

**NATIONAL CAUCUS OF NATIVE AMERICAN STATE LEGISLATORS  
RESOLUTION ON THE DEPARTMENT OF EDUCATION’S RACE TO  
TOP FUNDS**

The National Caucus of Native American State Legislators (NCNASL) is made up of American Indian, Alaska Native and Native Hawaiian State Legislators from 18 states and is organized to provide a forum for discussion, education and increased communication. Additionally, the NCNASL identifies and proposes legislation and administrative actions to eliminate barriers to the achievement of a better quality of life for Native people.

**WHEREAS** the Department of Education issued guidelines for Race to the Top State Education Funds on July 2009, as a part of the American Recovery and Reinvestment Act (ARRA) and the accompanying criteria gave clear advantage to states with charter schools in awarding these funds thereby limiting 10 states that do not have charter schools, and

**WHEREAS** the ARRA provided \$4.35 billion for the competitive Race to the Top Funds that rewards states for increased attention to education reform and these funds will certainly benefit any state that is successful in receiving these funds in helping classroom teachers and students; and

**WHEREAS** \$90 billion in ARRA education funding is already being used by schools to help close the achievement gap and enable low income and disadvantaged students to reach their potential; and

**WHEREAS** some states (*Alabama, Kentucky, Maine, Montana, Nebraska, North Dakota, South Dakota, Vermont, Washington and West Virginia*) that do not have charter schools have a large population of Native American students in their public K-12 schools and therefore, due to the guidelines of these Race to the Top funds, may be penalized:

Montana –	16,422 Native American students (11.29% concentration)
Washington –	27,208 Native American students (2.64% concentration)
South Dakota –	10.47% concentration of Native American and Alaska Native students
North Dakota –	8.63% concentration of Native American and Alaska Native Students

**WHEREAS** innovation in education can take many forms and should not be solely linked to the creation of charter schools which may not address challenges within rural and isolated areas; and

**WHEREAS** the National Caucus of Native American State Legislators recognizes that 90 percent of Native American, Alaska Native and Native Hawaiian students in grades

K-12 attend public schools in the United States and that the education of those students in states without charter schools will be significantly impacted if the criteria for Race to the Top penalizes them; and

**WHEREAS** the National Caucus of Native American State Legislators agrees with U.S. Secretary of Education Arne Duncan who said "Whether it's fighting poverty, strengthening the economy or promoting opportunity, education is the common thread. **It is the civil rights issue of our generation and it is the one sure path to a more equal, fair and just society.** While there are no simple answers, I know from experience that when you focus on basics like reading and math, when you embrace innovative new approaches to learning, and when you create a professional climate that attracts great teachers -- you can make a difference for children," and

**WHEREAS** the National Caucus of Native American State Legislators recognizes the educational disparities that exist as evidenced by both the achievement gap and the unacceptably low high- school graduation rates of Native Americans, Alaska Natives and Native Hawaiians and has produced a national report, *Striving to Achieve – Helping Native American Students Succeed*, that outlines specific recommendations that could improve guidelines for the Race to the Top Grant Funds for some states and their schools; and

**WHEREAS** the National Caucus of Native American State Legislators joins with a number of U.S. Senators in asking that the Race to the Top funds are inclusive of all states including Senators Max Baucus and Tester (Montana), Senator Patrick Leahy and Senator Sanders (Vermont), Senator Byron Dorgan (North Dakota), Senator Tim Johnson (South Dakota), Senator Benjamin Nelson (Nebraska), Senator John "Jay" Rockefeller (West Virginia).

**THEREFORE BE IT RESOLVED BY THE NATIONAL CAUCUS OF NATIVE AMERICAN STATE LEGISLATORS** that the inherent sovereignty of Tribes as recognized through historical treaties and legal relationships that exist between Tribal Nations and the United States of America is undeniable; and

**BE IT FURTHER RESOLVED** the National Caucus of Native American State Legislators asks our respective Congressional delegations, Secretary of Education Arne Duncan and President Barack Obama to ensure that both urban and rural areas are given the opportunity to improve our children's future by removing the restrictions placed on states without charter schools thus allowing them to compete for the Race to the Top Funds.

**BE IT FURTHER RESOLVED** the National Caucus of Native American State Legislators supports all states that serve a significant number of Native American

students in their K-12 public schools and asks that all, including those lacking charter schools, receive the same consideration for Race to the Top Funds to help Native American, Alaska Native, and Native Hawaiian students close the well-documented academic achievement gap and improve high school graduation rates.

**Sponsored by:** Sen. Carol Juneau (MT) Education Committee Chair

**Approved date is:** September 25, 2009

**Committee of Jurisdiction:** Education

**Certified by Committee Chair:** Sen. Carol Juneau (MT)

**Certified by Caucus Chair:** Rep. John McCoy (WA)

**Ratified certified by:** The NCNASL, September 25, 2009

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