



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #MSP-15-015

TITLE: Support Amending the Impact Aid Program to Ensure States Are Adequately Funding All of Their Students

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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, the Federal Impact Aid Program (P.L. 81-874) is designed to assist local school districts that have lost property tax revenue due to the presence of tax-exempt Federal property within their boundaries or that have increased expenditures due to the enrollment of federally-connected children in their school systems, including those living on Indian lands; and

WHEREAS, the Federal Impact Aid Program prohibits, by regulation, states from reducing state funding to a school district based on their receipt of Impact Aid funds, unless the state has a program designed to equalize expenditures for all local educational agencies in a state; and

WHEREAS, there are currently three states that use such an equalization formula – New Mexico, Kansas and Alaska; and

WHEREAS, while the Federal Impact Aid Program is designed to assist local school districts that have a large number of Federally-connected children, school districts with Native students in states that utilize an equalization formula are adversely affected by actually receiving the lowest amount of state funding, thereby frustrating the intent of the Impact Aid Act.

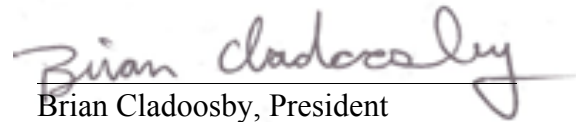
NOW THEREFORE BE IT RESOLVED, that the NCAI calls for amending the Impact Aid program's state funding reduction waiver regulations to protect federally-impacted school districts and their Native students from harmful state education budget reductions; and

BE IT FURTHER RESOLVED, that U.S. Department of Education's implementation of waiver regulations for states must ensure states are not abrogating their responsibility to provide adequate funding for a quality education for all of its students and to ensure the state maintains its responsibility to provide for a quality education for all of its students; and

BE IT FINALLY 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 2015 Midyear Session of the National Congress of American Indians, held at the St. Paul River Centre, St. Paul, MN, June 28 to July 1, 2015, with a quorum present.



Brian Cladoosby, President

ATTEST:



Aaron Payment, Recording Secretary