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

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Agenda

1. Partnership
2. The Challenge
3. Definitions
4. Impact
5. What To Do About It
6. Strategies and Plan of Action
Why Is This Important?

• Definition of who qualifies as (AI/AN) influences the funding programs and policies available to Indian Country

• Inaccurate identification of AI/AN students can also present serious noncompliance issues with the Civil Rights Act of 1964.
Our Region and Partnership
Challenge: Current AI/AN Definitions Fall Short

AI/AN Alone 43%

Hispanic/Latino & AI/AN 23%

Two or More Races 34%

Not Counted

Source: Mackety, Ebarb, & Zenone (2012)
Definitions of AI/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 AI/AN Students

<table>
<thead>
<tr>
<th>Department of Education</th>
<th>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.</th>
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| **Title VI- Indian Education Formula Grant** | (1) 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  
(2) a descendent in the first or second degree (parent or grandparent) as described in (1); or  
(3) considered by the Secretary of the Interior to be an Indian for any purpose; or  
(4) an Eskimo or Aleut or other Alaska Native; or  
(5) 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. |
| **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

Impedes on Civil Rights
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 (select one) ☐ U.S. citizen ☐ U.S. permanent resident ____________________________ Date granted ____________________________
Residency Yes ☐ No ☐ Are you a resident of the state of Washington? See last page for residency information.
If Yes, please indicate dates of your most recent continuous residency: ____________________________ to present OR ____________________________ to ____________________________
County of residence ____________________________

The question at right is voluntary and will not be used in the admission decision process; however, it will be used to identify eligibility for resident tuition under RCW28B.15.131. See residency.wsu.edu and native.wsu.edu/tribal-liason/residency.html

Are you an enrolled member, or a descendent, of an American Indian Tribe or Alaska Native Village/Corporation?
☐ Enrolled Member. Tribal Affiliation: ____________________________
☐ Descendent. Tribal Affiliation: ____________________________

2. How do you describe your race? (check all that apply)

American Indian (select one or more):
☐ Chehalis Confederated
☐ Chinook
☐ Coeur d'Alene Tribe
☐ Celville Confederated
☐ Cowitz
☐ Dzawntush
☐ Hoh
☐ Jamestown S'Klallam
☐ Kalispel
☐ Klallam Indian Nation
☐ Kootenai of Idaho

Alaska Native (select one or more):
☐ Alaska Ahtna (Unangan)
☐ Alaska Aleut
☐ Alaska Eskimo (Inupiaq or Yupik)
☐ Alaska Native
☐ Alaska Yaak
☐ Alaska Haida
☐ Alaska Tlingit
☐ Alaska Tsimshian
☐ Other Alaska Native

☐ Lower Elwha Klallam
☐ Lummi Nation
☐ Makah
☐ Muckleshoot
☐ Nez Perce Tribe
☐ Nisqually
☐ Nooack
☐ Port Gamble S'Klallam
☐ Puyallup
☐ Quileute
☐ Quinault Nation

☐ Salish & Kootenai Tribes
☐ Confederated
☐ Samish Nation
☐ Sauk-Suitattle
☐ Skokomish
☐ Snohomish
☐ Snoqualmie
☐ Snoqualmie
☐ Spokane
☐ Squaxin Island

☐ Steilacoom
☐ Stillaguamish
☐ Suquamish
☐ Swinomish
☐ Tulalip
☐ Umatilla Confederated
☐ Upper Skagit
☐ Warm Springs Confederated
☐ Yakama Nation
☐ Yakima Nation
☐ Other American Indian

☐ Alaska Tlingit
☐ Alaska Tsimshian
☐ Other Alaska Native
Washington State University Self Identified Students Fall 2017

Tribal Membership Status
- Enrolled tribal members
- Descendants

Pie charts showing:
- AI/AN only
- AI/NA + Latino
- AI/NA + another race(s)
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

Federal Title Program Questions
(Note to school staff: if a family checks “Yes” for any of these questions, please fax this page to 503-916-3111)

Title VII-A Program, Indian Education — This information establishes the district’s eligibility for a federal grant under the Title VII-A of the No Child Left Behind Act. You will receive more information if you mark “Yes.”

115. Is the student, a parent, or a grandparent, a member of a U.S. federally recognized American Indian Tribe? □ Yes □ No

If Yes, please fill in tribe name __________________________

Oregon Title I-C Migrant Education Program — This program helps children and young adults ages 3-21 who move frequently (on their own or with their parents) in order to seek or obtain temporary or seasonal work in agriculture, forestry and/or fishing activities.

116. A person in my family has worked in, or has planned to work in, agriculture, forestry and/or fishing. This can include work on farms, ranches, canneries, nurseries, trees or fishing. □ Yes □ No

Title X McKinney-Vento Program — This program guarantees that students, no matter their living situation, have access to public education, including transportation to and from school. A school district representative will be in touch if you check a box.
Group Activity 20 minutes

Goal: To model strategies to help your organization ensure your AI/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
Group Share Out
Final Thoughts
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 descendency 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 or 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).17

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