# Strategies to Improve Identification of American Indian/Alaska Native Students in Educational Systems

Patricia Whitefoot, *Toppenish School District (Toppenish, WA)*Michael Vendiola, *State of Washington Office of Native Education*Faith Price, *Native American Programs, Washington State University (Pullman, WA)*Sara Marie Ortiz, *Highline Public Schools (Burien, WA)*Laura John, *REL Northwest at Education Northwest (Portland, OR)* 



October 5, 2017

## **Agenda**



Partnership

The Challenge

3 Definitions

4 Impact

What To Do About It

Strategies and Plan of Action



## Why Is This Important?

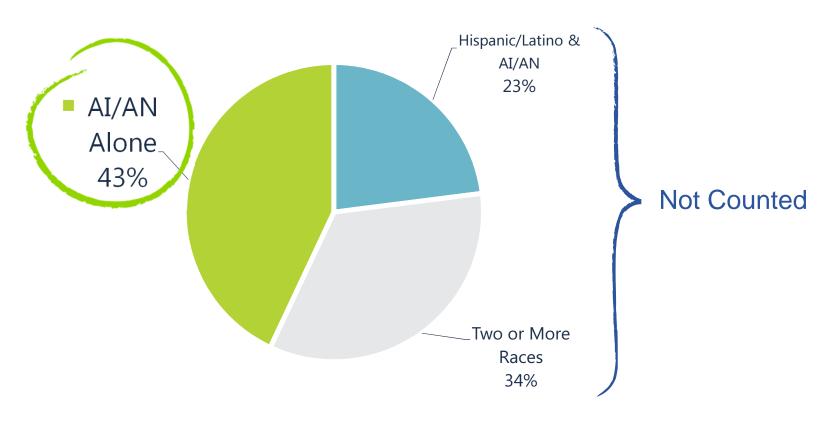
- Definition of who qualifies as (Al/AN) influences the funding programs and policies available to Indian Country
- Inaccurate identification of Al/AN students can also present serious noncompliance issues with the Civil Rights Act of 1964.



## **Our Region and Partnership**



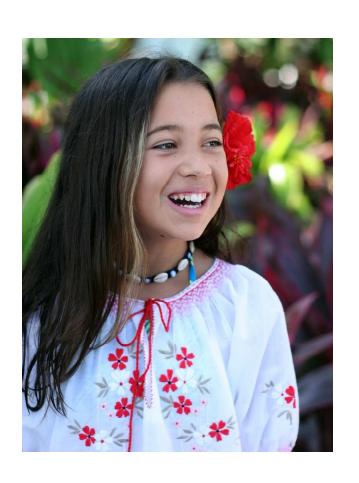
#### Challenge: Current Al/AN Definitions Fall Short



REL

Source: Mackety, Ebarb, & Zenone (2012)

#### **Definitions of Al/AN Students**



- Historical context
- Current Office of Management and Budget
   (OMB) definition
  - South American Indians included
  - Recent public comments taken
- Need for active engagement and consultation



#### **Definitions of Al/AN Students**

Department of Education	A person having origins in any of the original peoples of North and South America (including Central America), and who maintains tribal affiliation or community attachment.	
Title VI- Indian Education Formula Grant	<ol> <li>A member (as defined by the Indian tribe or band) of an Indian tribe or band including any tribe or bands terminated since 1940, and those recognized by the State in which the tribe or band reside; or</li> <li>a descendent in the first or second degree (parent or grandparent) as described in (1); or</li> <li>considered by the Secretary of the Interior to be an Indian for any purpose; or</li> <li>an Eskimo or Aleut or other Alaska Native; or</li> <li>a member of an organized Indian group that received a grant under the Indian Education Act of 1988 as it was in effect October 19, 1994.</li> </ol>	
Johnson-O'Malley Funding	Eligible students are Indian students, from age 3 years through grade(s) 12, except those who are enrolled in Bureau or sectarian-operated schools, if they are one-fourth ( $1/4$ ) or more degree Indian blood and recognized by the Secretary as being eligible for Bureau services.	
Title VII- Impact Aid	A local educational agency that claims children residing on Indian lands for the purpose of receiving funds under section 8003 shall establish policies and procedures	



#### **Impact of Education Systems on Native Students**



- Varying definitions
- Accurate data and information systems
- Determination of funding/budgets
- Eligibility for programs and services



#### **Implications for Tribal Nations**









#### Impedes Tribal sovereignty

- Fiduciary responsibility
- Government-to-government relationship
- Accountability

#### Within public school systems

- Every Student Succeeds Act (ESSA) tribal consultation (state and district) requirement
- Accountability for well-being of tribal members



#### **Group Discussion**

# What are some ways this issue impacts your students, program, and/or community?



# **Case Studies: Highline Public Schools**



Native education program



Problems caused by definition



Actions to improve



# **Case Studies: Washington State University**



Counting Native college students



Problems caused by data collection



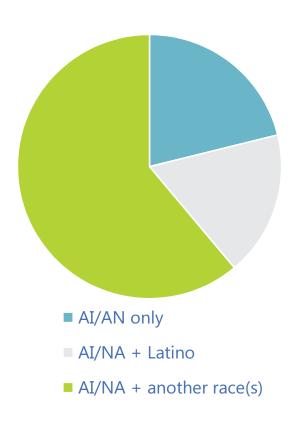
Actions to improve

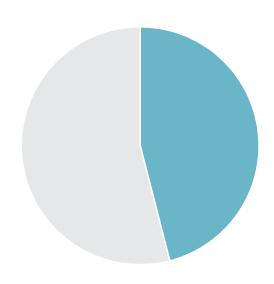


### **Example: Higher Education**

Citizenship (se	lect one) 🔲 U.S. citizen 🔲 U.S. p	ermanent resident	Resident allen number	Date granted
Residency Are	you a resident of the state of Washingt	on? See last page for residency	information. Yes	] No
If Yes, please inc County of reside	ficate dates of your most recent contin	uous residency:	Year OR	Month/Year Month/Year
admission d	tion at right is voluntary and will not b lecision process; however, it will be use gibility for resident tuition under RCW2 See residency. native.wsu.edu/tribal-lialson/resi	8B.153 131. Suredia and Suredi	nrolled member, or a descendent, of a village/Corporation?  Member, Tribal Affiliation:  ent, Tribal Affiliation:	
2. How do you describe your race? (check American Indian (select one or more):    Chehalis Confederated   Chinook   Coeur d'Alene Tribe   Colville Confederated   Cowlitz   Duvarnish   Hoh   Jamestown S'Klallam   Kalispel	all that apply)  Lument Nation  Makah  Muckleshoot  Nez Perce Tribe  Nisqually  Nooksack  Fort Gamble S'Klallam  Puyallup  Quileute  Quinault Nation	☐ Salish & Kootenai Tribes Confederated ☐ Samish Nation ☐ Sauk-Sulattle ☐ Shookwater Bay ☐ Skokomish ☐ Snoqualmile ☐ Snoqualmoo ☐ Spokane ☐ Squaxin Island	Stellacoom Stillaguamish Surquamish Swinomish Tulslip Umatilla Confederated Upper Skagit Usarm Springs Confederated Yakama Nation Other American Indian	
Alaska Native (select one or more):  Alaska Aleut (Unangan)  Alaska Alutiiq	☐ Alaska Athabaskan ☐ Alaska Eskimo (Inuplaq or Yupik)	□ Alaska Eyak □ Alaska Haida	☐ Alaska Tlingit ☐ Alaska Tsimshian ☐ Other Alaska Native	REL

#### **Washington State University Self Identified Students Fall 2017**





#### **Tribal Membership Status**

- Enrolled tribal members
- Descendants



#### **How Can Tribal Leaders Help?**

- Advocate for federal change
- Encourage definition alignment
- Improve data reporting systems







#### 2016 Winter Convention Suquamish, Washington

#### RESOLUTION #16 - 02

#### "APPEAL TO IMPROVE AMERICAN INDIAN/ALASKA NATIVE STUDENT IDENTIFICATION AT THE PUBLIC K-12 AND HIGHER EDUCATION INSTITUTIONS"

#### **PREAMBLE**

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties, Executive Orders, and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise to promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of Northwest Indians (ATNI) are representatives of and advocates for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, American Indian/Alaska Native populations are often identified by the various federal and state agencies as a minority and the smallest ethnic group in the United States; and

WHEREAS, steps have been taken by American Indian/Alaska Native leadership to educate federal and state agencies about the unique role of tribes and to promote Indian self-determination on a government-to-government basis and to be consulted on issues significant to Indian Country; and



#### **Example: Local Education Agency**

	ther this information for statistical reports. (Both 26a. and 26b. are required)  share In your own words how you describe your child's race, origin, ethnicity, ancestry and,	/or Tribal
affiliations, please use this spa		
ar additional information pla	ease go to www.pps.net/back-to-school/9929.htm.	
Other Black	ase go to www.pps.net/back-to-school/9929.html	
Caribbean Island(s):	Other Black:	
American Indian/Alaska Native Alaska Native Burns Palute Tribe Co	onfederated Tribes of the Coos, Lower Umpqua & Siuslaw Indians	
	mmunity of Oregon Confederated Tribes of Siletz Indians Reservation Confederated Tribes of Warm Springs Coquille Indian Tribe	
Cow Creek Band of Umpqua Tribe of Indians		
Other American Indian Tribe/Nation:  Native/Indigenous to Canada Please des	scribe:	
ederal Title Program Questi	ions	
lote to school staff: If a family che	ecks "Yes" for any of these questions, please fax this page to 503-916-3111)	
tle VII-A Program, Indian Educat	tion — This information establishes the district's eligibility for a federal grant under the Title VII-A of the ceive more information if you mark "Yes."	
	grandparent, a member of a U.S. federally recognized American Indian Tribe? 🔲 Yes 🔲 No	
If Yes, please fill in tribe nam	e	
regon Title I-C Migrant Education wn or with their parents) in order to	n Program — This program helps children and young adults ages 3-21 who move frequently (on their o seek or obtain temporary or seasonal work in agriculture, forestry and/or fishing activities.	
	orked in, or has planned to work in, agriculture, forestry and/or fishing. This can include work on farms, is, trees or fishing.   Yes No	
tle X McKinney-Vento Program -	<ul> <li>This program guarantees that students, no matter their living situation, have access to public to and from school. A school district representative will be in touch if you check a box.</li> </ul>	



#### **Group Activity 20 minutes**

# Goal: To model strategies to help your organization ensure your Al/NA students are counted

#### **Instructions:**

- 1. Divide by type or organization following the sticky notepads on the wall
- 2. Brainstorm strategies
- 3. Assess the impact
- 4. Identify action steps
- 5. Commit and set action plan



#### **Group Activity**

- 1. Choose your strategies
  Select **two** strategies your team can advocate for or implement
- 2. Assess the impact
  Determine how the strategies will impact your students, program,
  and/or community
- 3. Identify the steps

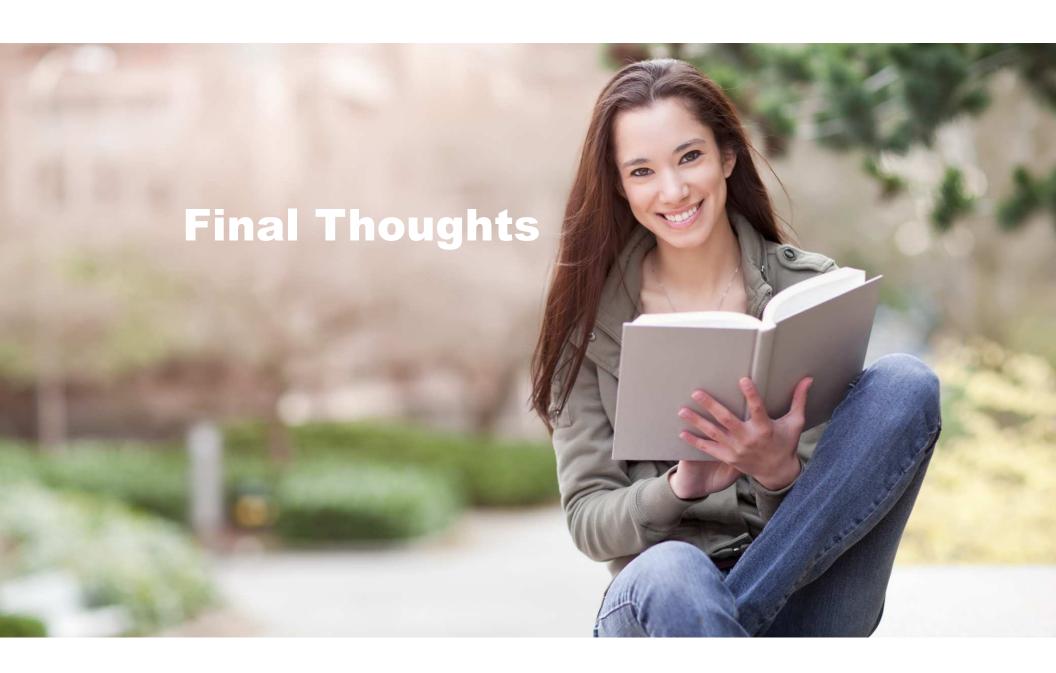
  List the action items needed to engage the strategy
- 4. Set an action plan

  Create a timeline for the steps and decide who will do each step









#### **Resources**



#### **OBSCURED IDENTITIES**

# Improving the Accuracy of Identification of American Indian and Alaska Native Students

May 2017

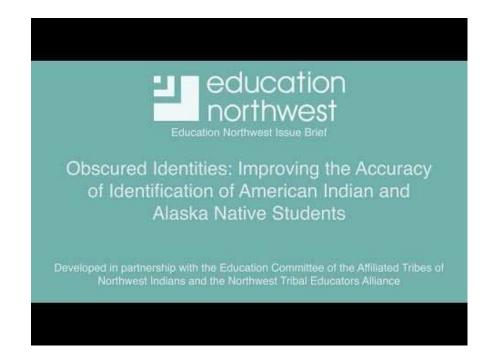
Phyllis Ault and Laura John Education Northwest

American Indians are the only group in the country that must prove their race or ethnicity through membership or descendancy to receive designated federal services and funding. American Indian/Alaska Native (AI/AN) students do this by documenting their membership with a federally or state-recognized tribal sovereign nation and/or blood quantum.

This is critical for several reasons. One is that the definition of who qualifies as AI/AN influences the funding, programs, and policies available to Indian Country. For AI/AN students in U.S. schools and universities, this involves upholding treaty agreements to educate Native children in exchange for land through programs such as those offered under the Johnson-O'Malley Act or Title VI, Part A, Subpart 1 of the Every Student Succeeds Act (ESSA) under the Elementary and Secondary Education Act (Title VI). 12

The United States has a unique relationship with tribal governments, as established in the U.S. Constitution and through treaties and a history of legal decisions. A significant component of that "trust" relationship is federal dollars for the education of AI/AN students. When students do not have access to Indian Education programs and services, their treaty rights are violated.

Inaccurate identification of AI/AN students can also present serious noncompliance issues with the Civil Rights Act of 1964. Districts that do not identify or inappropriately identify students for services offered through federal programs risk being out of compliance with Title VI of the Civil Rights Act. This can open a district to claims that AI/AN students were denied the right to participate in federally assisted programs or that the district was substantially impairing the objectives of a federally assisted program by not accurately identifying all eligible students for services under a given program.



educationnorthwest.org/native



### **Contact Us**



Education Northwest 101 SW Main Street Suite 500 Portland, OR 97204-3213 www.educationnorthwest.org



@educationnorthwest



@educationnw



1.800.547.6339



Education Northwest
101 SW Main Street Suite 500

www.educationnorthwest.org

Portland, OR 97204-3213



@educationnorthwest



@educationnw



1.800.547.6339

#### **About REL Northwest**

RELs partner with practitioners and policymakers to use data and evidence to help solve educational problems that impede student success. We do this by:

- Conducting rigorous research and data analysis
- Delivering customized training, coaching, and technical support
- Providing engaging learning opportunities

