TRIBAL EDUCATION CODES

Bureau of Indian Education
Sovereignty In Education Enhancement Program
Webinar
March 24, 2016

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Native American Rights Fund
www.narf.org

Tribal Education Governance Today

➤   @ 200 TEAs in 32 states

> ➤   @ 20 Codes
>> http://www.narf.org/nill/triballaw/index.html

Indian Self-Determination Act (1984)

The Secretary [of the Interior] may approve applications for funding tribal divisions of education and developing tribal codes of education, from funds made available pursuant to . . . this title.

25 U.S.C. § 2010(c)

Department of the Interior (1988)

Subject to the availability of appropriations, the Secretary shall make grants and provide technical assistance to tribes for the development and operation of tribal departments or divisions of education for the purpose of planning and coordinating all educational programs of the tribe.

25 U.S.C. § 2020

** FY 2016 Appropriations @ $2 million **

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Department of Education (1994)

The Secretary may award grants
- to Indian tribes, and tribal organizations approved by Indian tribes, to plan and develop tribal education agencies;
- and to Indian tribes to administer education programs; build capacity to administer and coordinate such programs; receive training and support from SEAs and LEAs; train and support SEAs and LEAs; build on existing activities or resources; and carry out other activities.

20 U.S.C. § 7452

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No Appropriations

Department of Education

➢ FY 2012

➢ State-Tribal Education Partnership Program

➢ http://www2.ed.gov/programs/step/index.htm

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Department of the Interior

➢ FY 2014

➢ Sovereignty in Indian Education Program

➢ http://bie.edu/Programs/Sovereignty/index.htm

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Education Governance Generally

➢ Authority

➢ Requirements & procedures
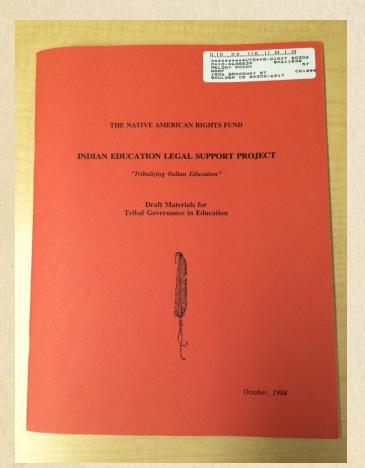
➢ Expectations

Education Governance by States

➢ Structure & Authority

➢ Policies & Procedures

➢ Curriculum

➢ Finance & Funding

➢ Staffing & Personnel

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1994 Red Book

THE NATIVE AMERICAN RIGHTS FUND

INDIAN EDUCATION LEGAL SUPPORT PROJECT

"Tribalizing Indian Education"

Draft Materials for
Tribal Governance in Education

October, 1994

http://www.narf.org/tribalizing-education
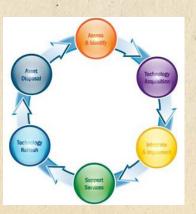
Code Development
Overall Guidelines

➢ Priorities

➢ Process

➢ Implementation Plan
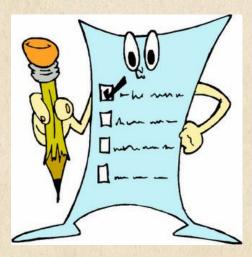
To get to Priorities, Inventory Existing Structures

➢ Tribal Education Committee
  ➢ Other Councils, Committees, Commissions

➢ Tribal Education Department or Agency
  ➢ Other directors, personnel

➢ Tribal Laws

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To get to Priorities, Inventory of Existing Education

➢ Student populations

➢ Schools

➢ Programs

➢ Other entities

To get to Priorities,
Inventory of Existing Education Information

- ➢ Data

- ➢ Reports

- ➢ Other

To get to Priorities,
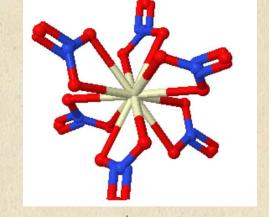# Identify Needs and Goals

➢ Process

➢ Priorities

➢ Document

Priorities: Suggested Inclusions

➢ Priority areas

➢ Structure

➢ Coordination & Monitoring

➢ Data keeping & Reporting requirements

Code Development

➤ Drafting

➤ Review

➤ Stakeholder buy-in

➤ Decision-maker buy-in & understanding

Code Development: Adoption Formalities

➢ Hearings

➢ Adoption

➢ Publication

NOTICE OF PUBLIC HEARING

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Code Implementation

➢ Administrative / regulatory structure

➢ Enforcement

➢ Cooperative Agreements

➢ Resources

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