TITLE: In Support of Establishing an Assistant Secretary of Indian Education, Department of Education

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, through its unique relationship with Indian nations and tribes, the federal government has established programs and resources to meet the educational needs of American Indians, Alaska Native, and Native Hawaiians, residing on and off their reserved or non-reserved homelands; and

WHEREAS, the United States Department of Education (ED) is responsible for the education of all Native students both those attending schools within the state public systems and those that attend tribal schools; and

WHEREAS, the Office of Indian Education within ED was established to support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities to meet the unique educational and culturally related academic needs of American Indians and Alaska Natives so that these students can achieve the same challenging state standards as all students; and

WHEREAS, the Office of Indian Education reports directly to the Office of the Under Secretary, which has had a positive impact on federal Indian education policy and research and strengthened relations between ED, tribes, communities, and most importantly, tribal student academic achievement; and

WHEREAS, permanently elevating the Office of Indian Education and establishing an Assistant Secretary of Indian Education within ED has been a priority for national Indian organizations for many years and is critical to sustaining the successes made thus far; and
WHEREAS, NCAI passed resolution TUL-04-97, “In Support of Elevation of the Director of Office of Indian Education, Department of Education to an Assistant Secretary Position;” and

WHEREAS, the recently passed Every Student Succeeds Act (ESSA) requires timely and meaningful consultation of tribal leaders by states, as well as by local education agencies where more than 50% of students are Native; and

WHEREAS, an Assistant Secretary of Indian Education that reports directly to the Secretary of Education is critical, in order to hold states and local education agencies accountable to fulfilling this requirement of meaningful tribal consultation; and

WHEREAS, TUL-04-97 is a priority for NIEA and NCAI that has been requested from previous Administrations in transition, all of which did accomplish this priority.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians urges the incoming Administration, Congress, and the Secretary of Education to establish an Assistant Secretary of Indian Education to report directly to the Secretary of Education, within the first year in order for ED to comply with the new requirements of ESSA, fully meet its federal trust responsibilities, and fulfill its own consultation responsibilities; and

BE IT FURTHER RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2016 Annual Convention of the National Congress of American Indians, held at the Phoenix Convention Center, October 9 to October 14, 2016, with a quorum present.

Brian Cladoosby, President

ATTEST:

Aaron Payment, Recording Secretary