STATE-TRIBAL EDUCATION COMPACT SCHOOLS

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OSPI-Office of Native Education

Developed by:
Senator John McCoy
Washington State House Bill 1134 (2013) effective 7/28/14

Audrey Gugel, (f) Legislative Assistant
FOUNDATION

Building Washington State’s Tribal Compact Schools
HB1134

The state-tribal compacts affirm the state's commitment to honor the government-to-government relationship between the state and tribes by:

empowering tribes to take greater responsibility for improving the educational achievement outcomes for tribal students.
House Bill 1495 passed in 2005 by the state legislature.

**Denny Hurtado**, former chair of the Skokomish Tribe and retired director of WA Indian Education

Waiting Patiently - 500 Years case study by Denny Hurtado and Barbara Leigh Smith

http://nativecases.evergreen.edu/index.html
Mis-education of Native People
CHiXapkaid (Dr. Michael Pavel)
University of Oregon

Native children survived mass genocide in the name of civilization

Boarding school era
  - children removed & placed in residential schools - far from their homes.

Public schools emphasize a one size fits all - Eurocentric paradigm
  - Ignores diversity of worldviews & ways of knowing.

History of mis-education of Native people is well documented
  - Meriam Report (1928)
  - Indian Nations at Risk (1991)
  - People with Disabilities on Tribal Lands 3 (National Council on Disability, 2003)
  - A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country (U.S. Commission on Civil Rights, 2003)
  - National Indian Education Association’s Preliminary Report on Leave No Indian Child Behind (Beaulieu, Sparks, & Alonzo, 2005)

“We found that the health and wellbeing of our youth and their families are primary concerns due the historical circumstances that conspired against Native American educational achievement.”
Northwest Tribes
Tribal Leader Congress (TLC) on Education

- Meeting called
- Unmet quorum
- Impromptu discussion of bills passed for Indian Country

“What do you need?”

- Assured Federal funding
- State funding for tribal schools
HB1134 State-Tribal Education Compact Schools

- Authorizes superintendent of public instruction (SPI) to enter into state-tribal education compacts
- Provides requirements for schools subject to compacts.
- Includes a school district's levy base
Suquamish academy a national first

When Tulalip tribal member John McCoy went to school in the 1940s and ‘50s, he remembers feeling alienated from the curriculum.

“Everything was taught from the white eyes’ point of view of history,” he said. “And that always put us in a bad light.”

That’s why McCoy, now a 70-year-old Democratic state senator from Marysville, got emotional last month when he visited the Suquamish Tribe’s Chief Kitsap Academy, the first independent public tribal school in the nation.

“I choked up. I teared up because of the magnitude of what those kids are embarking on,” said McCoy, whose mother was Suquamish.

Chief Kitsap Academy’s transformation was made possible by a 2013 law change sponsored by McCoy that allows Washington’s 26 federally recognized tribes to negotiate directly with the state to form independent tribal compact schools.

The 3-year-old academy, which previously operated as an extension of the North Kitsap School District, won state approval in July to become a tribal compact school. That means state and federal education funds go directly to the school, the tribe controls all aspects of the educational program, and graduates will receive a Chief Kitsap Academy diploma instead of one from North Kitsap.

“We are taking on the sovereignty of educating our children, using the best tools out there ... and incorporating our value system, culture, language and belief system so our kids are hopefully getting a really well-rounded education here at home,” Suquamish Tribal Chairman Leonard Forsman said.

Chief Kitsap Academy’s enrollment has jumped this year to 78 from 37 students in grades 6-12. The school incorporates Suquamish culture and the tribe’s native Lushootseed language, encourages students to take college classes as early as junior year of high school and provides intensive intervention and small class sizes ranging from six to 14 students.

The Suquamish also run a nationally recognized early-learning center and work closely with the North Kitsap School District to support tribal students at Suquamish Elementary School, which is located on the Port Madison Indian Reservation, and at all North Kitsap secondary schools.

North Kitsap Superintendent Patty Page said she supports the change in Chief Kitsap Academy’s status, even though the district lost 20 more students than expected to the tribal school this year.
HB 1134 - Empowering Tribes to Take Greater Responsibility

**Purpose**
- Set forth policy and procedures for initiating Tribal Compact Schools
- Define the roles and responsibilities of the superintendent of public instruction, eligible federally recognized tribes, and BIE schools
- Establish accountability standards

**Policy**
- State-Tribal compacts affirm the state’s commitment to honor government to government relationship (Centennial Accord) by empowering Tribes to take greater responsibility
- Compact schools are exempt from all State statutes applicable to school districts, boards except rules made applicable

**Compliance**
- provide a curriculum & basic education program
- employ certified instructional staff, some exceptions
- employee record check requirements & mandatory termination/notifications
- comply with nondiscrimination laws
- comply with future legislation
- adhere to GAAP
- subject to audits by the State Auditor

**Exemptions**
- generally are exempt from: state statutes and rules applicable to school districts and school boards

Kitsap Sun: tribal canoe journey to Bella Bella

Kitsap Sun: tribal canoe journey to Bella Bella
Guiding Question #1:

"The state-tribal compacts affirm the state's commitment to honor the government-to-government relationship between the state and tribes by empowering tribes to take greater responsibility for improving the educational achievement outcomes for tribal students." is the guiding principle behind the Tribal Compact School legislation. In what ways can SEAs affirm and strengthen the understanding of Tribal sovereignty with our States? What capacities do Tribes and SEAs need in order to support Tribal sovereignty?
HB 1134 - Empowering Tribes to Take Greater Responsibility

**Application Approval Timeline**
- **February 01**: Application for Tribal Compact School due for following fall school operation
- **Following 90 day review period**: OSPI and Tribe meet for considerations of application
- **July 01**: Compact negotiations must be complete

**Content**
- Resolution from federally recognized Tribe or BIE school authorizing application submittal
- Description of educational program
- Assessment plan to demonstrate quantifiable results
- Compliance with all applicable laws

**Assurances**
- Provide a curriculum & basic education program
- Employ certified instructional staff, some exceptions
- Employee record check requirements & mandatory termination/notifications
- Comply with nondiscrimination laws
- Comply with future legislation
- Adhere to GAAP
- Subject to audits by the State Auditor

**Assurances Cont’d.**
- FERPA
  - Shall not charge tuition
  - Shall not limit admission, with prioritization of Tribal members and siblings
Guiding Question #2:

The Washington State Legislature outlines a list of assurances that Tribal Compact Schools must adhere to in order to operate. What complications can arise from the mandated assurances?
COMPLICATIONS/PLANS

• Building trust, relations, and communications in thoughtful ways
• Getting beyond “cultural sharing” to “cultural understanding”
• Technical Assistance
• Regular OSPI/Compact School meetings
• ESD (educational service district) Contracting
Guiding Question #3:

What are some good ways that Tribes and States can build strong and meaningful relationships in order to undertake the important work of education?
THANK YOU!

Washington State Senator John McCoy
Audrey Gugel, (f) legislative Assistant/Senator John McCoy Washington State Senate
NW Tribal Leaders Congress on Education
Leonard Forsman, Chairman of the Suquamish Tribe
Joe Davalos, Superintendent Suquamish Tribe
Bernie Thomas, Education Director Lummi Nation Schools
Denny Hurtado, (f) Director of WA Indian Education, Skokomish
Michael Vendiola, OSPI Office of Native Education
Joan Banker, OSPI Office of Native Education
QUESTIONS?

HB 1134  state-tribal education compact schools

HB 1495  “encouraging” teaching Washington’s tribal history, culture, and government in the common schools

SB 5269  establishing the first peoples’ language and culture teacher certification program

SB 3455  “requiring” teaching Washington’s tribal history, culture, and government in the common schools
Resources

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Washington State Legislatute
http://www.leg.wa.gov/pages/home.aspx

Tribal State Education Compacts
House Bill 1134 2013
House Bill 1495 2005

WAC 392-800-820 Policy

Washington State Office of Native Education
http://www.k12.wa.us/IndianEd/default.aspx
Tribal Sovereignty curriculum
http://tribalsov.ospi.k12.wa.us/

Indian Education
http://www.indian-ed.org/

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