Indian Teachers/Administrators program is to increase the number of effective Indian teachers and administrators for schools with large Indian populations, the TCUs need to be lead institutions in the efforts funded under this program. This program allows for scholarships for teachers of Native students, more of whom need to be Native teachers. Teachers and role models, who will not just work for a few years to fulfill his or her required service under the program, but those that already make their home on a reservation and will be well trained and enduring presence at reservation schools.
- **Expand the TCU-Head Start Partnership Program:** TCUs are ideal partners for ensuring Head Start has an effective impact on Indian Country. This program helps more Head Start teachers earn degrees in Early Childhood Development or a related discipline, and ensuring that all children experienced excellent Head Start programs. The Committee should direct the Head Start Bureau to designate a minimum of \$7 million of the \$8.86 billion recommended for Head Start Programs in the FY 2015 Budget, and a comparable amount in subsequent years, to allow more TCUs to play an even larger role in achieving the goals of Head Start for children in Indian Country.



- **Expand the TCU-Head Start Partnership Program:** TCUs are ideal partners for ensuring Head Start has an effective impact on Indian Country. This program helps more Head Start teachers earn degrees in Early Childhood Development or a related discipline, and ensuring that all children experienced excellent Head Start programs. The Committee should direct the Head Start Bureau to designate a minimum of \$7 million of the \$8.86 billion recommended for Head Start Programs in the FY 2015 Budget, and a comparable amount in subsequent years, to allow more TCUs to play an even larger role in achieving the goals of Head Start for children in Indian Country.

Serving Our Communities:

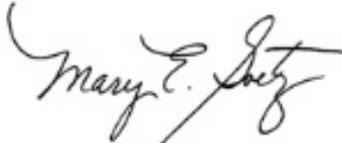
- **Recognize the Role of TCUs in Providing Dual Credit Options for Students:** TCUs, like many public colleges and community colleges, offer dual enrollment courses for area students. However, unlike their state chartered counterparts, TCUs are not reimbursed for these services. Congress should direct the Bureau of Indian Education (BIE) to develop and fund a mechanism to reimburse and expand dual credit programs for BIE high school students attending TCUs; and to the extent possible, Congress should encourage states to reimburse TCUs for dual credit courses, just as they do every other public institution of higher education in their state.
- **Support TCU Efforts to Provide the Community with Adult Education Services:** TCUs offer their communities much more than access to postsecondary education, including Adult Basic Education (ABE). All federal funding for ABE and GED now goes to States, which rarely provide funding to TCUs, for these services. In spite of a lack of funding, TCUs continue to provide these vital services for their communities. A modest set-aside within this program, authorized by Title II of the *Workforce Innovation and Opportunity Act*, would allow TCUs and Native Hawaiian Education Organizations the opportunity to expand these much needed offerings within their communities.

Making Federal Programs Work for American Indians

- **Restructure Grant Awards from HHS-ANA:** The Department of Health and Human Resources – Administration for Native Americans (DHHS-ANA) language grant programs should be modified to awarding grants for a period of 10 years, rather than three years. Alternatively, DHHS-ANA could adopt the successful model used by the National Science Foundation (NSF). NSF currently makes awards under its Tribal College and University program for period of five years, with the option to award an additional 5-year grant upon a demonstration of satisfactory progress having determined that to address systemic challenges, sustainable funding for at least 10 years is needed.
- **Ensure the Department of Education’s HEA Title III Application Process Is Not Prohibitive:** In the past, the Department of Education has determined that TCUs must complete an “application for eligibility” to participate in the TCU-Title III program, despite the fact that TCU eligibility is very clearly defined. This requirement has been enforced sporadically to the detriment of TCUs. The pre-application process for determining eligibility is unnecessary and should not be a requirement for TCUs. While currently, the Department is not requiring the pre-application for eligibility for the TCU-Title III program, statutory language is needed to ensure that this wholly unnecessary practice is not arbitrarily revived in the future.

Thank you for convening oversight hearings on American Indian/Alaska Native education and moving forward with plans to draft legislation. The nation’s TCUs appreciate the opportunity to provide input and look forward to working with the Committee in crafting legislation to address the numerous and pressing challenges facing students and families in Indian Country.

Respectfully,



Mary 'Meg' Goetz
Vice-President for Advocacy



**AIHEC/TCU LEGISLATIVE RECOMMENDATIONS
TO THE SENATE COMMITTEE ON INDIAN AFFAIRS
AUGUST 20, 2014**

The following are legislative recommendations to accompany the letter from the Tribal Colleges and Universities (TCUs), which collectively are the American Indian Higher Education Consortium (AIHEC), submitted in response to the Senate Indian Affairs Committee's request for input with regard to legislation being drafted to address Indian education and Native languages. These recommendations are organized by legislation to be amended.

I. HIGHER EDUCATION ACT (HEA)

TITLE III: INSTITUTIONAL AID

(A) Technical amendment to simply remove a requirement that TCUs submit a pre-application that the U.S. Department of Education had imposed, but has since agreed was unnecessary and burdensome since the program is defined to serve a very limited pool of participants under the TCU-Title III program (Sec. 316). Recently, the department agreed to return to its earlier practice and halt the pre-application process for the TCU Title III program. However, without statutory language, there is no assurance that the arbitrary imposition and enforcement of the unnecessary pre-application process will not be resumed for the TCU program, at some future time.

Proposed Legislative Language: The Higher Education Act of 1965 is amended as follows:

"Strike Title III-A Sec 316 (d)(1) and redesignate the subparagraphs accordingly."

The requirement is intended to define and narrow the pool of applicants eligible to compete in the general Title III-A Strengthening Institutions program. Since 2008, the TCU specific Title III program is formula funded and therefore, it is not necessary or relevant to impose the pre-application process in order to be eligible to receive a grant. It is worth noting that the Historically Black Colleges and Universities Title III programs, which have always been formula funded, are not subject to the pre-application process in order to determine eligibility to receive a grant under said program. Yet, until the statutory language is removed, the Department may resume the pre-application process requiring that all TCUs go through the process of applying for eligibility *months before* submitting an application for participation. This unnecessary and often confusing step is contrary to existing statutory language that directs the Department to "simplify and streamline the process of applying for grants" under the TCU Title III program. (Sec. 316(d)(2)(B))

Further Background and Explanation of Request:

Issues with Section 312(b), which specifies the eligibility criteria for participation in the programs under Title III-A, as applied to the TCUs' Title III-A program, include:

- Under current law, this eligibility criterion applies to all programs authorized under Title III-A of the Higher Education Act that are not specifically exempted from all or part of Section 312(b). For the past several years, the Department has required that any tribal college wishing to compete in the TCU-specific program must submit an online "application for eligibility," which typically is due several months before the actual program proposal deadline. However, this has not always been the case, and had led to some confusion among TCUs. When the program was originally implemented in the late 1990s, the Department did not require TCUs to submit an eligibility application because the Department had no trouble determining which institutions were eligible to participate for the TCU program, as they are clearly defined.
- The past arbitrary imposing and enforcement of the eligibility application process on TCUs led to several TCUs being excluded from this vitally needed program. For example, in FY2008, Navajo

Technical College (NTC) in Crownpoint, NM was excluded from participating in the program simply because its name had changed (from Crownpoint Institute of Technology) between the time that it last filed an eligibility application and the FY2008 competition. The FY2008 competition was especially important because it included a one-time solicitation for \$60 million in mandatory construction funding under the *College Cost Reduction and Access Act* (CCRAA), specifically for TCUs. Without notifying the institution or asking any questions about the name change, Department of Education staff simply disallowed the application, thus leaving NTC out of the competition for \$60 million in construction funding, as well as the discretionary TCU construction program. In addition, Fort Peck Community College in Montana was excluded inexplicably from the program, even though the institution received a letter signed by a Department official stating that it was eligible to compete.

- The criteria clearly are not relevant to Tribal Colleges and Universities:
 - Another example, 27 of the TCUs are funded under Title I of the Tribally Controlled Colleges and Universities Assistance Act (TCCUAA), and thus receive an IDENTICAL amount of funding, per student, for “educational and general expenditures,” therefore, section 312(b)(1)(B) is essentially irrelevant to these TCUs.
 - Included in the eligibility pre-application is a waiver option for TCUs for both the needy student and the educational and general expenditures (E&G) requirements, which make it clear that the Department recognizes that this additional step in the application process is irrelevant for Tribal Colleges and Universities.
- Congress has adopted changes to the TCU Title III program, in recognition of the small and clearly defined pool of eligible applicants and the burdensome application process. The first, included language that (a) directs the Secretary to “streamline and simplify the application process” for the TCU program, and (b) exempts the TCU program from the 2-year wait out period applicable to the general Title III-A program; and most recently, the TCU program was changed from a competitive to a formula funded program.

Authorization of Appropriations: AIHEC is requesting a \$35 million authorization for fiscal year 2015 and “such sums” for each succeeding fiscal year. We are looking to increase funding authority to a level adequate to continue to support those institutions currently qualified to apply for funding under the TCU program, as well as to accommodate a number of identified emerging TCUs. These new TCUs will further expand access to and completion of quality higher education opportunities for American Indian and Alaska Native peoples.

(B) Create a TCU-Native Languages Vitalization and Training Program.

Proposed Legislative Language: Part A of Title III of the Higher Education Act of 1965 (20 U.S.C. 1057 et seq.) is amended by adding at the end the following:

“SEC. ___ NATIVE AMERICAN LANGUAGE VITALIZATION AND TRAINING PROGRAM.

“(a) DEFINITIONS.—In this section:

“(1) TRIBAL COLLEGE OR UNIVERSITY.—The term ‘tribal college or university’ has the meaning given the term ‘Tribal College or University’ in section 316(b).

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish a program, to be known as the ‘Native

American Language Vitalization and Training Program', under which the Secretary shall provide grants to tribal colleges or universities to promote the preservation, revitalization, relevancy, and use of Native American languages.

“(2) REQUIREMENTS.—

“(A) BASIS.—The Secretary shall provide grants under paragraph (1) on a competitive basis.

“(B) TERM.—The term of a grant under paragraph (1) shall be not more than five years.

“(3) APPLICATION.—

“(A) IN GENERAL.—To be eligible to receive a grant under this subsection a tribal college or university shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(B) STREAMLINED PROCESS.—The Secretary shall establish application requirements in such a manner as to simplify and streamline the process for applying for grants under this section.

“(C) INCLUSIONS.—An application under this paragraph shall include a plan for the program proposed to be carried out by the tribal college or university using the grant, including—

“(i) a description of a 5-year strategy of the tribal college or university for meeting the needs of American Indians or Alaska Natives, as appropriate, in the area served by the tribal college or university;

“(ii) (I) an identification of the population to be served by the tribal college or university; and

“(II) an identification of the status of Native American language understanding and use within that population and a description of the manner in which the program will help preserve and revitalize the relevant Native American language;

“(iii) a description of the services to be provided under the program, including the manner in which the services will be integrated with other appropriate activities; and

“(iv) a description, to be prepared in consultation with the Secretary, of the performance measures to be used to assess the performance of the tribal college or university in carrying out the program.

“(D) REQUIREMENT.—A program plan under subparagraph (C) shall be consistent with the purposes of this section, as determined by the Secretary.

“(c) USE OF FUNDS.—A tribal college or university may use a grant provided under this section to carry out activities, including—

“(1) curriculum development and academic instruction, including educational activities, programs, and partnerships relating to students in prekindergarten through grade 12;

“(2) professional development for tribal college and university faculty and in-service training programs for pre-kindergarten through grade 12 instructors and administrators; and

“(3) innovative Native American language programs for students in pre-kindergarten through grade 12, including language immersion programs.

“(d) APPLICABILITY OF OTHER PROVISIONS.—

“(1) CONCURRENT FUNDING.—A tribal college or university that receives a grant under this section may concurrently receive funds under section 316.

“(2) EXEMPTION.—Sections 312(b) and 313(d) shall not apply to a tribal college or university that receives a grant under this section.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$15,000,000 for each of fiscal years 2015 through 2019.”.

Further Background and Explanation of Request: TCUs are engaged Tribal institutions of higher education created by American Indians for American Indians primarily on rural and isolated Indian reservations, which were virtually excluded from the rest of this nation’s system of higher education. TCUs and their students contribute significantly to the economic and social health of reservation communities. TCUs offer a variety of social services for students and community members and often serve as community centers, libraries, tribal archives, career and business centers, economic development centers, public meeting places, and childcare and wellness centers. The nation’s 37 TCUs are ideal forums for advancing the time-sensitive efforts to rescue Native languages from extinction. Of the 155 Indigenous languages still being spoken in the United States, 135 of these are spoken only by elders. Native languages have rich oral cultures with stories, songs, and histories passed on to younger generations, but many have no written forms. When a language is lost, it is lost forever and with it an entire culture is lost. Language and culture are at the heart of the mission of each TCU, and these institutions play a strong leadership role in Native language immersion. Indeed, TCUs are responsible for the majority of the 50 or so Native language immersion programs in the United States. Despite the proven success of TCU Native language preservation and vitalization efforts, only minimal federal and private sector resources are directed toward these critical activities. Because many Native languages are on the verge of extinction we do not have the luxury of time. We must address this critical issue now, before it is too late.

(C) Create a TCU Support Services Programs.

Proposed Legislative Language: Part A of Title III of the Higher Education Act of 1965 (20 U.S.C. 1057 et seq.) is amended by adding at the end the following:

“SEC. ___ TRIBAL COLLEGES AND UNIVERSITIES SUPPORT SERVICES FOR STUDENTS.

“(a) DEFINITIONS.—In this section:

“(1) TRIBAL COLLEGE OR UNIVERSITY.—The term ‘tribal college or university’ has the meaning given the term ‘Tribal College or University’ in section 316(b).

“(b) ESTABLISHMENT.—

“(1) IN GENERAL.—The Secretary shall establish a program, to be known as the ‘Tribal Colleges and Universities Program’ to establish and expand support services for students that will allow for more efficient and effective application and administration of such programs addressing the unique population of students at the nation’s Tribal Colleges and Universities.

“(2) REQUIREMENTS.—

“(A) BASIS.—The Secretary shall provide grants under paragraph (1) on a competitive basis.

“(B) TERM.—The term of a grant under paragraph (1) shall be not more than five years.

“(3) APPLICATION.—

“(A) IN GENERAL.—To be eligible to receive a grant under this subsection a tribal college or university shall submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may reasonably require.

“(B) STREAMLINED PROCESS.—The Secretary shall establish application requirements in such a manner as to simplify and streamline the process for applying for grants under this section.

“(C) INCLUSIONS.—An application under this paragraph shall include a plan for the

program proposed to be carried out by the tribal college or university using the grant, including —

“(i) a description of a 5-year strategy of the tribal college or university for meeting the unique needs of American Indian/Alaska Native students;

“(ii) the number of students to be served for each year of the grant;

“(iii) a description of the services to be provided under the program; and

“(iv) a description, to be prepared in consultation with the Secretary, of the performance measures to be used to assess the performance of the tribal college or university in carrying out the program.

“(D) REQUIREMENT. — A program plan under subparagraph (C) shall be consistent with the purposes of this section, as determined by the Secretary.

“(c) USE OF FUNDS.— A tribal college or university may use a grant provided under this section to carry out activities, including—

“(1) academic tutoring, which may include instruction in reading, writing, study skills, mathematics, science, and other subjects;

“(2) advice and assistance for students in navigating -

(A) course selection

(B) mentoring programs

(C) student financial aid programs, including scholarships and assistance in completing public and private financial aid applications

(D) education or counseling services designed to improve financial and economic literacy

(E) application for admission to, and securing financial assistance for enrollment in four-year and/or graduate programs

(F) other activities proposed in the application that contribute to carrying out the intent of this program as described in subsection (b) and are approved by the Secretary as part of the review and acceptance of such application

“(d) APPLICABILITY OF OTHER PROVISIONS.—

“(1) CONCURRENT FUNDING.—A tribal college or university that receives a grant under this section may concurrently receive funds under section 316.

“(2) EXEMPTION.—Sections 312(b) and 313(d) shall not apply to a tribal college or university that receives a grant under this section.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$10,000,000 for each of fiscal years 2015 through 2019.”.

Further Background and Explanation of Request: TCUs must find stable funding for student support services to achieve the shared goal to increase participation, retention, and completion rates of American Indian/Alaska Native students in postsecondary education. Among institutions of higher education, TCUs have a disproportionate number of students in need of developmental/remedial education and other services.

Currently, about 70 percent of entering TCU students need developmental courses in math and more than half must take one or more developmental courses in reading and writing. These barriers require a sustained and comprehensive student support program. The penultimate TRIO student support services (SSS) competition (2005) resulted in a 26 percent drop in the number of SSS grants being awarded to TCUs. As a result of the latest competition (2010), the number of TCUs with SSS grants dropped by another 11.8 percent. The drop is not an indication of inferior proposals. On the contrary, it is an illustration of the extreme need for and lack of adequate funds available for such vital grant programs, nationwide. The grant scoring cut off of these SSS competitions is exceedingly high, a further illustration of the dearth of available resources, and leaving many worthy programs unfunded. Clearly, institutions

such as TCUs will be hard pressed to compete with larger, more developed institutions that have more stable resources and are in a position to hire professional grant writers. Prior experience points, complexity of application, and lack of adequate resources have kept TCUs from being able to participate in this critical program, at even a fraction of need. This new competitive program is proposed to afford the TCUs, which currently number less than 35, a solid opportunity to secure funds to build stable student support programs at their respective institutions. The 2005 and 2010 TRIO SSS competitions resulted in a large proportion of TCUs that had TRIO-SSS grants losing their program funding. This most unfortunate situation must be reversed so that TCUs can continue to provide access and foster success in quality higher education opportunities for the Native and non-Native students enrolled at the nation's TCUs.

TITLE IX: Amendments to Other Laws

Reauthorization of the Tribally Controlled Colleges and Universities Assistance Act of 1978: The American Indian Higher Education Consortium will also seek to update the Tribally Controlled Colleges and Universities Assistance Act of 1978, which is reauthorized in conjunction with the Higher Education Act.

II. ELEMENTARY AND SECONDARY EDUCATION ACT (ESEA)

Improving Support for Teachers of Native Students/Training Our Teachers

- 1) Indian Country needs to be included in all national initiatives that create opportunities for the training, recruitment, and retention of teachers. This can only be achieved through set-asides that are administered by the U.S. Department of Education.
- 2) Tribal Colleges and Universities need to be recognized and adequately supported so that they can continue to play a fundamental role in developing a critical mass of educators for Native learners.
- 3) Tribal Colleges and Universities should be the primary training sites for all educators who work with Native learners. ESEA should include a Tribal teacher preparation initiative for Tribal Colleges and Universities that focuses on educators who are working at American Indian schools and educators who are, or are interested in, working at American Indian schools.

Proposed Legislative Language regarding American Indian Teacher Preparation:

Title VII of the Elementary and Secondary Education Act should be amended as follows:

- **Section 7121 – Improvement of Educational Opportunities for Indian Children (20 U.S.C. 7441):** In section 7121(b), strike “Indian institution (Including an Indian institution of higher education)” and insert “a Tribal College or University as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c)”.
- **Section 7122 – Professional Development for Teachers and Education Professionals (20 U.S.C. 7442):**
 - In subsection 7122(b):
 - Strike paragraph (1) and insert in lieu thereof: “(1) a Tribal College or University as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c);”
 - Strike the period in paragraph (4) and insert “in consortia with at least one Tribal College or University as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c).”

In subsection 7122(f):

- Insert new paragraph (1) as follows: "(1) shall give priority in making awards to tribally and federally chartered institutions of higher education that have an enrollment of a majority of American Indian/Alaska Native students;" and redesignate subsequent paragraphs accordingly;
- In newly redesignated paragraph (2), strike "shall" and insert "may";
- In newly redesignated paragraph (3), strike "basis of –" and all that follows through "grants." and insert "basis of the length of any period during which the eligible entity has received a grant or grants."

III. ADULT EDUCATION AND FAMILY LITERACY

Support TCU Efforts to Provide Adult Base Education Services: The Workforce Innovation and Opportunity Act (20 U.S.C. 9201 et seq.) is amended--

(1) In section 211(a)--

- (A) in paragraph (2), by striking 'and' after the semicolon;
- (B) by redesignating paragraph (3) as paragraph (4); and
- (C) by inserting after paragraph (2) the following:

"(3) shall reserve 1.5 percent to carry out section 244;

LIMITATIONS.-- (a) The Secretary shall reserve an amount under paragraph (3) only if the amount appropriated under section 205 for a fiscal year is in excess of the amount appropriated under section 205 for fiscal year 2014; and (b) In any fiscal year in which the amount reserved under paragraph (3) exceeds 1.5 percent of the fiscal year 2014 appropriated level, the amount reserved under paragraph (3) shall not exceed the amount of increase over the fiscal year 2014 appropriated level for section 205." and

(2) by inserting after section 243 the following:

SEC. 244. AMERICAN INDIAN, ALASKA NATIVE, NATIVE HAWAIIAN, AND TRIBAL COLLEGES AND UNIVERSITIES ADULT EDUCATION AND LITERACY.

(a) Grants and Purpose- From the amount reserved under section 211(a)(3), the Secretary shall award grants to Tribal Colleges and Universities and Native Hawaiian educational organizations--

(1) to enable the Tribal Colleges or Universities and Native Hawaiian educational organizations to develop and implement innovative, effective, and replicable programs designed to enhance life skills and transition individuals to employability and postsecondary education; and

(2) to provide technical assistance to such colleges, universities, and organizations for program administration.

(b) Application- To be eligible to receive a grant under this section, a Tribal College or University or a Native Hawaiian educational organization shall submit to the Secretary an application at such time and in such manner as the Secretary may reasonably require. The Secretary shall, to the extent practicable, prescribe a simplified and streamlined format for such applications that takes into account the limited number of colleges, universities, and organizations that are eligible for assistance under this section.

`(c) Grants and Contracts- Funding shall be awarded under this section to Tribal Colleges or Universities or Native Hawaiian educational organizations on a competitive basis through grants, contracts, or cooperative agreements of not less than 3 years in duration.

`(d) Consideration and Inclusion- In making awards under this section, the Secretary may take into account the considerations set forth in section 231(e). In no case shall the Secretary make an award to a Tribal College or University or Native Hawaiian educational organization that does not include in its application a description of a multiyear strategy, including performance measures, for increasing the number of adult American Indian, Native Hawaiian, or Alaska Natives that attain a secondary school diploma or its recognized equivalent.

`(e) Eligible Activities- Activities that may be carried out under a grant awarded under this section shall include--

- `(1) adult education and literacy services, including workplace literacy services;
- `(2) family literacy services;
- `(3) English literacy programs, including limited English proficiency programs;
- `(4) opportunities for American Indians, Native Hawaiians, and Alaska Natives to qualify for a secondary school diploma, or its recognized equivalent; and
- `(5) demonstration and research projects and professional development activities designed to develop and identify the most successful methods and techniques for addressing the educational needs of American Indian, Native Hawaiian, and Alaska Native adults.

`(f) Definition of Native Hawaiian Educational Organization- The term `Native Hawaiian educational organization' means a private nonprofit organization that--

- `(1) serves the adult education and literacy needs and interests of Native Hawaiians;
- `(2) has Native Hawaiians in substantive and policymaking positions within the organization;
- `(3) incorporates Native Hawaiian perspective, values, language, culture, and traditions into the core function of the organization;
- `(4) has demonstrated expertise in the education or training of Native Hawaiian children, youth, or adults; and
- `(5) has demonstrated expertise in research and program development.'