

# **Montana Indian Education Association**



# **Resolutions 2009**

**Approved at MIEA Conference  
Helena, Montana  
April 19, 2009**

# Montana Indian Education Association

## Resolutions 2009 Summary

### Approved April 19, 2009

**RESOLUTION 2009-01: Indian Hiring Preference Policy in Public Schools on Indian Reservations:** The MIEA supports and endorses an Indian hiring preference for the public schools located on reservations in Montana in both regular, part time employment, and any contracting and asks the Indian School Board Caucus, the Montana School Board Association, Montana Indian Impact Aid Schools, Tribal and State leadership, and other educational organizations to support this policy.

**RESOLUTION 2009-02: Non-Partisan Political Participation:** The MIEA supports (on a non-partisan basis) voter registration, voter education projects, and other strategies that strengthen the active participation of Indian people both as candidates and voters for school boards, tribal councils, state and federal representatives, and other political leadership arenas to give a stronger voice to the issues of American Indian education in Montana.

**RESOLUTION 2009-03: Close the Achievement Gap and Increase Graduation Rates for American Indian Students in Montana's K-12 Schools:** The MIEA will advocate for new opportunities and change in the educational systems to close the K-12 Academic Achievement Gap for American Indian students and increase the graduation rate of American Indian students to meet or exceed their non-Indian peer's rate of 85%. To accomplish this, MIEA asks the Governor, Montana Legislature, Tribal Councils and Tribal Education Departments, Kindergarten to College Policy Work Group of the Board of Education, Office of Public Instruction, Board of Public Education, all schools in Montana, MACIE, other educational organizations, and the Montana Congressional Delegation to support these goals through policy development, legislation, advocacy within their leadership roles and supporting adequate funding at all levels.

**RESOLUTION 2009-04: Use Funds Allocated for the Achievement Gap and At Risk Students (if funding is restored for At Risk students) to Close the Gap and Support At Risk Students with Accountability through Ongoing Reports:** The MIEA supports the use of funds allocated to schools for Closing the Achievement Gap for Indian students and At Risk Students to help increase student achievement through new programs or expanding existing successful programs, but not to use these funds to supplant existing programs and asks Governor Schweitzer, the Montana School Board Association, the Office of Public Instruction, The Board of Public Education, MACIE, and other appropriate educational organizations to advocate for this policy.

**RESOLUTION 2009-05: Increase the On-Going Funding for Indian Education for All for 2009 Biennium:** The MIEA requests that the State of Montana – Governor's Office, State Legislature, Office of Public Instruction, MACIE, and Board of Public Education continue to support the funding of Indian Education for All for the 2009 Biennium for the Office of Public Instruction Indian Education Division and provide increased ongoing funding for all the schools in Montana beyond the \$3.0 million (\$20.40 per student) that is included in the current 2009 State Budget to a minimum of \$40.00 per student.

**RESOLUTION 2009-06: Annual Report on the Status of Indian Education by MBPE and BOR:** The MIEA asks the Montana Board of Public Education and the Montana Board of Regents to complete an annual report on the current status of American Indian education in the state's educational institutions. It is recommended that the K-12 report include reservation and urban achievement data, testing, special education data, graduation rate data, dropout rates, discipline reports including suspension and expulsion, staffing, as well as recommendations. And it is recommended the Higher Education Report to include enrollments, graduation rates, faculty (by ethnic status), and other data to show the achievement levels of American Indian students in all units of the University System.

**RESOLUTION 2009-07: Building an American Indian Data Bank at OPI:** The MIEA recommends that the new student data system (AIM) that is being created by the Office of Public Instruction include sufficient data on American Indian students in our public schools to help provide the research needed to improve the achievement of American Indian students. Also, that reports generated by this data system be shared with MIEA and appropriate Tribal/Indian Education Organizations.

**RESOLUTION 2009-08: Funding for Indian Education for All in the Units of the University System:** The MIEA urges the Montana Legislature, Governor Schweitzer, and Board of Regents to support adequate funding for the Montana University System for implementation of Indian Education for All in all Units of the University System.

**RESOLUTION 2009-09: Revise Reporting for NCLB Adequate Yearly Progress (AYP) and Reporting and Defining Graduation Rates:** The MIEA requests that Montana's policy for calculating AYP data accurately reflect American Indian students attending the K-12 Public Schools and asks the Office of Public Instruction to revise the calculations of AYP to allow for more transparency in reporting of American Indian student achievement data as follows: Reduce the number of students from 30 to 20 for schools who have to report student data for accountability purposes and reduce the number for identification of subgroups from 40 to 10 within a school for reporting.

And, MIEA asks that the state of Montana define graduation rates according to a common standard of a four-year adjusted cohort rate and support a NCLB accountability system that requires schools to increase their disaggregated data on graduation rates.

**RESOLUTION 2009-10: Preservation and Revitalization of Montana Tribal Language:** The MIEA will advocate for tribal language immersion programs for the preservation and revitalization of Montana Tribal Languages and asks Governor Schweitzer, the state legislature, state educational leadership, MACIE, tribal leadership, other educational organizations and help through policy development, advocacy within their leadership roles and supporting adequate funding at all levels.

**RESOLUTION 2009-11: Restore the \$10.0 Million in At Risk Funding:** The MIEA asks the State Legislature, the Governor, and the Office of Public Instruction to restore the \$10.0 million per biennium to the state budget for At Risk Students.

**RESOLUTION 2009-12: Indian School Board Caucus Advocacy for Indian Education for All and Closing the Achievement Gap:** The MIEA encourages the Indian School Board Caucus to advocate for Indian Education for All and Closing the Achievement Gap for American Indian Students with the Montana School Board Association and other educational leadership and encourage training, policy development and adequate funding.

**RESOLUTION 2009-13: Report Closing the Gap and At Risk Student Funds be Developed to Provide a System of Accountability for Funds:** The MIEA urges the Office of Public Instruction, MACIE, and the Board of Public Instruction to develop a reporting strategy for the use of the Closing the Achievement Gap Funds and the At Risk Funds that will provide not only the data required by the legislature (test scores, graduation rates, drop-out rates) but will provide "best practices" developed by these schools with these resources and a system of accountability of how funds received were used for these purposes specified in the definition of a quality education.

**RESOLUTION 2009-14: Improving Urban Indian Education:** The MIEA supports improving the achievement of the 6,403 Indian students enrolled in our urban communities and recommends that school boards and administrators in our urban communities develop policy and provide adequate resources for educational and supportive services to close the achievement gap, increase the graduation rate, and decrease the disproportionate rate of suspensions and expulsions for American Indian students in their schools.

**RESOLUTION 2009-15: RESOLUTION 2009-15: Support Funding for Tribal Education Departments:** The MIEA requests that both Department of Interior and Department of Education fund Tribal Education Departments at \$10.0 million for FY 2009 to increase positive benefits for Indian students and provide tribes with increased input over the education of their children and asks the Montana Congressional Delegation, Senator Baucus, Senator Tester, and Representative Rehberg, to advocate for this funding.

**RESOLUTION 2009-16: Lift the Freeze and Increase Johnson O'Malley Funding and Prohibit the Diversion of JOM Funds:** The MIEA asks the Montana Congressional Delegation to support lifting the freeze and to increase in Johnson O'Malley funding in the Interior Appropriations Bill at a level that will adequately meet the needs of all eligible Indian children and to prohibit the Bureau of Indian Affairs diverting any funding under the Tribal Priority System for other funding purposes to benefit the Bureau funded programs outside the Priority System.

**RESOLUTION 2009-17: In Support of Graduating Students Wearing Items of Cultural Significance During Graduation Ceremonies:** The MIEA supports the right of American Indian students to express cultural pride during graduation activities and opposes any efforts made by school jurisdictions that do not allow for Native students to dress in a manner reflective of Native tradition or culture.

**RESOLUTION 2009-18: Support Funding for the Esther Martinez Native Language Act:** The MIEA asks the Montana Congressional Delegation to advocate for the request of the National Indian Education Association for \$8.0 million increase to ANA over the FY 2009 proposed amount of \$46.0 million and that this \$8.0 million along with the \$2.0 million allocated in the President's FY 2009 budget be used for Native Language immersion and restoration programs under the Esther Martinez Act.

**RESOLUTION 2009-19: The MIEA Supports Title VII, Indian Education Act Reauthorization in NCLB and an Increase in Funding:** The MIEA supports the National Indian Education Association in its advocacy for Title VII, Indian Education in the reauthorization of NCLB and asks the Montana Congressional Delegation to advocate for these components in the reauthorization of NCLB and supports a five percent (5%) increase of \$9.43 million over the FY 2009 omnibus of \$188.6 million for a total of \$198 million for NCLB Title VII funding.

**RESOLUTION 2009-20: MACIE is Recognized as the Formal Group to Advise the Office of Public Instruction and the Board of Public Education:** The MIEA recognizes the Montana Advisory Council on Indian Education (MACIE) as the formal group to serve in an advisory role to the Office of Public Instruction and the Board of Public Education for Indian Education in Montana, including Indian Education for All and for Closing the Achievement Gap for Indian students.

**RESOLUTION 2009-21: The MIEA Supports the Inclusion of Indian Education for All in Early Childhood Programs in Montana:** The MIEA encourages all Early Childhood Education Programs in Montana to insure that there are lessons and activities provided to learn about Montana's Indian people, their history, and their culture to support the spirit of Article X, 1 (2) in the Montana Constitution.

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-01: Indian Hiring Preference Policy in Public Schools on Indian Reservations:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The MIEA recognizes the importance of having role models in our K-12 Schools and in our reservation communities that reflect the community, and

WHEREAS: The MIEA supports efforts to increase the number of Indian teachers and administrators in our state's public schools as well as contractors, and other workers, and

WHEREAS: The state of Montana has hiring preference codes 2-18-111 allows for a hiring preference for residents of Indian reservations for state jobs within reservation... (1) A state agency that operates within an Indian reservation shall give a preference in hiring for employment with the state agency to an Indian resident of the reservation who has substantially equal qualifications for the position (*but school districts are not defined as a "state agency" for the purposes of this code*), and

WHEREAS: The state of Montana has hiring preference code 18-1-110 (1) For any contract awarded by a state agency for a state construction project within the exterior boundaries of an Indian reservation, except a project partially funded with federal-aid money from the United States department of transportation, and

WHEREAS: The Federal Government, through its Bureau of Indian Affairs and Indian Health Service recognize Indian preference in its employment practices as well as all the projects that operate under the regulations of TERO, and

WHEREAS: The Office of Impact Aid, DOE, recognizes Indian preference in hiring for any contracts utilizing Impact Aid Funds, and

WHEREAS: The State of Montana's Supreme Court recognized Morton v Mancari in State v Shook, 2002. (Morton v Mancari Indian Preference case in 1974 said that Indian preference legislation dealing with tribes as political rather than racial in nature. Federal Indian laws regarding the rights of Indians bind the state.),

**THEREFORE BE IT RESOLVED: The MIEA supports and endorses an Indian hiring preference for the public schools located on reservations in Montana in both regular, part time employment, and any contracting and asks the Indian School Board Caucus, the Montana School Board Association, Montana Indian Impact Aid Schools, Tribal and State leadership, and other educational organizations to support this policy.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-02: Non-Partisan Political Participation**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: Educational systems are governed or influenced by policy/law/budgets established by governmental elected bodies including school boards, tribal governments, county commissioners, state legislatures, state leadership, and national leadership, and

WHEREAS: It is important that the Indian people of Montana have a "voice" in the governmental leadership systems at the local, county, state, and national levels, and

WHEREAS: To have this voice and be proactive participants in the political process it is vital that Indian people be registered to vote, encouraged to vote in all elections, and encouraged to participate as candidates for leadership positions.

**THEREFORE BE IT RESOLVED: The MIEA supports (on a non-partisan basis) voter registration, voter education projects, and other strategies that strengthen the active participation of Indian people both as candidates and voters for school boards, tribal councils, state and federal representatives, and other political leadership arenas to give a stronger voice to the issues of American Indian education in Montana.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

# MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

## **RESOLUTION 2009-03: Close the Achievement Gap and Increase Graduation Rates for American Indian Students in Montana's K-12 Schools**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: Data clearly reflects the academic achievement gap and low graduation rates for Indian students (*taken from OPI and the National Caucus of Native American State Legislators Report on closing the achievement gap*), and

- 6.2% of Montana's population is Indian – (16,502 students - 11.4% of the states K-12 enrollment is Indian)
- 36 of 37 schools identified as being in restructuring phase of NCLB, all are schools with 50-100% American Indian populations. .
- 2007-08 CRT Statewide Proficiency Scores (Grades 3-8 & 10 combined)

	<u>Reading</u>	<u>Math</u>	<u>Science</u>
American Indian student state average	58	36	25
White student state average	84	67	58

- Indian students in Montana are 102% more likely to be included in Special Education for high incidence disabilities than their non-Indian peers.
- Indian students in Montana are 162% more likely to dropout of school than their non-Indian peers
- In past 5 years, American Indians represent only 11.5% of the total 7-8 school enrollment, but accounted for 71.9% of the dropouts.
- From 2003-2006, American Indian students in Montana completed high school at an average rate of 66.3% compared to white students' average completion rate of 88.6%.

WHEREAS: The State of Montana has constitutional language providing for the equality of educational opportunity for each person of the state as well as statute in 20-9-309 that outlines meeting the educational needs of American Indian students is part of the educationally relevant factors that make up a quality education, and

WHEREAS: In 1989, in the case of Helena Elementary School Dist. No. 1 v. State, 236 Mont. 44, 769 P.2d 684 (1989), the Montana Supreme Court... specifically determined that Article X, Section 1, Subsection 2, "establishes a *special burden* in Montana for the education of American Indian children which must be addressed as a part of the school funding issues." Id., 236 Mont. at 58, 769 P.2d at 693,

**THEREFORE BE IT RESOLVED: The MIEA will advocate for new opportunities and change in the educational systems to close the K-12 Academic Achievement Gap for American Indian students and increase the graduation rate of American Indian students to meet or exceed their non-Indian peer's rate of 85%. To accomplish this, MIEA asks the Governor, Montana Legislature, Tribal Councils and Tribal Education Departments, Kindergarten to College Policy Work Group of the Board of Education, Office of Public Instruction, Board of Public Education, all schools in Montana, MACIE, other educational organizations, and the Montana Congressional Delegation to support these goals through policy development, legislation, advocacy within their leadership roles and supporting adequate funding at all levels.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-04: Use Funds Allocated for the Achievement Gap and At Risk Students (if funding is restored for At Risk students) to Close the Gap and Support At Risk Students with Accountability through Ongoing Reports:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The State of Montana has continued the on-going funding for Closing the Achievement Gap for Indian Students at \$200.00 per Indian Student for the 2009-10 and 2010-2011 School Years, and

**WHEREAS: The State of Montana has cut the amount of funding for At Risk Students to \$1.00 for the 2009 Biennium (as of April 5, 2009) which eliminates this component of the quality education definition, and**

WHEREAS: MIEA believes that these funds should be used to strengthen existing at risk programs or to create new strategies to better serve Indian students and eligible at risk students to help them stay in school and find success in the classroom and that these funds should not be used to supplant existing programs, and

WHEREAS: The MCA Statute requires that on or before September 15, 2010, the office of public instruction shall report to the governor and the legislature on the change in status of standardized test scores, graduation rates, and drop-out rates of American Indian students using fiscal year 2006 data as a baseline, and

WHEREAS: It is important to provide an on-going accountability system for the use of these on-going funds to insure that they are utilized for the intent expressed in the Constitution, in the law, and by the courts, and the Board of Public Education and the Office of Public Instruction can provide this level of accountability,

**THEREFORE BE IT RESOLVED: The MIEA supports the use of funds allocated to schools for Closing the Achievement Gap for Indian students and At Risk Students to help increase student achievement through new programs or expanding existing successful programs, but not to use these funds to supplant existing programs and asks Governor Schweitzer, the Montana School Board Association, the Office of Public Instruction, The Board of Public Education, MACIE, and other appropriate educational organizations to advocate for this policy.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-05: Increase the On-Going Funding for Indian Education for All for 2009 Biennium:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: Indian Education for All is a recognized constitutional right in Article X, 1 (2), its legislative intent is outlined in state statute 20-1-501, and there has also been a District Court Decision as well as a Supreme Court Decision which supports Indian Education for All in our state's educational systems, and

WHEREAS: SB 152 was passed by the State Legislature that defined the Quality of Education which includes Indian Education for All as one of the educationally relevant factors of a quality education, and

WHEREAS: Funding was provided by the State of Montana in the December 2005 Special Session for Public Schools for 2006-07 school year for the implementation of Indian Education for All in the amount of \$67.00 per ANB (average number belonging), including one-time only funding, and

WHEREAS: Funding has been declining since 2005 for schools:

- 2007 Biennium was reduced to \$30.40 per ANB, and
- 2009 Biennium is proposed at \$20.40 per ANB

WHEREAS: The \$20.40 per ANB is **NOT** sufficient for schools to continue to implement Indian Education for all and meet the needs of professional development, curriculum development, resources for classrooms and libraries,

**THEREFORE BE IT RESOLVED: The MIEA requests that the State of Montana – Governor's Office, State Legislature, Office of Public Instruction, MACIE, and Board of Public Education continue to support the funding of Indian Education for All for the 2009 Biennium for the Office of Public Instruction Indian Education Division and provide increased ongoing funding for all the schools in Montana beyond the \$3.0 million (\$20.40 per student) that is included in the current 2009 State Budget to a minimum of \$40.00 per student.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-06: Annual Report on the Status of Indian Education by MBPE and BOR:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The majority (97%) of grades K-12 American Indian students in Montana are enrolled in public schools, and

WHEREAS: The Montana State University System has an enrollment of approximately 3% American Indian, making it their largest minority student population, and

WHEREAS: The Board of Education and the Board of Regents are education leadership and policy making boards of the K-Higher Public Education System in Montana, and

WHEREAS: The No Child Left Behind law mandates that statistics and measurements must demonstrate academic yearly progress for our K-12 Public Schools, and

WHEREAS: It is important to be aware of the progress being made in the educational achievement of American Indian students in our state's educational system in order to continue successful strategies as well as identifying deficiencies that need to be addressed, and

WHEREAS: The state of Montana has provided funding to the Office of Public Instruction for a statewide data system which should make this information easily accessible,

**THEREFORE BE IT RESOLVED: The MIEA asks the Montana Board of Public Education and the Montana Board of Regents to complete an annual report on the current status of American Indian education in the state's educational institutions. It is recommended that the K-12 report include reservation and urban achievement data, testing, special education data, graduation rate data, dropout rates, discipline reports including suspension and expulsion, staffing, as well as recommendations. And it is recommended the Higher Education Report to include enrollments, graduation rates, faculty (by ethnic status), and other data to show the achievement levels of American Indian students in all units of the University System.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-07: Building an American Indian Data Bank at OPI:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The majority (97%) of grades K-12 American Indian students in Montana (16,000 plus) are enrolled in public schools, and

WHEREAS: It is important to maintain information on the educational achievement of students in order to determine the impacts of the educational services for children provided by our Public Schools by using data to identify successful educational practices as well as data to identify barriers and deficiencies for educational policies and programs, and

WHEREAS: The State of Montana has provided funding to the Office of Public Instruction for the creation of a student data management system, and

WHEREAS: There is a need for information to be available on Indian students attending our state's Public Schools that can be used to identify the needs of Indian students,

**THEREFORE BE IT RESOLVED: The MIEA recommends that the new student data system (AIM) that is being created by the Office of Public Instruction include sufficient data on American Indian students in our public schools to help provide the research needed to improve the achievement of American Indian students. Also, that reports generated by this data system be shared with MIEA and appropriate Tribal/Indian Education Organizations.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-08: Funding for Indian Education for All in the Units of the University System:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The Montana Constitution's Article X, 1 (2), is meant for all of Montana's educational systems, including the Montana University System, and

WHEREAS: The Montana University System needs to fully implement Indian Education for all in all its units,

**THEREFORE BE IT RESOLVED: The MIEA urges the Montana Legislature, Governor Schweitzer, and Board of Regents to support adequate funding for the Montana University System for implementation of Indian Education for All in all Units of the University System.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-09: Revise Reporting for NCLB Adequate Yearly Progress (AYP) and Reporting and Defining Graduation Rates:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian community as outlined in the MIEA Constitution, and

WHEREAS: It is important to have current accurate data on the achievement rate of American Indian students in all our states K-12 schools as well as graduation rates in order to develop policy and programs to support Closing the Achievement Gap for Indian students in Montana and increase the high school graduation rate, and

WHEREAS: In Montana, schools currently do not have to report their students for accountability purposes if they have fewer than 30 students and if they have more than 30 tested students, but less than 40 in any given subgroup, such as American Indian students, they do not have to report the American Indian students. (Example: if a Montana school has 38 Indian students in their high school, they do not have to report any data for Indian students in their school), and

WHEREAS: High School completion rates over a 4-year timeline (9<sup>th</sup>-12<sup>th</sup>) are a more accurate reflection of student success than the annual graduation rate and information on high school completion rates disaggregated by the various subgroups required by NCLB would provide the state with information for data driven decisions on allocation of resources and support,

**THEREFORE BE IT RESOLVED: The MIEA requests that Montana's policy for calculating AYP data accurately reflect American Indian students attending the K-12 Public Schools and asks the Office of Public Instruction to revise the calculations of AYP to allow for more transparency in reporting of American Indian student achievement data as follows: Reduce the number of students from 30 to 20 for schools who have to report student data for accountability purposes and reduce the number for identification of subgroups from 40 to 10 within a school for reporting.**

**And, MIEA asks that the state of Montana define graduation rates according to a common standard of a four-year adjusted cohort rate and support a NCLB accountability system that requires schools to increase their disaggregated data on graduation rates.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## Montana Indian Education Association Resolution 2009

### **RESOLUTION 2009-10: Preservation and Revitalization of Montana Tribal Language:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian community as outlined in the MIEA Constitution, and

WHEREAS: Because of the escalating loss of heritage language and the shift toward the use of English in native communities, only 34% of the 210 native languages used in North America are still being taught to children as a first language, and

WHEREAS: Schools were once a major force in attempting to eradicate native languages in this country, and

WHEREAS: Native language immersion programs can help bring many native languages and traditions back from the brink of extinction and provide Indian students in Montana the cognitive and psychological benefits of knowing their native language, and

WHEREAS: A native language immersion program is a proven and effective way to create fluent speakers in native languages and stem the loss of native languages, and

WHEREAS: Article X, section 1(2), of the Montana Constitution recognizes the distinct and unique cultural heritage of American Indians, and state law cites the importance of this heritage in its provisions for achieving a basic system of free quality public schools and in providing Indian education for all, and

WHEREAS: The Montana Supreme Court held in 1989 that Article X, section 1(2), "establishes a special burden in Montana for the education of American Indian children which must be addressed as a part of the school funding issues," and

WHEREAS: The Montana Supreme Court observed in 2005 that the State of Montana did not challenge a District Court finding that the state "has failed to recognize the distinct and unique cultural heritage of American Indians and that it has shown no commitment in its educational goals to the preservation of Indian cultural identity, as demanded by" the Montana Constitution,

**THEREFORE BE IT RESOLVED: The MIEA will advocate for tribal language immersion programs for the preservation and revitalization of Montana Tribal Language and asks Montana's Governor, state legislature, state educational leadership, MACIE, tribal leadership, other educational organizations and help through policy development, advocacy within their leadership roles and supporting adequate funding at all levels.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-11: Restore the \$10.0 Million in At Risk Funding**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The State in response to the Court Order of 2005, defined the components of a quality education and as a part of the factors to be considered was educational programs for students with special needs such as an "at-risk student," and

WHEREAS: The Legislature also defined an At Risk Student in SB 152 in 2005 as follows: (3) "At-risk student" means any student who is affected by environmental conditions that negatively impact the student's educational performance or threaten a student's likelihood of promotion or graduation, and

WHEREAS: The 2009 Legislature has reduced the state budget (HB 2) in the At Risk line item to \$1.00, and

WHEREAS: Many of the at risk students who benefited by this funding since 2005, are located in school districts with a majority of Indian students,

**THEREFORE BE IT RESOLVED: The MIEA urges the State Legislature, the Governor, and the Office of Public Instruction to restore the \$10.0 million per biennium to the state budget for At Risk Students.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### RESOLUTION 2009-12: Indian School Board Caucus Advocacy for Indian Education for All and Closing the Achievement Gap:

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The National Indian School Board Caucus is organized to promote quality education for all students with emphasis on the problems and successes of the American Indian/Alaska Native student, and

WHEREAS: There is a Montana Indian School Board Caucus of the Montana School Board Association, which provides leadership to represent the schools of Montana, and

WHEREAS: The Montana Accreditation Standards that form the basis for a basic quality education has the following policies, and

#### 10.55.603 CURRICULUM DEVELOPMENT AND ASSESSMENT

(2) For content and performance standards in all program areas...school districts shall:... (d) review curricula to ensure the inclusion of the distinct and unique cultural heritage of the American Indians.

10.55.701 BOARD OF TRUSTEES . (3) Each school district shall have in writing and available to the staff and public... (n) a policy that incorporates the distinct and unique cultural heritage of American Indians and that is aligned with district educational goals.

10.55.801 SCHOOL CLIMATE (1) The board of trustees shall... (f) provide programs and services that meet the needs of students which the school has identified as at risk.

10.55.803 LEARNER ACCESS (2) In developing curricula in all program areas, the board of trustees shall:  
(b)...Cultural and language differences should be viewed as valuable and enriching resources and should take into account the unique needs of American Indian students and other minority groups;  
(c) develop an understanding of the values and contributions of Montana's American Indians for all students;  
(h) provide books and materials that reflect authentic historical and contemporary portrayals of American Indians; and  
(i) identify, using the school's own criteria, students who may be at risk or in need of special services.

WHEREAS: It is vital that the leadership of our schools develop policy and provide the resources to insure the implementation of Indian Education for All in all schools in Montana and that we close the achievement gap for American Indian students in Montana,

**THEREFORE BE IT RESOLVED: The MIEA encourages the Indian School Board Caucus to advocate for Indian Education for All and Closing the Achievement Gap for American Indian Students with the Montana School Board Association and other educational leadership and encourage training, policy development and adequate funding.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-13: Report Closing the Gap and At Risk Student Funds be Developed to Provide a System of Accountability for Funds:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The MCA Statute requires that on or before September 15, 2010, the office of public instruction shall report to the governor and the legislature on the change in status of standardized test scores, graduation rates, and drop-out rates of American Indian students using fiscal year 2006 data as a baseline,

**THEREFORE BE IT RESOLVED: The Montana Indian Education Association urges the Office of Public Instruction, MACIE, and the Board of Public Instruction to develop a reporting strategy for the use of the Closing the Achievement Gap Funds and the At Risk Funds that will provide not only the data required by the legislature (test scores, graduation rates, drop-out rates) but will provide "best practices" developed by these schools with these resources and a system of accountability of how funds received were used for these purposes specified in the definition of a quality education.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

# MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

## **RESOLUTION 2009-14: Improving Urban Indian Education:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: There is a total of 16,293 American Indian students enrolled in Montana's K-12 Public Schools with close to half - 39% or 6,403 enrolled in schools off reservation, most in our urban communities of Billings(1,235), Great Falls (1,275), Missoula (409), Butte (224) , and Havre (396), Bozeman (111) Helena (378), and

WHEREAS: The data below taken from presentation at last Urban Indian Education Forum, reflects the achievement gap, low graduation rates, high rates of suspension and expulsion from some urban schools, as some of the identified issues facing American Indian students in our urban areas, and

### **High School Completion Rate for Indian Students**

*(these are estimates based on chart provided by OPI)*

For Comparison - High School Completion Rates for White Students is 87%

AI Statewide	66%	Hellgate	38%	Senior	51%
Havre	56%	Big Sky	85%	Great Falls	49%
Butte	36%	West	56%	CMR	64%
Bozeman	56%	Skyview	56%	Capitol	44%
Helena High	69%				

### **2007-08 CRT Science – Percent Proficient and Advanced – All grades Combined:**

Urban Area	American Indian	White	Urban Area	American Indian	White
Missoula	33%	57%	Havre	35%	55%
Billings	29%	56%	Butte	38%	51%
Great Falls	35%	63%	Bozeman	41%	NA
Helena	39%	57%			

### **Discipline (Suspension/Expulsion) - % of High School Enrollment AI % of Suspension/Expulsion of AI**

Butte	4.7%	11%
Helena	5%	12%
Missoula	4%	9%
Billings	6%	15%
Great Falls	11%	22%
Havre	14.9%	46%

WHEREAS: As one strategy to find solutions to the issues of American Indian students in our urban communities, MIEA along with other urban schools have hosted an annual Urban Indian Education Forum in 2007 and 2008 to bring together administrators, teachers, and staff to create awareness and look at best practices currently in place or that might be implemented to close the achievement gap and create opportunities for success, and

**THEREFORE BE IT RESOLVED: The MIEA supports improving the achievement of the 6,403 Indian students enrolled in our urban communities and recommends that school boards and administrators in our urban communities develop policy and provide adequate resources for educational and supportive services to close the achievement gap, increase the graduation rate, and decrease the disproportionate rate of suspensions and expulsions for American Indian students.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-15: Support funding for Tribal Education Departments (TEDs)**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The State of Montana includes seven federally recognized reservations and one state recognized tribe, representing over 11% of the student population in Montana's public schools, and two BIA schools, and

WHEREAS: As mandated in many treaties and as authorized in several federal statutes, the education of Indian children is an important role of Indian tribes, the involvement of tribes in their children's educational future is key to the educational achievement of Indian children, and

WHEREAS: Tribal Education Departments (TED) provide tribes with the opportunities to become actively involved in the education of their children, and the authorization for TED funding was retained in Title VII, Section 7135 of the No Child Left Behind Act, and

WHEREAS: Funding for TEDs in FY 2009, has been authorized by Congress TED appropriations in two separate laws:

- 1) In 1988 Congress authorized appropriations for TEDs within the BIA budget of the U.S. Department of the Interior (Pub. L. No. 100-297, Section 5199); and
- 2) In 1994 Congress authorized appropriations for TEDs in the budget of the U.S. Department of Education (Pub. L. No. 103382, Section 9125).

WHEREAS: Despite this authorization and several other prior statutes, federal funds have never been appropriated for TEDs. The use of TEDs would increase tribal accountability and responsibility for their students and would ensure that tribes exercise their commitment to improve the education of their youngest members.

**THEREFORE BE IT RESOLVED: The MIEA requests that both Department of Interior and Department of Education fund Tribal Education Departments at \$10.0 million for FY 2009 to increase positive benefits for Indian students and provide tribes with increased input over the education of their children and asks the Montana Congressional Delegation, Senator Baucus, Senator Tester, and Representative Rehberg, to advocate for this funding.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-16: Lift the Freeze and Increase Johnson O'Malley (JOM) Funding and Prohibit the Diversion of JOM funds:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian community as outlined in the MIEA Constitution, and

WHEREAS: Per the National Indian Education Association the Johnson O'Malley program grants are the cornerstone for many Indian tribes, school districts, tribal organizations, and parent committees in meeting the unique and specialized educational needs of Indian students enrolled in public schools or non-sectarian schools. The Johnson O'Malley Program meets the focused goal of academic achievement by providing Indian students ages 3 to grade 12 with supplemental educational programs or support so that these students can pursue educational opportunities and attain academic success, and

WHEREAS: The appropriations for the Johnson O'Malley Program have steadily decreased over the years to a very minimal level of funding that does not adequately address the educational needs of American Indian students as they are intended, and

WHEREAS: Per the National Indian Education Association, many Indian children live in rural or remote areas with high rates of poverty and unemployment, and funds from JOM have historically provided basic resources so that Indian students can participate in school like their non-Indian peers, which, in turn, gives them a chance to achieve academically and meet Annual Yearly Progress targets, and

WHEREAS: The Bureau of Indian Affairs cannot divert funding to the Bureau of funded schools through the ISEP formula as the ISEP formula is not a part of the Tribal Priority System,

**THEREFORE BE IT RESOLVED: The MIEA asks the Montana Congressional Delegation to support lifting the freeze and to increase in Johnson O'Malley funding in the Interior Appropriations Bill at a level that will adequately meet the needs of all eligible Indian children and to prohibit the Bureau of Indian Affairs diverting any funding under the Tribal Priority System for other funding purposes to benefit the Bureau funded programs outside the Priority System.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### RESOLUTION 2009-17: In Support of Graduating Students Wearing Items of Cultural Significance During Graduation Ceremonies:

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian community as outlined in the MIEA Constitution, and

WHEREAS: Graduation is a time of celebration and honor for all families, and

WHEREAS: There has been a significant increase in policies that regulate “appropriate attire” for students participating in graduation ceremonies and the intent of these policies is to instill a dress code that is respectful of the student and to prevent defamation of the cap and gown typically worn by graduating students, and

WHEREAS: Many of the graduation dress codes do not recognize the sacred and cultural items, such as eagle feathers or other cultural items of significance to the student’s family and tribe that is worn in times of honor and these items are sometimes restricted by school officials, and

WHEREAS: The National Indian Education Association has taken action to pass a resolution supporting students rights to express cultural pride during graduation activities by wearing eagle feathers or other cultural garments to honor their tribal heritage, and

WHEREAS: The state of Montana recognizes the distinct and unique cultural heritage of American Indians as outlined in the state’s constitution,

**THEREFORE BE IT RESOLVED: The MIEA supports the right of American Indian students to express cultural pride during graduation activities and opposes any efforts made by school jurisdictions that do not allow for Native students to dress in a manner reflective of Native tradition or culture.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## **MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009**

### **RESOLUTION 2009-18: Support Funding for the Esther Martinez Native Language Act:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian community as outlined in the MIEA Constitution, and

WHEREAS: The Esther Martinez Act preserves and fosters fluency in Native American languages through grants to tribes, tribal organizations, schools, and universities to develop and bolster Native language immersion and revitalization programs, and

WHEREAS: In Native communities across the country, Native languages are in rapid decline and it is estimated that only twenty indigenous languages will remain viable by the year 2050; therefore, it is a race against the clock to save Native languages with only 34% of the 210 native languages used in North America are still being taught to children as a first language, and

WHEREAS: A native language immersion program is a proved and effective way to create fluent speakers in native languages and stem the loss of native languages, and

WHEREAS: Native language immersion programs can help bring many native languages and traditions back from the brink of extinction and provide Indian students in Montana the cognitive and psychological benefits of knowing their native language, and

WHEREAS: The proposed budget for ANA, which is the agency that administers the Esther Martinez Native Language Act, is \$46 million and the allocation for language grants under the Esther Martinez Act is \$2 million for FY 2009, which is not sufficient for Native Language preservation and revitalization,

**THEREFORE BE IT RESOLVED: The MIEA asks the Montana Congressional Delegation to advocate for the request of the National Indian Education Association for \$8.0 million increase to ANA over the FY 2009 proposed amount of \$46.0 million and that this \$8.0 million along with the \$2.0 million allocated in the President's FY 2009 budget be used for Native Language immersion and restoration programs under the Esther Martinez Act.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTION 2009

### RESOLUTION 2009-19: The MIEA Supports Title VII, Indian Education Act Reauthorization in NCLB and an Increase in Funding:

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian community as outlined in the MIEA Constitution, 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 reauthorization of the No Child Left Behind (NCLB) law is currently being reviewed by the U.S. Congress in anticipation of this key comprehensive legislation that affects all K-12 education, including Indian education and related programs, and

WHEREAS: The National Indian Education Association has outlined the specific provisions important in the reauthorization of NCLB, including:

1. Improve, expand and increase funding of Title VII - Indian Education, to address the unique cultural and educational needs of Indian students;
2. Strengthen and clarify NCLB to provide instruction in Native Languages;
3. Reaffirm and strengthen the role of parents, families and tribes as the "first teachers" of their child(ren) and the role of Indian Education Parent Committees as the decision-makers in Indian Education opportunities.
4. Require Indian Education consultation and planning with the Parent Committee, Tribes and community in the collection of culturally responsive data and research in the education of Native students;
5. Improve culturally responsive measurement system(s) for Adequate Yearly Progress;
6. Improve support for teachers of Native students in Title II and Title VII;
7. Improve cooperation among Tribes, States and the Federal Government;
8. Restore the Indian Education Technical Assistance and Training Center(s) to address the need for technical support.

WHEREAS: The Title VII, Indian Education Programs have been a valuable and long time resource for our schools in Montana to meet the educational and culturally related academic needs of American Indian students and an increase in funding for Title VII would go a long way to help, support improved academic performance, keep students in school, and promote a positive sense of self-identity,

**THEREFORE BE IT RESOLVED: The MIEA supports the National Indian Education Association in its advocacy for Title VII, Indian Education in the reauthorization of NCLB and asks the Montana Congressional Delegation to advocate for these components in the reauthorization of NCLB and supports a five percent (5%) increase of \$9.43 million over the FY 2009 omnibus of \$188.6 million for a total of \$198 million for NCLB Title VII funding.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-20: MACIE is Recognized as the Formal Group to Advise the Office of Public Instruction and the Board of Public Education:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: The Montana Advisory Council on Indian Education has been established by the Office of Public Instruction and the Board of Public Education to act in an advisory role to them in matters affecting the education of Indian students in Montana, and

WHEREAS: Montana Advisory Council on Indian Education advocates for greater cooperation among tribal, state and federal organizations, institutions, groups and agencies for the express purpose of promoting high-quality education and equal educational opportunity for Montana's Indian students, and

WHEREAS: MACIE is made up of a broad representation of members who are representative of Indian education in the state of Montana. The membership shall be selected in consultation with Indian education organizations, tribes and schools. Each reservation shall be invited to have one representative who is nominated by the Tribal Council, and

WHEREAS: MACIE has provided a valuable service to the State of Montana for over 25 years in their efforts to provide quality educational programs for American Indian students and in helping improve educational achievement for Indian students,

**THEREFORE BE IT RESOLVED: The MIEA recognizes the Montana Advisory Council on Indian Education (MACIE) as the formal group to serve in an advisory role to the Office of Public Instruction and the Board of Public Education for Indian Education in Montana, including Indian Education for All and for Closing the Achievement Gap for Indian students.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*

## MONTANA INDIAN EDUCATION ASSOCIATION ----RESOLUTIONS 2009

### **RESOLUTION 2009-21: The MIEA Supports the Inclusion of Indian Education for All in Early Childhood Programs in Montana:**

WHEREAS: The Montana Indian Education Association (MIEA) has been organized to represent, protect and advance the views of the Indian education community as outlined in MIEA's constitution, and

WHEREAS: Indian Education for All is a recognized constitutional right in Article X, 1 (2), and

“The state recognizes the distinct and unique cultural heritage of the American Indians and is Committed in its educational goals to the preservation of their cultural integrity.”

WHEREAS: Many Early Childhood Programs in Montana already integrate Cultural lessons into their curriculum for preschoolers introducing cultural heritage of American Indians, and

WHEREAS: It is important that Indian Education for All be included in all programs for early childhood education,

**THEREFORE BE IT RESOLVED: The MIEA encourages all Early Childhood Education Programs in Montana to insure that there are lessons and activities provided to learn about Montana's Indian people, their history, and their culture to support the spirit of Article X, 1 (2) in the Montana Constitution.**

*This Resolution was approved on April 19, 2009, at the Montana Indian Education Conference in Helena, Montana.*