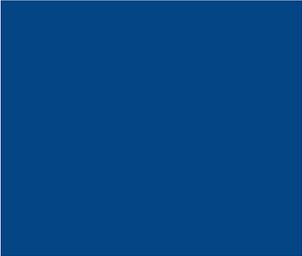
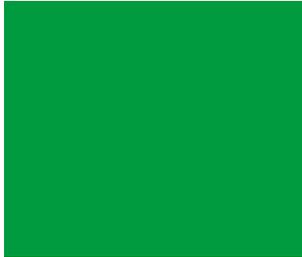




Indian education policies in five Northwest Region states



NATIONAL CENTER FOR
EDUCATION EVALUATION
AND **REGIONAL ASSISTANCE**

Institute of Education Sciences
U.S. Department of Education



Indian education policies in five Northwest Region states

October 2009

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Indian education policies in five Northwest Region states

The most comprehensive effort to date to study Indian education policies, the report categorizes the Indian education policies of the five Northwest Region states based on 13 key policies identified in the literature and describes the legal methods used to adopt them.

This study examines state policies that govern the education of American Indian and Alaska Native (referred to collectively as Native American) students in the five Northwest Region states of Alaska, Idaho, Montana, Oregon, and Washington. This investigation is the most comprehensive effort to date to study Indian education policies. The study focuses on three dimensions of Indian education policies:

- Identification of key Indian education policies in the literature.
- Adoption of key Indian education policies by the five Northwest Region states.
- Specific mechanisms states have employed to adopt Indian education policies.

The goal of the study is to provide state policymakers and organizations representing Native Americans with a comprehensive summary and analysis of state-level policy initiatives.

The study identifies 13 key policies from the literature on Indian education over the period 1991–2008. Each state’s Indian education policies were compiled and compared with the 13 key policies to determine whether any policies were common to all five Northwest Region states and to identify the approaches that states have taken to adopt Indian education policies. The study also examines the frequency of policy adoption mechanisms, such as statutes, regulations, and executive orders.

In the data collection phase the researchers conducted Internet and library searches for Indian education–related literature over the past 18 years and searched state education agency and legislative web sites to identify Indian education statutes, regulations, and other policy adoption mechanisms. The searches were followed by interviews with key informants in each state education agency. Two researchers independently analyzed state policies to determine whether a state either had a particular key policy or did not.

Six of the key policies had been adopted by all five states: adopting academic standards to teach students about the history and culture of America’s indigenous peoples, including Native American culture and history as part of the academic curriculum, involving Native Americans on advisory boards, promoting Native

American languages through certification of teachers who speak Native American languages, allowing students to learn their native language as a part of their education program, and providing scholarships or tuition assistance for college-bound Native American students.

The study found that the five states had different approaches to adopting Indian education policies. Of the nine policy mechanisms states used to adopt Indian education policy, state statutes were the most common, followed by

regulations. Use of the state constitution, official publications, and administrative actions by state officials were the least used mechanisms for adopting Indian education policies.

The study revealed that state policymakers in search of ways to address the education needs of Native American children have a variety of choices in both policy approaches and adoption mechanisms.

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The most comprehensive effort to date to study Indian education policies, the report categorizes the Indian education policies of the five Northwest Region states based on 13 key policies identified in the literature and describes the legal methods used to adopt them.

WHY THIS STUDY?

This study is intended to provide policymakers in all states with a comprehensive list of Indian education policies in the five Northwest Region states (Alaska, Idaho, Montana, Oregon, and Washington) and the legal mechanisms used to adopt them (see box 1 for a definition of key terms used in this report). The study categorizes the Indian education policies of the Northwest

Region states using an analytic framework based on a review of the literature on Indian education policies.

This study is motivated primarily by the need to close the achievement gap between Native American and other students. For example, the National Indian Education Study, sponsored by the National Center for Education Statistics, found that reading achievement among Native American students in grades 4 and 8 on the 2005 National Assessment of Educational Progress (NAEP) was significantly lower than that of other students (Rampey, Lutkus, and Weiner 2006). Math achievement results for Native American students were slightly better but were still significantly below those of other students. A follow-up study reporting on performance on the 2007 NAEP found no significant reductions in the achievement gaps between 2005 and 2007 in reading and math in grades 4 and 8 (Moran et al. 2008).

States have good reasons for addressing these achievement gaps. Persistent achievement gaps mean that not enough is being done to provide equal education opportunity for all students. Additionally, the No Child Left Behind Act (NCLB) of 2001 requires states to impose sanctions on schools whose students do not show adequate yearly progress. Because states must report test data separately for groups of minority students, including Native Americans, the disparity in achievement becomes apparent and the need for policy innovation more urgent.

States may also adopt Indian education policies in response to recommendations by organizations representing Native Americans for improving education for Native American children. These groups advocate for policies that preserve Native American heritage and promote the academic welfare of Native American students. The National Caucus of Native American State Legislators, for example, is investigating the achievement gap and plans to present policy recommendations for state legislatures based on its findings.

BOX 1

Key terms used in the report

Government-to-government status. Recognizing government-to-government status means acknowledging the sovereignty and right to self-determination of Native American tribes and establishes a legal relationship between the U.S. government and tribal governments (Bush 2004). This policy is the cornerstone of the right of tribes to teach their children about their culture and to speak their native language.

Indian education. The conventional use of the term includes schooling in federal, mission, and public schools

as well as culturally based education in American Indian and Alaska Native (here referred to as Native American; see below) communities. Indian education also refers to culturally based education of Native American children by their parents, relatives, and communities—traditionally and sometimes today in a native language (Lomawaima and McCarty 2006).

This study uses the term *Indian education* broadly to include any teaching practice, procedure, curriculum, or teaching guide having to do with educating the children of Native Americans.

Native American. This study uses the term *Native American* to include

American Indians and Alaska Natives (authors' working definition).

Public policy. A system of "courses of action, regulatory measures, laws, and funding priorities concerning a given topic promulgated by a governmental entity or its representatives" (Kilpatrick n.d.).

Policy mechanisms. Policy mechanisms refer to the legal methods used to adopt a policy. Mechanisms include statutes enacted by a state legislature, regulations adopted by a state agency, executive orders, state plans, memoranda, state curricula, or other legal methods (authors' working definition).

State policymakers can learn from the experience of other states with large numbers of Native American students how to improve the education of Native American students. Each of the five Northwest Region states enrolls significant numbers of Native American students. Native American students are the largest minority group of K–12 students in Alaska (11 percent) and Montana (25 percent), and they constitute about 3 percent of the student population in Idaho, Oregon, and Washington (U.S. Department of Education 2006). Together, the five states are home to 16 percent of Native American students in the United States (Sable and Noel 2008).

RESEARCH QUESTIONS AND STUDY APPROACH

Native American students are the largest minority group of K–12 students in Alaska and Montana and constitute about 3 percent of the student population in Idaho, Oregon, and Washington

This study is more comprehensive than previous studies. It includes all identified policies and the mechanisms used to adopt them in the five Northwest Region states. The study does not, however, address how, or to what extent, the policies have been implemented or whether they are effective.

Three research questions guided the study:

- What state policies govern the education of Native American students in the five Northwest Region states?
- What Indian education policies are common to all five Northwest Region states?
- What policy mechanisms are used to adopt Indian education policies in the five Northwest Region states?

A three-phase descriptive study was conducted to answer these questions (see box 2 and appendix A for details). In the first phase—data collection—Internet and library searches were conducted to identify scholarly articles on Native American education and state Indian education policies, along with interviews with key informants in each of the five Northwest Region state education agencies. In the second phase analytic frameworks were developed for identifying key policies and the mechanisms for adopting the policies in the Northwest Region states. In the third phase state policies were analyzed for content and adoption mechanisms.

BOX 2

Data collection and analysis

Data collection. An Internet and library search identified scholarly articles on Indian education policy, and a second Internet search of state education agency and legislative web sites identified Indian education policies in the five Northwest Region states. Interviews were then conducted with key informants in the five state education agencies to verify and augment state policy information.

The Internet search was intended to provide a baseline against which to compare state policies. Key words were used to guide the search for Indian education policies of the five Northwest Region states, to ensure that the policies identified included the entire range of legal methods that the states used to adopt policies. Policy documents were downloaded, printed, and tabulated by state. To ensure that the list was accurate and to reduce the number of policies that might be overlooked, another researcher located each policy on the Internet and verified its existence. In addition to this internal check, interviews with key informants served as an external check on the completeness of the Internet searches. Respondents received copies

of the tabulated state policies and were asked to note any errors or omissions. Respondents identified several additional policies during the interviews. They also reviewed the list of policies several months later, just before the data analysis.

Analytic frameworks. Two frameworks were developed for analyzing state policies. The first framework provided a set of key policies identified from the literature search against which to compare state policies. The second framework was used to define the policy mechanisms that states used in adopting Indian education policies and to calculate frequencies for the mechanisms identified.

In developing the *framework for analyzing existing state policies*, 30 studies were identified that included discussions of Indian education policies. These were then winnowed down to 11 articles that dealt with state-level policies and were published during 1991–2008 (see reference list), when major federal school accountability mandates were enacted. To be considered a key Indian education policy, the policies discussed in these articles had to pertain to K–12 education and to specify a particular policy approach, not just highlight an area of concern. Thirteen key policies were identified.

In developing the *framework for identifying policy mechanisms*, the tabulated state policies were grouped by the method used to adopt each policy. Nine groups or mechanisms were identified that captured the range of policy adoption mechanisms. Once the mechanisms were defined, each tabulated policy was placed into one of the nine groups (see appendix C).

Data analysis. Data analysis involved five steps. The data from the key informant interviews were organized for use by the researchers when questions arose about how Indian education operated in a particular state. Next, two researchers independently compared the tabulated state policies with the key policies identified in the literature and determined whether a state had a policy that addressed a particular key policy or whether it did not (dichotomous classification). Interrater reliability for this coding was 100 percent. Researchers then determined which policies were common to all five states. Short descriptions were written for each state policy and tabulated (appendix D). Finally, the policy mechanisms states used to adopt Indian education policy were classified and frequencies calculated.

Thirteen key policies

The following are the 13 key policies identified in the literature review:

- Tribes have government-to-government status.
- Tribes and state agencies are authorized to enter into contracts for Indian education.
- State education agency has a state-funded Indian education coordinator.
- Academic standards address Native American culture and history.
- State has a policy to reduce the achievement gap between Native American and other students.
- State has targeted funding of Indian education programs.

- Native American students may learn their native language as part of the education program.
- Native American culture and history are part of school curriculum.
- Native American community is involved on advisory boards.
- Teacher certification is promoted for speakers of Native American languages.
- All teachers are required to have training in Native American culture and history.
- College scholarship or tuition assistance programs are provided for Native American students.
- Tribal colleges have been established.

in the Northwest Region states (see appendix C, tables C1–C5):

- Statute or code.
- Regulation or rule.
- State plan, initiative, guideline, or program.
- State board of education approval.
- Executive order or proclamation.
- Administrative action by state official.
- State curriculum or student academic standards.
- State constitution.
- Official publication.

Nine mechanisms for policy adoption

Nine groups or mechanisms were identified that capture the range of policy adoption mechanisms

Examination of the five Northwest Region states' use of the 13 key policies showed that states adopted different combinations of the 13 key policies and that six of the key policies were common to all five states.

TABLE 1

Presence of key Indian education policies in the five Northwest Region states, 2008

Key policy	Alaska	Idaho	Montana	Oregon	Washington
Tribes have government-to-government status		✓	✓	✓	✓
Tribes and state agencies are authorized to enter into contracts for Indian education	✓	✓	✓	✓	
State education agency has a state-funded Indian education coordinator		✓	✓		
Academic standards address Native American culture and history	✓	✓	✓	✓	✓
State has a policy to reduce the achievement gap between Native American and other students	✓	✓	✓		✓
State has targeted funding of Indian education programs			✓		
Native American students may learn their native language as part of the education program	✓	✓	✓	✓	✓
Native American culture and history are part of school curriculum	✓	✓	✓	✓	✓
Native American community is involved on advisory boards	✓	✓	✓	✓	✓
Teacher certification is promoted for speakers of Native American languages	✓	✓	✓	✓	✓
All teachers are required to have training in Native American culture and history	✓		✓	✓	✓
College scholarship or tuition assistance programs are provided for Native American students	✓	✓	✓	✓	✓
Tribal colleges have been established ^a	✓		✓		✓

a. Tribal colleges are established by federal law, most recently in the Equity in Educational Land-Grant Status Act of 1994. Tribal colleges are included to keep the study consistent with the Zinth (2006) study and because a state may use tribal colleges to implement or further its Indian education policies.

Source: Authors' analysis of data tabulated in appendix C, tables C1–C5.

STATE ADOPTION OF THE 13 KEY POLICIES

For each state the researchers tabulated the Indian education policies that addressed the 13 key policies developed from the background literature (see box 2 and appendix A). Key informants were given two opportunities to review these tabulated policies for their state and to offer additions or corrections. Informants for three of the five states in the study added several additional policies. Then, the two study authors independently determined whether a state had or did not have each of the 13 key policies. Interrater agreement was 100 percent.

Table 1 summarizes the findings for the five states.

COMMON POLICIES

A policy was defined as common if it had been enacted in all five states. Six policies were identified in all five states, four policies in four states, one policy in three states, one policy in two states, and another in one state (table 2).

Policies that involve state funding were adopted less frequently than others. Only Idaho and Montana fund a state Indian education coordinator position in the state education agency, and only Montana has a policy targeting funding of education programs for Native American students.

States adopted different combinations of the 13 key policies, and six of the key policies were common to all five states

POLICY MECHANISMS

Table 3 shows the number of times that the nine policy adoption mechanisms were employed by the five states.

Laws passed by state legislatures (statutes or codes) were used slightly more often than all other policy mechanisms together. Regulations were the second most frequently used mechanism. The state constitution, official publications, and administrative actions were the least frequently used mechanisms for adopting Indian education policy.

TABLE 2

Key Indian education policies and their frequencies in the five Northwest Region states, 2008

Key policy	Number of states
Academic standards address Native American culture and history	5
Native American students may learn their native language as part of the education program	5
Native American culture and history are part of school curriculum	5
Native American community is involved on advisory boards	5
Teacher certification is promoted for speakers of Native American languages	5
College scholarship or tuition assistance programs are provided for Native American students	5
Tribes have government-to-government status	4
Tribes and state agencies are authorized to enter into contracts for Indian education	4
State has a policy to reduce the achievement gap between Native American and other students	4
All teachers are required to have training in Native American culture and history	4
Tribal colleges have been established	3
State education agency has a state-funded Indian education coordinator	2
State has targeted funding of Indian education programs	1

Source: Authors' analysis of data tabulated in appendix C, tables C1–C5.

TABLE 3

Frequencies of mechanisms for adopting Indian education policies in the five Northwest Region states, 2008

Mechanism	Frequency
Statute or code	38
Regulation or rule	13
State plan, initiative, guideline, or program	8
State board of education approval	6
Executive order or proclamation	4
State curriculum or student academic standards	3
Administrative action by state official	1
State constitution	1
Official publication	1
Total	75

Source: Authors' analysis of data tabulated in appendix C, tables C1–C5.

CONCLUSION

The study is the most comprehensive yet on this subject and shows that state policymakers have a variety of choices in deciding what Indian education policies to adopt and how to do so. While the states adopted different combinations of the 13 key policies, 6 policies have been put into practice in all five states:

- Academic standards address Native American culture and history.
- Native American culture and history are part of school curriculum.
- Native American community is involved on advisory boards.

- Teacher certification is promoted for speakers of Native American languages.
- Native American students may learn their native language as part of the education program.
- College scholarship or tuition assistance programs are provided for Native American students.

The presence of so many common policies shows their perceived value in the five states. The states used a variety of mechanisms for adopting Indian education policies, ranging from including Indian education in the state constitution to using administrative actions by state officials.

LIMITATIONS OF THE STUDY

The purpose of the study was to identify Indian education policies in the five Northwest Region states, compare them to key policies gleaned from previous research, and assess the mechanisms used by the states to adopt the policies. The study did not assess the merit of any of the policies, how successfully they were implemented, or what effect they had on Native American students' academic achievement. Additionally, it is likely that some policies were overlooked. Considering that about half the policy mechanisms identified were state statutes, it is possible that policies adopted through mechanisms other than statutes may be underrepresented. Some policy documents were easier to locate than others, and six policies identified for the study were not obtained from the Internet search but came to light only during the key informant interviews. Future research will be needed to address these limitations.

APPENDIX A DATA COLLECTION AND ANALYSIS

This was a descriptive study conducted in three phases. Phase one was data collection using Internet and library searches to identify scholarly articles on Indian education and state Indian education policies. Interviews were conducted with key informants in each of the five state education agencies. Phase two was development of the analytic framework to identify key policies and mechanisms for adopting policies in the Northwest Region states. Phase three was analysis of the state policies.

Data collection

Three data collection strategies were used. First, an Internet and library search identified scholarly articles on Indian education. A second Internet search of state education agencies and legislative web sites identified Indian education policies in the five Northwest Region states between February and April 2008. The final data collection activity was interviewing key informants in the five state education agencies to verify and add to state policy information. Data collection from the key informants and the follow-up external check of the tabulated policies occurred between March and September 2008. Details of the interviews and the interview protocol are presented in appendix B.

To develop a baseline against which to compare state policies, an Internet search located articles focused on Indian education policy. The search identified articles published during 1991–2008 in scholarly journals or by national organizations with an interest in Indian education policy. The articles were downloaded and printed. Additional hard copies of materials were located through searches of the Northwest Regional Educational Laboratory library and interlibrary loan system.

Collecting the Indian education policies of the five Northwest Region states involved an Internet search of state education agency and state legislature web sites to identify publicly available state

statutes, regulations, and rules pertaining to the education of Native American students. These data came from state legislatures, state boards of education, state education agencies, and other state agencies involved in Indian education.

The following three steps describe the search method.

First, a set of search terms derived from the Indian education policies and procedures literature was used to locate information about state policies. The broad terms were paired or linked in searches of the relevant web sites to ensure complete discovery of pertinent information. The initial list of terms was Indian education, Indian education policy, Alaska Natives, American Indians, Native Americans, indigenous peoples, First Nations, Title VII, Johnson O'Malley, tribal, reservation(s), sovereignty, and bilingual/bicultural.

Second, when reviews of the identified policies revealed state-specific terminology, additional searches were conducted using those state-specific terms to identify other possible state policies.

Third, if the information from the search referenced a state plan, such as a special grant, initiative, or professional development opportunity related to Indian education, a further search was conducted to see whether additional policy information was available.

The research questions and the data sources and data analysis techniques used to address them are summarized in table A1.

State web sites. The following are the state web sites where the searches occurred.

Alaska

- Alaska state legislature (<http://w3.legis.state.ak.us/index.php>).
- Alaska Department of Education and Early Development (www.eed.state.ak.us/).

TABLE A1

Summary of research questions, data sources, and data analysis techniques

Research question	Data source	Data analysis
What state policies govern the education of Native American students in the five Northwest Region states?	Literature collected through an Internet search of Indian education–related web sites and articles collected from the Northwest Regional Educational Laboratory library	<ul style="list-style-type: none"> Identify a set of “key policies”
	Indian education policies collected from the web sites of state legislatures and education agencies	<ul style="list-style-type: none"> Tabulate policies by state Conduct internal and external checks of policies to ensure completeness Briefly summarize each policy and tabulate
	Structured interviews with an informant in each of the five states and follow-up reviews	<ul style="list-style-type: none"> Tabulate interview data and analyze to supplement Internet data collection and inform the study Verify tabulated policies are complete (key informant review)
What Indian education policies are common to all five Northwest Region states?	Indian education policies collected from the five states	<ul style="list-style-type: none"> Code state policies against the 13 key policies to identify common policies across the five states Classify each state policy by the mechanism the states used to adopt it
What policy mechanisms are used to adopt Indian education policy in the five Northwest Region states?	Indian education policies collected from the five states	<ul style="list-style-type: none"> Define a set of policy mechanisms Classify state policies by policy mechanisms Compute frequencies of policy mechanisms
	Structured interviews with five key informants and follow-up reviews	<ul style="list-style-type: none"> Review interview data to clarify policy mechanisms

Source: Authors' analysis.

- Alaska Standards (www.eed.state.ak.us/standards/).
- Alaska Standards for Culturally Responsive Schools (www.ankn.uaf.edu/publications/#standards).

Idaho

- Idaho state legislature (www.legislature.idaho.gov/).
- Idaho State Department of Education (www.sde.idaho.gov/).
- Idaho content standards (www.sde.state.id.us/ContentStandards/default.asp).

- Bylaws of Idaho Indian Education Committee (www.sde.idaho.gov/site/native_american/by_laws.htm).

Montana

- Montana state legislature (<http://leg.mt.gov/css/default.asp>).
- Montana Office of Public Instruction (www.opi.state.mt.us/).
- Montana content standards (<http://opi.mt.gov/accred/cStandards.html>).
- Montana Indian Education for All (<http://opi.mt.gov/indianed2/>).

Oregon

- Oregon state legislature (www.leg.state.or.us/).
- Oregon bills and laws (www.leg.state.or.us/bills_laws/).
- Oregon Department of Education (www.ode.state.or.us/).
- Oregon content standards (www.ode.state.or.us/search/results/?id=53).
- Oregon Indian Education Resource Guide (www.ode.state.or.us/opportunities/grants/nclb/title_vii/ai_anguide.aspx).

Washington

- Washington state legislature (www.leg.wa.gov/legislature).
- Washington Office of Superintendent of Public Instruction (www.k12.wa.us/).
- Washington content standards (www.washingtonpavilion.org/communitylearningcenter/ContentStandards.cfm).
- Proposed standards for culturally responsive schools: Indian education plan for Washington state (www.wce.wvu.edu/Resources/CEP/MET/2006/Indian%20Education%20Strategic%20Plan.pdf).

Data verification. To ensure that the Indian education policies identified included the entire range of legal methods that states use to adopt policies, key words guided the search. Once state Indian education policies were located, documents were downloaded, printed, and tabulated by state. As an internal check to ensure that the list was accurate and to reduce the number of overlooked policies, a second researcher then located each of the tabulated policies on the Internet and verified its existence.

Interviews were conducted with a key informant in each state education agency to collect additional information and to inform the research staff of the particulars of Indian education in each state. The interviews also served as an external check on the completeness of the Internet searches. Before the on-site visit each key informant received a copy of the tabulated policies for the state and asked to review it. During the on-site visit key informants were asked whether they believed that all relevant policies had been identified. Respondents identified several additional policies, and these were added to the tabulated lists. Several months later, prior to the data analysis, the tabulated state policies were again shown to respondents as a final check on completeness.

Analytic frameworks

Two frameworks were developed to analyze the state policy data. The first framework provided a means for comparing state Indian education policies against a set of key policies identified from the literature review. The second framework provided a means for defining the policy mechanisms that states used to adopt Indian education policy and for calculating the frequencies of the various mechanisms.

Identifying key policies. A search of the recent literature on Indian education policies was used to develop a framework for analyzing state policies. The search of the Internet and materials in the Northwest Regional Educational Laboratory library and interlibrary loan system led to the web sites of the following organizations, from which articles were downloaded:

- Office of Indian Education, U.S. Department of Education (www.ed.gov/about/offices/list/oese/oie/index.html).
- Center for Indian Education, Mary Lou Fulton College of Education, Arizona State University (<http://coe.asu.edu/cie/>).
- National Caucus of Native American State Legislators (Education Committee), National

Conference of State Legislators (www.ncsl.org/programs/statetribenativecaucus.htm).

- Education Commission of the States (www.ecs.org/ecsmain.asp?page=/html/IssuesK12.asp).
- American Indian Education Foundation (www.nrcprograms.org/site/PageServer?pagename=aief_index).
- National Indian Education Association (www.niea.org/).
- American Indian Higher Education Consortium (www.aihec.org/).
- American Education Research Association, Indigenous Peoples of the Americas (www.coe.missouri.edu/~ipa/).
- The Council of Chief State School Officers, Strengthening Partnerships for American Indian, Alaska Native, and Native Hawaiian Education (www.ccsso.org/projects/Native_American_Student_Education/).
- Journal of American Indian Education, published by the Center for Indian Education, American Indian Education, Northern Arizona University (<http://jaie.asu.edu/>).
- American Indian Education (<http://jan.ucc.nau.edu/~jar/AIE/index.html>).
- Indian Education at the Northwest Regional Educational Laboratory (www.nwrel.org/indianed/index.php).

The search identified 30 studies that discussed Indian education policies. Two selection criteria were then used to develop a list of articles that would be the source for key policies:

- Articles must discuss Indian education policies at the state level (as opposed to the local level).

- Articles must have been published during 1991–2008, the period when major federal school accountability mandates, including the No Child Left Behind Act, were enacted.

Applying these criteria resulted in the selection of 11 studies (see reference list for details).

Policies mentioned in the 11 studies had to meet three criteria to be considered a key policy:

- Pertain to Indian education.
- Concern the K–12 education system.
- Specify a policy approach, not merely highlight an area of concern.

For example, a report from the National Caucus of Native American State Legislators (2008) pointed out numerous risk factors affecting the academic performance of Native American students. The report recommended, among other things, that states “promote tribal certification for teaching Native language, culture, and oral traditions” (p. 28). That policy was thus added to the list of key policies.

The review identified 13 key policies. Table A2 presents key policies and their sources.

Identifying policy mechanisms. A framework for classifying policies was prepared to determine the range and frequency of the legal means used by states to adopt Indian education policies. The tabulated policies were grouped by the method used to adopt each policy. Nine groups or mechanisms were established that captured the range of policies.

In most cases the terms used to describe the mechanisms were obviously associated with policy. “Statutes” and “codes” are laws passed by a state legislature. “Regulations” are rules devised by state education agencies and state boards of education to implement statutes.

In other cases the document containing the policy was titled “state plan,” “initiative,” “executive

TABLE A2

Sources of key Indian education policies in the five Northwest Region states, 1995–2008

Key policy	Source										
	Beaulieu (2000)	Brady (1995)	Juneau (2001)	McCoy (2003)	National Caucus of Native American State Legislatures (2008)	National Indian Education Association (2005)	St. Germaine (1995)	Trujillo and Alston (2005)	U.S. Commission on Civil Rights (2003)	U.S. Department of Education (2006)	Zinth (2006)
Tribes have government-to-government status							✓				
Tribes and state agencies are authorized to enter into contracts for Indian education											✓
State education agency has a state-funded Indian education coordinator						✓					
Academic standards address Native American culture and history						✓					
State has a policy to reduce the achievement gap between Native American and other students					✓					✓	
State has targeted funding of Indian education programs					✓						
Native American students may learn their native language as part of the education program	✓		✓	✓						✓	✓
Native American culture and history are part of school curriculum	✓		✓		✓			✓			
Native American community is involved on advisory boards	✓	✓		✓	✓	✓	✓	✓	✓	✓	
Teacher certification is promoted for speakers of Native American languages				✓	✓						
All teachers are required to have training in Native American culture and history	✓				✓			✓		✓	
College scholarship or tuition assistance programs are provided for Native American students					✓			✓		✓	✓
Tribal colleges have been established											✓

Source: Authors' analysis based on cited sources.

order,” or “proclamation.” These terms describing the mechanisms were accepted verbatim. “Official publication” seemed to best describe a document published by a state education agency. Likewise “state curriculum” or “student academic standards” seemed to properly describe a state-developed curriculum or curriculum guide and the state’s student content and performance standards.

In the case of “administrative action by state official,” the key informant for the state used “administrative action” to describe the mechanism. Each policy tabulated in appendix C was classified on the basis of one of the nine mechanisms.

The nine mechanisms identified are presented in the main report in table 3.

Data analysis

Data analysis involved five steps. First, the data obtained in key informant interviews were tabulated. Second, identified state policies were compared with the key policies identified in the literature. Third, a count of the states that had adopted each policy was made to determine which policies were common to all five states, and short descriptions were written for each policy. Finally, the policy mechanisms states used to adopt the education policy were classified and frequencies were calculated.

Data from the interviews of five key state informants were organized by interview question, to allow for a quick review of the responses to each question. Researchers reviewed these responses when questions arose about how Indian education policies operated in a particular state.

The tabulated state policies were compared with the key policies developed for the analytic framework (see table 1). The two researchers made independent dichotomous classifications for each state policy: a state either had a policy that addressed a particular key policy or it did not. In cases where a state had a policy, but adopting it was left to the discretion of local agencies, the state was given credit for the policy. States were also given credit for policies that were simply statements of intent or goals. Interrater reliability for coding the state policies to the key policies was 100 percent. The researchers then counted the number of policies that were common to all five states. A short description of each state policy tabulated in appendix C was then prepared (see appendix D). The final data analysis consisted of determining how frequently each policy mechanism was used.

APPENDIX B KEY INFORMANT INTERVIEWS AND INTERVIEW PROTOCOL

Face-to-face interviews were conducted with a key informant in each state education agency to confirm that the information from the literature and government web site searches was complete and that project staff understood the background, context, and adoption mechanisms of the state education agency Indian education policies.

Key informants were identified by contacting the office of the chief state school officer or the state education agency public information officer identified on state web sites. A request was made to interview the professional staff person in each education agency who was the Indian education coordinator or the coordinator for the federal Title VII program (Indian, Native Hawaiian, and Alaska Native Education) of the No Child Left Behind Act of 2001.

An email message was sent to each informant with a short description of the study. In a subsequent telephone call, the researchers answered questions about the study and set a tentative date for the face-to-face interview. Drafts of the tabulated policies for each state were sent in an email for review prior to the interviews. An interview protocol was drafted to guide the interviews (box B1).

Four of the interviews were conducted with the person originally identified as the key informant. One key informant was unable to be at the interview and sent a substitute. At two of the sites a second person sat in on the interview. One was a representative of the chief state school officer, and the other was a support staff person who was knowledgeable about the history and development of Indian education in the state.

At the time of the interview, the researcher provided a short overview of the study and explained its purpose. Key informants were assured that they would not be quoted in the final report and that they would have an opportunity to review the section of the report that addressed their state. The interviews averaged about 45 minutes. This included time for probing questions if the initial response was not clear and, in several cases, for the key informant to locate additional information. Complete information was collected from all five states.

The researcher took notes by hand and transcribed them on the day of the interview.

Each key informant was sent the final draft of the tabulated policies for the state for review and comment. No additional comments were received.

BOX B1

Interview protocol

Introduction. Thank you for agreeing to meet with me for this confidential interview. I know how busy you are so rest assured that I will make the best use of your valuable time. As I mentioned in our previous telephone call, the study being conducted is a policy analysis of Indian education in Alaska, Idaho, Montana, Oregon, and Washington. In this regard, I have carefully reviewed all of your Indian education statutes and regulations. The purpose of this interview is to gather supplemental information to ensure that I understand the context of your Indian education policies. Please be thorough in your answers and be assured that you will not be quoted in our report. When my analysis of the interview data and your Indian education policies is complete, I will write a draft report and submit it to you for your review. Before we begin, do you have any questions?

1. Was the summary list of state statutes, regulations, and rules previously sent to you complete [*hand respondent another summary*]? Are there others that I missed, such as numbered memorandums from the

commissioner of education or interpretations of policies by a state attorney general?

2. What are your specific responsibilities for Indian education and Title VII?
3. Describe the relationship between the U.S. Office of Indian Education, your state education agency, and local districts that educate Indian students.
4. Give me some idea of the history of Indian education and how it has evolved in your state.
5. What are the challenges in adopting Indian education in your state?
6. What strategies is the state using to address those challenges?
7. Who are the major stakeholders in Indian education in your state, and how are they involved?
8. Are there any field-based or practitioner advisory groups involved in Indian education, and what is their role?
9. Are there other state agencies with an involvement in Indian

education? [*If yes, probe for details.*]

10. What state and federal resources are available to support the adoption of Indian education?
11. What training or assistance does the university system provide to support Indian education?
12. Please describe any Indian education support your state receives from any federal technical assistance providers.
13. What Indian education–related professional development is available or required for teachers, administrators, paraprofessionals, or specialists?
14. Describe state education agency compliance monitoring of Indian education programs.
15. Are there any NCLB Title VII grants in your state to the state education agency, local education agency or state university system? [*If yes, probe for application review, fiscal effort check, general education, professional development, research, gifted and talented, or adult.*]

APPENDIX C POLICIES, CITATIONS, AND ADOPTION MECHANISMS BY STATE

Tables C1–C5 present for each state the 13 key policies, the citations used to establish whether a state had that policy, and the type of adoption mechanism.

TABLE C1

Alaska: key Indian education policies, citations, and mechanism types, 2008

Key policy	Citation	Mechanism type
Tribes have government-to-government status	No policy	
Tribes and state agencies are authorized to enter into contracts for Indian education	Alaska Statute (AS) 14.08.101: Regional School Boards Authority	Statute
	AS 14.14.110: Cooperation with other districts	Statute
State education agency has a state-funded Indian education coordinator	No policy	
Academic standards address Native American culture and history	4 Alaska Administrative Code (AAC) 04.180: Student cultural standards	Regulation
	4 AAC 04.140: Alaska history standards	Regulation
State has a policy to reduce the achievement gap between Native American and other students	State Board of Education and Early Development: Vision or mission is to ensure quality standards-based instruction for all students	State board of education approval
State has targeted funding of Indian education programs	No policy	
Native American students may learn their native language as part of the education program	AS 14.30.420: Native language education	Statute
Native American culture and history are part of the school curriculum	4 AAC 06.075: High school graduation requirements	Regulation
	4 AAC 04.140: Alaska history standards	Regulation
Native American community is involved on advisory boards	AS 14.08.115: Advisory school boards in Regional Educational Attendance Areas	Statute
Teacher certification is promoted for speakers of Native American languages	AS 14.20.025: Limited teacher certificates	Statute
All teachers are required to have training in Native American culture and history	AS 14.20.020: Requirements for issuance of certificate; fingerprints	Statute
	4 AAC 12.305: Teacher certificate (initial, professional, master)	Regulation
	Approved Courses for AK Studies and Multicultural Ed./Cross-Cultural Communication, June 1, 2008–May 31, 2009; Teacher certification, Alaska Department of Education and Early Development	Official publication
College scholarship or tuition assistance programs are provided for Native American students	AS 14.43.050–AS 14.43.075: Scholarships for Alaska Natives	Statute
Tribal colleges have been established	Public Law 103-382 as amended by House Report 110-627: Food, Conservation, and Energy Act of 2008	Federal statute

a. This is a federal law.

Source: Authors' analysis of Alaska government web site and key informant data (see appendixes A and B).

TABLE C2

Idaho: key Indian education policies, citations, and mechanism types, 2008

Key policy	Citation	Mechanism type
Tribes have government-to-government status	Idaho Code 67-4001-4007: State Tribal Relations Act	Statute
Tribes and state agencies are authorized to enter into contracts for Indian education	Idaho Code 67-4002: Authority to enter into agreements with tribes	Statute
	Idaho Code 67-2328: Joint exercise of powers	Statute
State education agency has a state-funded Indian education coordinator	Job description: Indian Education Coordinator, Idaho Department of Education	Administrative action
Academic standards address Native American culture and history	Idaho Administrative Procedures Act (IDAPA) 08.02.03: Idaho content standards	Regulation
State has a policy to reduce achievement gap between Native American and other students	Executive Order 99-05: Establishing the Idaho Committee on Indian Education	Executive order
State has targeted funding of Indian education programs	No policy	
Native American students may learn their native language as part of the education program	Idaho Code 33-1280: American Indian languages teaching authorization	Statute
	IDAPA 08.02.02.025: American Indian languages teaching authorization	Regulation
Native American culture and history are part of the school curriculum	IDAPA 08.02.03: Idaho content standards	Regulation
Native American community is involved on advisory boards	Executive Order 99-05: Establishing the Idaho Committee on Indian Education	Executive order
Teacher certification is promoted for speakers of Native American languages	Idaho Code 33-1280: American Indian languages teaching authorization	Statute
	IDAPA 08.02.02.025: Native American language	Regulation
All teachers are required to have training in Native American culture and history	No policy	
College scholarship or tuition assistance programs are provided for Native American students	Idaho Code 33-3717B: Residency requirements	Statute
	Grow Your Own Teacher Scholarship Program: Idaho State Board of Education	State board of education approval
Tribal colleges have been established	No policy	

Source: Authors' analysis of Idaho government web site and key informant data (see appendixes A and B).

TABLE C3

Montana: key Indian education policies, citations, and mechanism types, 2008

Key policy	Citation	Mechanism type
Tribes have government-to-government status	Montana Code Annotated (MCA) 90-11-101: Legislative policy	Statute
Tribes and state agencies are authorized to enter into contracts for Indian education	MCA 90-11-101: Legislative policy	Statute
State education agency has a state-funded Indian education coordinator	MCA 90-11-102: Duties and assistance (of the State Coordinator of Indian Affairs)	Statute
Academic standards address Native American culture and history	MCA 20-1-501: Recognition of American Indian cultural heritage	Statute
	Administrative Rules of Montana (ARM) Chapter 54: Montana content standards and performance descriptors	Regulation
State has a policy to reduce achievement gap between Native American and other students	MCA 20-9-330: American Indian achievement gap payment	Statute
State has targeted funding of Indian education programs	MCA 20-9-329: Indian Education for All Act payment	Statute
	MCA 20-9-330: American Indian achievement gap payment	Statute
Native American students may learn their native language as part of the education program	ARM 10.54: Montana content standards and performance descriptors—world languages	Regulation
Native American culture and history are part of the school curriculum	Montana Constitution: Article X, Education and Public Lands	State constitution
	MCA 20-1-501: Recognition of American Indian cultural heritage	Statute
Native American community is involved on advisory boards	Board of Public Education: Montana Advisory Council on Indian Education (see Constitution and bylaws)	State board of education approval
Teacher certification is promoted for speakers of Native American languages	ARM 10.57.436: Class 7 American Indian language and culture specialist	Regulation
All teachers are required to have training in Native American culture and history	MCA 20-1-501: Recognition of American Indian cultural heritage—legislative intent	Statute
	MCA 20-1-502: American Indian studies—definitions	Statute
	MCA 20-1-503: Qualifications in Indian Studies—trustees and noncertified personnel	Statute
College scholarship or tuition assistance programs are provided for Native American students	MCA 20-25-421: Charges for tuition—waivers	Statute
Tribal colleges have been established	Public Law 103-382 as amended by House Report 110-627: Food, Conservation, and Energy Act of 2008	Federal statute

a. This is a federal law.

Source: Authors' analysis of Montana government web site and key informant data (see appendixes A and B).

TABLE C4

Oregon: key Indian education policies, citations, and mechanism types, 2008

Key policy	Citation	Mechanism type
Tribes have government-to-government status	Executive Order 96-30 (May 1996): State/tribal government-to-government relations	Executive order
	Oregon Revised Statute (ORS) 182.162-168: Relationship of state agencies with Indian tribes	Statute
Tribes and state agencies are authorized to enter into contracts for Indian education	ORS 190.110: Intergovernmental cooperation	Statute
State education agency has a state-funded Indian education coordinator	No policy	
Academic standards address Native American culture and history	ORS 329.045: Revision of common curriculum goals, performance indicators, diploma requirements, essential learning skills, and academic content standards; instruction in academic content areas	Statute
	Oregon State Board of Education: U.S. history standards	State board of education approval
State has a policy to reduce the achievement gap between Native American and other students	No policy	
State has targeted funding of Indian education programs	No policy	
Native American students may learn their native language as part of the education program	Collaboration, Oregon State Board of Education, and Oregon Indian Tribes: Native language preservation partnership	State board of education approval
Native American culture and history are part of the school curriculum	Oregon American Indian Alaska Native Education Plan: Goal 6	State plan
	Oregon Department of Education: "Indians in Oregon Today"—a curriculum for grade 6–12	State curriculum
Native American community is involved on advisory boards	Oregon American Indian Alaska Native Education State Plan: Goal 3	State plan
Teacher certification is promoted for speakers of Native American languages	ORS 342.144: American Indian languages teaching license	Statute
	University of Oregon: Northwest Indian Language Institute	Initiative
All teachers are required to have training in Native American culture and history	Oregon Department of Education: "Indians in Oregon Today"—a curriculum for grade 6–12 (chapter: Guidelines for Teaching about Indian Culture).	State curriculum
College scholarship or tuition assistance programs are provided for Native American students	Oregon State Board of Education: Aboriginal rights initiative	Initiative
Tribal colleges have been established	No policy	

Source: Authors' analysis of Oregon government web site and key informant data (see appendixes A and B).

TABLE C5

Washington: key Indian education policies, citations, and mechanism types, 2008

Key policy	Citation	Mechanism type
Tribes have government-to-government status	Revised Code of Washington (RCW) 28A.345.070: Tribal relations, achievement gap, curriculum, reports to legislature	Statute
	Governor's Proclamation 2005: Centennial Accord between the Federally Recognized Indian Tribes in Washington State and the State of Washington	Proclamation
Tribes and state agencies are authorized to enter into contracts for Indian education	No policy	
State education agency has a state-funded Indian education coordinator	No policy	
Academic standards address Native American culture and history	Essential Academic Learning Requirements (EALR): Social studies EALR 4: history	State board of education approval
State has a policy to reduce the achievement gap between Native American and other students	RCW 28A.345.070: Tribal relationships, achievement gap, curriculum, reports to the legislature	Statute
State has targeted funding of Indian education programs	No policy	
Native American students may learn their native language as part of the education program	RCW 28A.150.220: Basic education act, program requirements, program accessibility	Statute
Native American culture and history are part of the school curriculum	RCW 28A.320.170: Curricula, tribal history and culture	Statute
	Washington Administrative Code 392-410-120: Washington state history and government requirements	Regulation
	Northwest Native American Reading Curriculum: Office of Superintendent of Public Instruction and Evergreen State College	State curriculum
Native American community is involved on advisory boards	Governor's Office of Indian Affairs: Washington State/Tribal Government-to-Government Implementation Guidelines	Guidelines
Teacher certification is promoted for speakers of Native American languages	RCW 28A.410.045: First Peoples' language, culture, and oral tribal traditions certification program	Statute
All teachers are required to have training in Native American culture and history	RCW 28B.10.710: Washington state or Pacific Northwest history in curriculum	Statute
College scholarship or tuition assistance programs are provided for Native American students	RCW 28B.108: American Indian endowed scholarship program	Statute
Tribal colleges have been established	Public Law 103-382 as amended by House Report 110-627: Food, Conservation, and Energy Act of 2008	Federal statute

a. This is a federal law.

Source: Authors' analysis of Washington government web site and key informant data (see appendixes A and B).

APPENDIX D

DESCRIPTIONS OF INDIAN EDUCATION POLICIES BY KEY POLICY AND STATE

Tables D1–D13 present each key policy and a short description of that policy in each state. Citations for the policies are presented by state in appendix C.

TABLE D1

Tribes have government-to-government status

State	Policy description
Alaska	No policy.
Idaho	Regulations define American Indian tribes and allow the state or its political subdivisions to enter into agreements with these tribes.
Montana	State statute sets out a policy that expects government entities and tribes to work in government-to-government relationships. Tribes and state agencies may enter into compacts and agreements.
Oregon	A 1996 governor's executive order formalized the government-to-government relationship between Oregon's American Indian tribes and the state. A state statute requires state agencies to develop and implement policies for positive government-to-government relationships with tribes.
Washington	A 2005 governor's proclamation reaffirmed the government-to-government relationship between the state and federally recognized tribes in the state originally declared in the 1989 Centennial Accord. A state statute encourages the Washington State School Directors' Association to convene meetings with tribal councils to establish government-to-government relationships and dialogue between tribal councils and school district boards of directors.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D2

Tribes and state agencies are authorized to enter into contracts for Indian education

State	Policy description
Alaska	School boards for Regional Education Attendance Areas (REAA) are authorized to contract with the Alaska Department of Education and Early Development, the federal Bureau of Indian Affairs, or any other district, agency, or REAA board to provide services, facilities, supplies, or utilities. City and borough school districts are authorized to enter into cooperative agreements with other districts, state-operated schools, or the Bureau of Indian Affairs to provide education or administrative services.
Idaho	State statutes grant joint exercise of powers to public agencies and authorize public agencies to enter into agreements with American Indian tribes.
Montana	State statute sets out a policy for state government entities and tribes to work in government-to-government relationships and to enter into compacts and agreements.
Oregon	Agencies of state government are permitted to enter into agreements with American Indian tribes or their agency.
Washington	No policy.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D3

State education agency has a state-funded Indian education coordinator

State	Policy description
Alaska	No policy.
Idaho	An Indian education coordinator position was created by administrative action of the Superintendent of Public Instruction. The position is funded with state resources.
Montana	In 2005 the Montana Superintendent of Public Instruction established a Division of Indian Education within the Office of Public Instruction, with funding, to implement the Indian Education for All Act and to increase the academic achievement of American Indian students.
Oregon	No policy.
Washington	No policy.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D4

Academic standards address Native American culture and history

State	Policy description
Alaska	In 1998 the Assembly of Alaska Native Educators and the Alaska State Board of Education and Early Development adopted the Alaska Standards for Culturally Responsive Schools developed by the Alaska Native Knowledge Network. Also, the Alaska history standards refer to Alaska Native culture and history.
Idaho	The content standards for U.S. history contain goals that require students to have knowledge of American Indian peoples, past and present.
Montana	The legislature passed a statute noting its intent that Montana recognize the unique cultural heritage of American Indians and promote preservation of their cultural heritage. The content standards and performance descriptors for social studies contain specific benchmarks that focus on American Indians, including Montana tribes.
Oregon	By state statute the Oregon State Board of Education is required to develop and revise student academic standards. Several history standards in the Oregon Department of Education's Academic Content Standards and Common Curriculum Goals pertain to Native Americans.
Washington	The state's content standards, Essential Academic Learning Requirements (EALR), state that "History contains several references to learning about Native Americans and their way of life before and after the arrival of Europeans" (EALR 4).

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D5

State has a policy to reduce the achievement gap between Native American and other students

State	Policy description
Alaska	The Alaska State Board of Education and Early Development's vision and mission statement includes the statement: "We can close the achievement gap in students with disabilities, limited English proficient students, Alaska Native/American Indian students, and economically disadvantaged students."
Idaho	By executive order the Indian Education Committee was given the mission to help improve the quality of Indian education by ensuring that American Indian students achieve success in school.
Montana	By state statute the legislature appropriates funds to public school districts through the state's school funding program to help close the education achievement gap between American Indian students and other students.
Oregon	No policy.
Washington	A state statute encourages the Washington State School Directors' Association to convene meetings with tribal councils to identify the extent of the achievement gap and strategies to close it. The association must report the results of these activities to the education committees of the state legislature.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D6

State has targeted funding of Indian education programs

State	Policy description
Alaska	No policy.
Idaho	No policy.
Montana	Through the state's school funding program, the state legislature appropriates an Indian Education for All Act payment to public school districts that enroll American Indian students. The legislature also appropriates funds to public school districts through the state's school funding program for the purpose of closing the education achievement gap between American Indian and other students.
Oregon	No policy.
Washington	No policy.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D7

Native American students may learn their native language as part of the education program

State	Policy description
Alaska	By state statute each school board in a district with 50 percent or more enrolled Alaska Native students is required to establish a local native language education advisory board and a native language curriculum that includes native languages traditionally spoken in the community. This process is optional for other schools.
Idaho	By state statute and regulations the state has enacted a policy to preserve, protect, and promote the rights of American Indian tribes to use their native languages. Certification of American Indian language teachers is authorized, and tribes are allowed to designate who is qualified to teach that tribe's native language.
Montana	Administrative rules for content standards and performance descriptors in world languages are written broadly to allow American Indian students to learn their native language.
Oregon	The Native Language Preservation and Instruction Partnership, a collaborative effort between Oregon's nine federally recognized tribes and the Oregon Department of Education, seeks to address endangered American Indian languages and promote programs on American Indian culture in Oregon schools.
Washington	Students, including American Indians, may receive instruction in one or more American Indian languages if the Essential Academic Learning Requirements include a requirement for languages other than English. Second language requirements may also be satisfied with Native American languages.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D8

Native American culture and history are part of the school curriculum

State	Policy description
Alaska	High school graduation requirements include a half credit in Alaskan history. The Alaska history standards contain performance standards that include study of the history and culture of Alaska Natives.
Idaho	The content standards for U.S. history contain goals that address American Indians and their relationship to the history and culture of the United States.
Montana	The state constitution includes this clause: "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." Also, the state legislature declared by statute its intent that every Montana student, whether Indian or not, learn about the unique cultural heritage of American Indians. The Montana Office of Public Instruction is developing a curriculum to accomplish this purpose.
Oregon	The Oregon American Indian Alaska Native Education Plan contains goals to encourage Oregon schools to implement Native American curriculum and instruction materials. Also, a statewide middle and high school curriculum, "Indians in Oregon Today," provides information to teachers and students about the American Indian tribes living in Oregon.
Washington	By state statute school districts are encouraged to incorporate information on tribal history and culture into curricula. Also, Washington requires a one-semester course for grades 7–12 that includes study of the state's history and constitution. Districts are encouraged to include in this course information on the culture, history, and government of Indian tribes. Additionally the state Office of Superintendent of Public Instruction and Evergreen State College have developed the Northwest Native American Reading Curriculum.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D9

Native American community is involved on advisory boards

State	Policy description
Alaska	By state statute Regional Educational Attendance Areas (REAA) are organized to ensure Alaska Native community involvement on school boards and advisory committees. The U.S. Department of Justice must approve all school board election boundary changes in the REAAs.
Idaho	By executive order Idaho established the Committee on Indian Education, charged with pursuing seven Indian education goals in collaboration with the federally recognized tribes of the state. The committee may also assist the Idaho State Department of Education with education issues concerning Idaho Indians.
Montana	The Montana Board of Public Education has established the Montana Advisory Council on Indian Education with representation from all eight tribal councils. The Council advises the Board of Public Education and the Office of Public Instruction on issues affecting American Indian education.
Oregon	Goal 3 of the Oregon American Indian Alaska Native Education State Plan encourages strong partnerships with American Indian and Alaska Native parents, tribal leaders, and school districts.
Washington	The state governor's Office of Indian Affairs established government-to-government implementation guidelines as a means of implementing the agreements of the Centennial Accord. The guidelines encourage tribes to send policy officials to joint state-tribal meetings. Tribes may also identify program staff to attend meetings where state representation is anticipated.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D10

Teacher certification is promoted for speakers of Native American languages

State	Policy description
Alaska	By state statute a speaker of an Alaska Native language may obtain a Limited Teacher's Certificate at the request of the school board or Regional Educational Attendance Area in which the speaker will teach.
Idaho	State statute allows certification of teachers of American Indian languages. Indian tribes are allowed to determine who is qualified to teach their language. A college degree is not required for certification.
Montana	State regulation authorizes an American Indian Language and Culture Specialist teaching certificate. Each Montana Indian tribe is authorized to establish its own requirements for determining who is eligible for the certificate.
Oregon	State statute requires the Teacher Standards and Practices Commission to establish an American Indian languages teaching license. Each tribe is responsible for identifying, testing, and evaluating the language teachers.
Washington	State statute authorizes the "first peoples' language, culture, and oral tribal traditions teacher certification program." Tribes may certify individuals who meet the tribe's criteria for the teaching certificate. Both the Superintendent of Public Instruction and the tribe must certify that a person is eligible for the certificate.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D11

All teachers are required to have training in Native American culture and history

State	Policy description
Alaska	State statute and regulations require three credits in Alaska studies and three credits in multicultural education and cross-cultural communication for teacher certification. The list of university classes to meet these requirements—approved by the teacher certification unit in the state education agency—contains many courses focusing specifically on Alaska Natives.
Idaho	No policy.
Montana	By statute the state legislature stated its intent that all school personnel should have an understanding and awareness of Indian tribes and that school leaders provide the means for school personnel to gain that understanding. Montana also defines “American Indian studies,” with a requirement that teacher education programs and accreditation standards include such studies.
Oregon	By state statute the Teacher Standards and Practices Commission must establish an American Indian languages teaching license. Also, the Northwest Indian Language Institute at the University of Oregon provides training in native language teaching and linguistics.
Washington	State statute requires all graduates of teacher preparation programs in Washington to have either a quarter or a semester class that includes information on the culture, history, and government of the American Indians of the state and region.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D12

College scholarship or tuition assistance programs are provided for Native American students

State	Policy description
Alaska	By state statute Alaska has a program that offers forgivable loans, with preference given to Alaska Natives from rural areas of the state pursuing a degree in education and teaching in Alaska.
Idaho	The Grow Your Own Teacher Scholarship Program administered by the Idaho State Board of Education helps school districts place qualified bilingual education, English as a second language, and Native American teachers in classrooms. The program provides scholarships, mentoring, and instructional support to help Native American students become teachers in school districts with a significant Native American student population. Additionally a student of any Idaho Native American Indian tribe whose customary tribal boundaries included portions of the state of Idaho is considered an Idaho state resident for purposes of fees or tuition at Idaho institutions of higher education.
Montana	By state statute the Montana University System Board of Regents may waive tuition and fees for all persons of at least one-quarter Indian blood who have been legal residents of the state for at least one year prior to enrollment.
Oregon	The state's Aboriginal Right Initiative provides resident tuition rates at all Oregon university system schools for members of Native American tribes whose descendants were displaced from their aboriginal Oregon homeland.
Washington	By state statute Washington has established and administers an endowed scholarship program for American Indian students as an incentive to pursue higher education.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

TABLE D13

Tribal colleges have been established

State	Policy description
Alaska	The federal Equity in Educational Land-Grant Status Act of 1994, modified by the Food, Conservation, and Energy Act of 2008, contains a list of federally recognized tribal colleges. The modification added Ilisagvik College in Barrow.
Idaho	No policy.
Montana	The federal Equity in Educational Land-Grant Status Act of 1994, modified by the Food, Conservation, and the Energy Act of 2008, contains a list of federally recognized tribal colleges. Montana has one tribal college on each of its seven Indian reservations: Blackfeet Community College, Dull Knife Memorial College, Fort Belknap College, Fort Peck Community College, Little Big Horn College, Salish Kootenai College, and Stone Child College.
Oregon	No policy.
Washington	The federal Equity in Educational Land-Grant Status Act of 1994, modified by the Food, Conservation, and Energy Act of 2008, contains a list of federally recognized tribal colleges. It includes Washington's only tribal college, the Northwest Indian College in Bellingham.

Note: The citations in this table are to federal, not state, laws. The presence of tribal colleges as a key policy is retained to keep the current study consistent with the Zinth (2006) study. Also, states may use tribal colleges as a means to implement Indian education policy.

Source: Authors' analysis of government web sites and key informant data (see appendixes A and B).

REFERENCES

- *Beaulieu, D.L. (2000). Comprehensive reform and American Indian education. *Journal of American Indian Education*, 39(2), 29–38.
- *Brady, P. (1995). Two policy approaches to Native education: can reform be legislated? *Canadian Journal of Education*, 20(3), 349–66.
- Bush, G.W. (2004). Government-to-government relationship with tribal governments: tribal transportation [Memorandum for the heads of executive departments and agencies]. Retrieved April 29, 2009, from www.fhwa.dot.gov/hep/tribaltrans/sep23_94.htm.
- *Juneau, S. (2001). *A history and foundation of American Indian education policy*. Helena, MT: Montana Office of Public Instruction. (ERIC ED456945)
- Kilpatrick, D.G. (n.d.). Definitions of public policy and the law. Retrieved April 29, 2009, from www.musc.edu/vawprevention/policy/definition.shtml.
- Lomawaima, K.T., and McCarty, T.L. (2006). *To remain an Indian: lessons in democracy from a century of Native American education*. New York: Teachers College Press.
- *McCoy, M. (2003). *A compilation of federal and state education laws regarding Native language in curriculum and certification of teachers of Native languages*. Boulder, CO: Native American Rights Fund.
- Moran, R., Rampey, B.D., Dion, G., and Donahue, P. (2008). *National Indian Education Study 2007. Part I: performance of American Indian and Alaska Native students at grades 4 and 8 on NAEP 2007 reading and mathematics assessments* (NCES 2008-457). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics. Retrieved February 23, 2009, from <http://nces.ed.gov/nationsreportcard/pdf/studies/2008457.pdf>.
- *National Caucus of Native American State Legislators. (2008). *Striving to achieve: helping Native American students succeed*. Retrieved October 24, 2008, from www.ncsl.org/print/statetribe/strivingtoachieve.pdf.
- *National Indian Education Association. (2005). *Preliminary report on No Child Left Behind in Indian country*. Washington, DC: National Indian Education Association. (ERIC ED494578)
- Rampey, B.D., Lutkus, A.D., and Weiner, A.W. (2006). *National Indian education study. Part 1: the performance of American Indian and Alaska Native fourth- and eighth-grade students on NAEP 2005 reading and mathematics assessment. Statistical analysis report* (NCES 2006-463). Washington, DC: U.S. Department of Education, Institute of Education Sciences, National Center for Education Statistics. Retrieved January 12, 2009, from <http://nces.ed.gov/nationsreportcard/pdf/studies/2006463.pdf>.
- Sable, J., and Noel, A. (2008) *Public elementary and secondary school student enrollment and staff from the Common Core of Data: school year 2006-07* (NCES 2009-305). Washington, DC: U.S. Department of Education, National Center for Education Statistics. Retrieved April 28, 2009 from <http://nces.ed.gov/pubs2009/2009305.pdf>.
- *St. Germaine, R. (1995). Bureau schools adopt Goals 2000. *Journal of American Indian Education*, 35(1), 30–38. Retrieved January 2, 2008, from <http://jaie.asu.edu/v35/V35S1bur.htm>.
- *Trujillo, O.V., and Alston, D.A. (2005). *A report on the status of American Indians and Alaska Natives in education: historical legacy to cultural empowerment*. Washington, DC: National Education Association. Retrieved September 15, 2009, from http://www.nea.org/assets/docs/mf_aianreport.pdf.
- *U.S. Commission on Civil Rights. (2003). *A quiet crisis: federal funding and unmet needs in Indian country*. Washington, DC: U.S. Commission on Civil Rights. (ERIC ED480450)
- U.S. Department of Education. (1991). *Indian nations at risk: an educational strategy for action*. Washington, DC: U.S. Department of Education. (ERIC ED339587)
- *U.S. Department of Education, National Center for Education Statistics, Common Core of Data. (2006). "Public

Elementary/Secondary School Universe Survey Data, Year 2005–06.” Retrieved January 12, 2009, from <http://nces.ed.gov/ccd/pubschuniv.asp>.

*Zinth, K. (2006). *American Indian, Alaska Native and Native Hawaiian education in the states*. Denver, CO: Education Commission of the States. (ERIC ED493706).

* One of the 11 articles in the literature search that met the selection criteria.