



NATIVE CHILDREN'S POLICY AGENDA



2017



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NATIVE CHILDREN'S POLICY AGENDA: **A Publication of the First Kids 1st Initiative**

By the National Congress of American Indians, the National Indian Child Welfare Association, the National Indian Education Association, and the National Indian Health Board

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EXECUTIVE SUMMARY

The Founding Partners of the *First Kids 1st* Initiative formally joined together to support the healthy development of Native youth by coordinating efforts to transform the systems that have the greatest impact on Native youth and families—systems of health, child welfare, education, and governance. The Native Children’s Policy Agenda is intended as a tool to assist Tribal leaders and other policymakers in their work to create and implement a vision for vibrant, healthy communities. It is also intended to guide stakeholders as they prioritize legislation and policy issues that may affect Native children and youth. Within each of the four overarching themes, the Agenda sets forth Tribal strategies and policy objectives to implement these principles. The themes are:

Healthy Lifestyles. Our children must have the resources they need to develop a strong sense of self and their place within their culture and community in order to develop the life skills needed to help usher them into adulthood. One of these resources is health and wellness. Children who are physically, emotionally, and spiritually healthy are better able to play, learn, and work.

Supportive Environments. Children who have their basic needs met—including love, shelter, food, clothing, family security, and opportunities for growth—are children more likely to thrive, explore, learn, dream, and succeed. Our children must be protected from unsafe environments and supported by our communities.

Students Ready to Succeed. Native students must have well-constructed schools, Tribally-led innovation and choice, and effective teachers who link culture and instruction and design curriculum around student’s strengths, challenges, and needs. Efforts to close the achievement gap while respecting the cultural background of Native students will require a collective commitment from schools, Tribes, communities, and families. Through these improved educational opportunities, Native students will thrive in the classroom and beyond. Students will also need to reach first grade prepared to learn through effective school readiness programs built for success.

Vibrant Communities. In order to invest in children and the community structures that support them, Tribal governments must have options for economic development and flexibility to channel Tribal and federal funds into programs that best support their members. The objective is to foster economically strong and resilient communities which can support community programs that provide basic support for children and families and help lift families out of poverty.

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INTRODUCTION

From time immemorial, bound by love and responsibility, Tribes have worked to ensure the health, well-being, and success of Native children and youth, from before birth to adulthood. Tribal governments are responsible for protecting youth, teaching and guiding these next generations, providing services to families, and creating supportive environments where children can live and flourish. In exercising this responsibility, Tribal governments rely on collaborations and partnerships with other stakeholders. Because of these relationships, it is critical that Tribes and Tribal organizations lead the way in developing and implementing sound, culturally appropriate policy strategies to support the healthy development of Native children.

Recognizing this need, in 2008, the boards of directors of the National Congress of American Indians, National Indian Child Welfare Association, National Indian Education Association, National Indian Health Board, and National Council of Urban Indian Health created a joint policy agenda for American Indian and Alaska Native children. The result of this collaboration is the Native Children's Policy Agenda. Updated in 2015 and 2017, this Agenda is intended to be a tool to develop integrated policy approaches and specific recommendations for Tribal governments, policymakers, and local leaders to use when creating and implementing a vision for a thriving, vibrant Native community. It is also intended to guide stakeholders in identifying specific legislative vehicles and policy issues that may affect Native children. This Agenda will also inform and guide the work of the emergent initiative—putting *First Kids 1st*.

We believe that in order to be successful, a Native children's initiative must encompass both broad themes and specific goals and must reach beyond typical children's issues to identify the full range of factors important to Native children's well-being. Some of these factors are more obvious: children need quality education, supportive communities, and good health. Each of these, however, depends on factors which may be less obviously associated with children, such as access to affordable housing, the availability of healthy foods in communities, and economic development to support community services. Recognizing the challenges that present on the path from prenatal to adulthood, we also must foster resilience in children and youth by ensuring access to both traditional knowledge and new research on life skills which will allow our young people to successfully overcome barriers they may face.

In this Policy Agenda, we identify guiding policy principles for improving the lives of Native children and provide concrete recommendations for implementation. We have grouped these principles into four overarching themes: Healthy Lifestyles, Supportive Environments, Successful Students, and Vibrant Communities. Within each theme, we identify specific areas of focus and set forth specific Tribal strategies and policy objectives to improve the lives of Native children and youth.

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HEALTHY LIFESTYLES

Our children must have the resources they need to develop a strong sense of self and their place within their culture and community in order to develop the life skills needed to help usher them into adulthood. One of these resources is health and wellness. Children who are physically, emotionally, and spiritually healthy are better able to play, learn, and work.

Access to Health Care

In order to raise healthy children, communities need access to comprehensive quality health care delivered in a culturally appropriate and sensitive manner. Comprehensive health care includes physical and behavioral health providers, urgent and preventative care, women's health services, prenatal and infant health services, dental services, and eye care. The federal Indian Health Service (IHS) is responsible for providing health care to all Indian people, but IHS is typically funded at just over half the level of need,¹ resulting in inadequate health care and poor health outcomes for Native people. Between 2007 and 2009 life expectancy for an American Indian or Alaska Native (AI/AN) was just 73.7 years, which is 4 years less than the 2008 U.S. average.² The infant mortality rate from 2007 to 2009 for AI/AN people residing in the IHS service area is 8.3 deaths per every 1,000 live births – 26 percent higher than the overall U.S. rate.³ In order to address these disparities, the IHS must be fully funded, health facilities must be constructed and renovated to keep pace with need and technology, and Tribes must have the flexibility to explore programmatic approaches and service models, including telemedicine, community health workers, integration of traditional and Western strategies, and use of mid-level providers in order to improve service to remote areas and underserved communities. Where these innovative programs exist—such as the Dental Health Aide Therapy program in Alaska—we see impressive outcomes for community health, patient engagement, and workforce development.

Tribal Strategies

- Develop programs to recruit and train Native people in health professions and to attract skilled health care practitioners to Tribal communities, especially in rural and remote areas.
- Develop partnerships with urban centers using telehealth technology to promote access to specialty care.
- Integrate traditional health care practices into existing health and wellness services. For many Native people, culture, tradition, and spirituality are critical to their overall health and well-being. Modern health care delivery need not, and should not, result in suppression of traditional methods.
- Incorporate wellness programs in health clinics and facilities. While health care addresses disease prevention and treatment, wellness encompasses daily lifestyle choices, environment, emotional and spiritual well-being, and health education. Through wellness promotion, the incidence of health problems can be reduced, along with long term health care costs.

¹ U.S. Department of Health and Human Services, Indian Health Service. (1999). *Part 1: Level of Need Cost Model*.

² U.S. Department of Health and Human Services. (2014). Indian Health Service. Trends in Indian health: 2014 edition. *Public Health Service, Indian Health Service, US Government Printing Office, Washington, DC*.

³ *Id.*

- Improve outreach services and health education. For example, a Tribal diabetes patient education program, which focuses on teaching people how to manage their disease on a daily basis, is an important tool for reducing diabetes-related complications. These programs can also be directed to helping children manage their diabetes from an early age. Similarly, community outreach services can help educate people about the availability of health benefits and teach children to make healthy choices early in life.
- Develop school-based health clinics. Students perform better in class when they are healthy and ready to learn. School-based health centers bring the doctor's office to the school so students avoid health-related absences and get support to succeed in the classroom.
- Increase enrollment in Medicaid, Medicare, and SCHIP for eligible Indian people.
- Improve the overall capacity of Tribal public health systems with the development of public health codes and policies, and through supporting Tribal efforts towards obtaining public health accreditation.
- Promote broader adoption of a mid-level dental provider program at the Tribal level.

Policy Objectives

- Work toward full funding for the Indian Health Service, ensuring that IHS, Tribal and urban Indian health providers have adequate funding and modern equipment and technology.
- Advocate for a federal authorization program for school-based health clinics.
- Ensure that traditional practices receive federal funding support.

Workforce Development for Indian Health Care and Public Health Systems

Closely connected with quality and access to care issues, are the workforce challenges within the Indian health system. The Indian Health Service, Tribal health providers, and Tribal public health programs continue to struggle to find qualified medical and public health professionals to work in facilities or programs serving Indian Country. At federally operated IHS sites, estimated vacancy rates are as follows: physicians 34%; pharmacists 16%; nurses 24%; dentists 26%; physician's assistants 32% and advanced practice nurses 35%. These high vacancy rates make it nearly impossible to run quality health care and public health programs. The health disparities experienced by American Indians and Alaska Natives could be greatly improved through strengthening the Indian health care and public health workforce by increasing opportunities for Native youth to enter into health professions.

Tribal Strategies

- Consider implementing Tribal programs to mentor AI/AN youth interested in health-related professions.
- Dedicate funding to provide scholarships or travel assistance for AI/AN youth to attend national conferences and trainings in their health or public health profession or topic area of interest.
- Advocate for expanding national public health workforce programs such as the Centers for Disease Control and Prevention Public Health Associate Program (PHAP) to enroll more Native youth to work in Tribal communities.

Policy Objectives

- Develop new programs or expand existing programs such as PHAP to recruit and train Native people in health and public health professions and to attract skilled health care and public health practitioners to Tribal communities, especially in rural and remote areas.
- Remove barriers to expanding the adoption of mid-level dental provider programs at the Tribal level.
- Provide better incentives for medical and public health professionals who want to work at IHS and Tribal sites, including support for spouses and families, and better housing options.
- Support community-based participatory research (CBPR) approaches towards analyzing resource gaps and needs and implementing locally driven solutions.
- Reform the IHS student loan repayment program by making the program tax exempt and expanding the categories of eligible health professionals to include public health practitioners and health care administrators.

Healthy Foods

Traditional subsistence lifestyles have been replaced with federal programs such as the Food Distribution Program on Indian reservations, the Food Stamp Program, and the Commodity Supplemental Food Program. Additionally, new reliance on store-bought foods, poor access to fresh produce, and the increased consumption of fast foods have resulted in American Indian and Alaska Native children suffering from higher rates of obesity and related complications, such as type 2 diabetes.⁴ The Centers for Disease Control and Prevention (CDC) reported in 2012 that 59.9% of non-Hispanic White adults (both male and female) in the U.S. are either overweight or obese, while 71.1% of AI/AN adults are overweight or obese.⁵ Additional research shows that longer time spent traveling to purchase groceries can have a direct correlation on high body mass and obesity.⁶

Tribal Strategies

- Ensure that community food programs, especially youth breakfast and lunch programs, incorporate healthy food choices and locally produced or traditional food options.
- Consider partnering with businesses that will bring healthy food options, rather than snack or fast food, to the community.
- Consider co-locating programs to serve meals to elders with Head Start, childcare, or school programs.
- Partner with local food producers on projects, including food exchanges, local markets, or community gardens.

⁴ Story, M. et al. (2003). Obesity in American-Indian Children: Prevalence, Consequences, and Prevention. *Preventative Medicine*, 37(1), S3-S12, S5.

⁵ CDC 2013. Health Behaviors of Adult: Unites States, 2008-2010. Table 6.1. Retrieved from http://www.cdc.gov/nchs/data/series/sr_10/sr10_257.pdf.

⁶ Chuang, K. (2012). Food deserts: What they are, what they do, and what is being done about them. *Nutrition*, 245. Retrieved from <http://qillingsproject.wordpress.com/food-deserts-what-they-are-what-they-do-and-what-is-being-done-about-them/>.

- Encourage school garden programs to grow local and traditional foods that can provide produce for school cafeterias.
- Create kitchens in community centers to educate community members on healthy food preparation.
- Teach community members to budget and shop for healthy foods.
- Create community garden programs to incentivize locally grown and family-produced food, as well as explore creating a community co-op or food share program.

Policy Objectives

- Work to improve the Food Distribution Program on Indian reservations to incorporate more traditional, locally-produced foods as healthier options.
- Provide direct capacity building and infrastructure funding to Tribes who want to administer the Supplemental Nutrition Assistance Program (formerly the Food Stamp Program) and eliminate current policy barriers that only permit states to administer SNAP.
- Work to create similar options for the Women, Infants and Children (WIC) program and increase Tribal flexibility in administering this program.
- Advocate for Tribal provisions within the National School Lunch Program and the School Breakfast Program for Tribal schools.
- Work with school nutrition programs to replace junk foods with healthier options in vending machines and school cafeterias.⁷ These programs should permit Tribal administration and should ensure that state-administered programs are sufficiently responsive to the needs of Native youth.
- Promote the expansion of retail grocery markets in Native communities.
- Support federal programs that encourage at-home food production, such as backyard gardens and training on planting and maintenance.
- Encourage federal agencies to focus outreach and education efforts on reducing childhood obesity among Native children.
- Assess cost disparities in purchasing healthy versus unhealthy foods in Tribal communities.
- Promote the adoption of Tribal policies governing the availability of unhealthy vending machine foods and beverages.
- Work with national funders to create a Tribal grant program for the creation of local food co-ops or Tribal farmers' markets.

⁷ Center for Public Health Advocacy, National Consensus Panel on School Nutrition: Recommendations for Competitive Food Standard in California Schools, Aptos Middle School Student Nutrition Committee. (2002). *Waistlines and Bottom Lines: How Eliminating Junk Food from a School's Cafeteria Affects Revenue*. Retrieved November 18, 2008, from <http://www.sfusdfood.org/pdfs/science.pdf>.

Behavioral Health & Well-Being

A lack of behavioral health services in Tribal communities poses a huge problem for young American Indians and Alaska Natives. Native youth hold an important role in the future of Tribes; however, they are significantly and negatively affected by poverty, substance misuse disorders, depression, and suicide and are at high risk for other behavioral health challenges. The problems—which result from adverse childhood experiences and traumatic events experienced historically and intergenerationally—impact other areas for Native youth, children, and families such as overall health, education, employment, child welfare, and engagement with the justice system.

Unfortunately, the services needed to prevent, diagnose, treat, intervene, and provide aftercare for behavioral health crisis situations are lacking in most Tribal health clinics. For example, a 2001 study estimated that the ratio of behavioral health providers to Indian children was as low 1 to 25,000. This creates an urgent need for Tribes, federal agencies, and other interested parties to work together differently and more effectively. Children need access to mental health professionals, paraprofessionals, and crisis intervention services in their schools and communities, and support and skill-building should be available to those who work with and provide care for youth as well—both professionally and personally.

Tribal leaders have consistently called for coordination and collaboration among federal agencies whose efforts contribute to the well-being of AI/AN communities. The response to Tribal leader requests to collaboratively address behavioral health is the development of a National Tribal Behavioral Health Agenda (TBHA)—a collaborative blueprint for Tribal, federal, state, and local governments and other stakeholders. The TBHA⁸ grew from discussions the Substance Abuse and Mental Health Services Administration (SAMHSA) held with Tribal leaders during SAMHSA Tribal Technical Advisory Committee Meetings, the Secretary’s Annual Tribal Budget Consultation Session, and other meetings about the need for a behavioral health agenda. To frame the TBHA, Tribal leaders requested that it include six cross-cutting issues (youth, culture, identity, data, Tribal leadership, and individual self-sufficiency) as well as five foundational elements: (1) Historical and Intergenerational Trauma; (2) National Awareness and Visibility; (3) Social-Ecological Approach; (4) Prevention and Recovery Support; and (5) Behavioral Health Services and Systems Improvement.

Tribal Strategies

- Recognize that behavioral health is an important issue for Native communities and support research in the mental health field focusing on culturally appropriate, trauma-informed, effective treatment methods and models of care that are feasible for reservation and Alaska Native communities.

⁸ Available at <http://nihb.org/docs/12052016/FINAL%20TBHA%2012-4-16.pdf>. Developed as a collaborative effort between Tribes and tribal leaders, the National Indian Health Board, SAMHSA, and IHS, the National Tribal Behavioral Health Agenda is the first ever Tribally-informed blueprint for improving behavioral health outcomes in AI/AN communities.

- Use system of care approaches that integrate services and operate on a child and family centered philosophy.⁹
- Support teaching of culture and tradition as a primary means of rejuvenating the self-worth, resilience, and mental health of AI/AN youth.
- Work to ensure the availability of non-crisis services, such as mediation, anger management programs, peacemaking, and other conflict resolution approaches.
- Develop culturally relevant school-based counseling programs to provide schoolchildren with immediate access to mental health services. School counselors should be trained in crisis intervention, provide general counseling services, and be equipped to refer students to other providers for more in-depth treatment.
- Diffuse prevention and intervention strategies for non-health professional peers and family members that are culturally appropriate and align to the community's resources.
- Support in-service classes for teachers, school employees, and child care professionals on suicide and intervention strategies.

Policy Objectives

- Advocate for direct Tribal access to the Community Mental Health Services Block Grant in amounts that reflect the need within Tribal communities for mental health services.
- Maintain and expand the SAMHSA Tribal Behavioral Health Grant program.
- Increase Tribal funding for existing SAMHSA programs such as the System of Care and Circles of Care grant programs.
- Strengthen support systems across health, behavioral health, education, child welfare, and justice services programming to ensure continuity and availability of support for family members who connect through different systems.
- Encourage state agencies and local service providers to fund and support programs to treat alcohol and substance abuse among Native people, including programs addressing co-occurrences of alcohol and substance abuse with other mental health problems.
- Support legislation to provide additional resources for suicide prevention in Tribal communities.
- Incorporate opportunities to address unresolved grief as a root cause of behavioral health challenges and a core component in positive healing within programs that focus on Tribal communities.
- Encourage Congress to fully fund IHS behavioral health services, fully staff all IHS mental health care positions, and increase the number of therapists available, especially those with child and adolescent training.
- Develop interagency cooperative agreements for placement of behavioral health professionals within schools on Tribal lands, including Bureau of Indian Education schools.

⁹ Pires, Sheila A. (Spring 2002). *Building Systems of Care: A Primer*. Retrieved August 14, 2015 from http://gucchd.georgetown.edu/products/PRIMER_CompleteBook.pdf.

- Allow Tribes, within existing programs and new funding streams, the flexibility to develop, tailor, and/ or implement support mechanisms that best address their local and specific manifestations of trauma.

Physical Activity

Regular exercise is key to maintaining good health. Exercise habits formed early in life can lay the foundation for healthy exercise habits in adulthood. Creating outlets for healthy physical activity encourages children to be active, and creates opportunities for family and social engagement on a much broader scale. In many Tribal communities, however, physical activity options like summer camps and organized sports teams are not readily available to children, and the environment may not be conducive to outdoor play or activity.

Tribal Strategies

- Work to ensure that schools in Native communities provide comprehensive physical education and organized sports opportunities. Elementary schools should be required to incorporate at least 30 minutes of physical activity a day and should be prohibited from using recess as a form of punishment or reward.
- Develop adventure-based youth intervention programs. Adventure-based programs, such as Outward Bound, or those that utilize an outdoor survival model to teach youth life skills provide structured intervention for at-risk, substance misusing, or justice- involved youth.
- Construct sidewalks, community playgrounds, and sports facilities to help increase overall physical activity.
- Organize youth sport leagues in AI/AN communities.
- Promote the creation of employer-based fitness and workplace wellness programs, including creating incentives for employers that establish walking and/or exercise programs.
- Assist with organizing community-based cleanup activities that can be used to remove trash and harmful materials from public spaces, parks, playgrounds and sidewalks, and make improvement and general maintenance to playground equipment.
- Establish community walking programs that provide a structure and support for walking and movement-based activities including pairing youth with elders for walking, creating designated walking routes, posting distance signs, creating local incentives for walking certain distances, and aligning walks with community events.

Policy Objectives

- Advocate for funding after-school programs and summer activities for children on reservations and in Alaska Native villages. Consider incorporating traditional activities and subsistence practices into these programs.
- Work to ensure that Bureau of Indian Education (BIE) schools receive funding to build and upgrade sports-related facilities, such as gymnasiums, fields, and tracks.
- Encourage federal programs that support the development of parks, playgrounds, and walking/biking paths on Indian reservations.

Alcohol and Drug Free Communities

Alcohol and other drugs pose a significant health risk to Native children. Alcohol is a factor in 12% of all deaths among American Indians and Alaska Natives, which is twice the rate of alcohol-related deaths in the general population.¹⁰ Furthermore, 7% of these alcohol-related deaths occur in people under the age of twenty.¹¹ Alcohol and drugs can be dangerous to children even when consumed by other people. For example, children may suffer from fetal alcohol spectrum disorder and may be at an increased risk of child abuse, neglect, or unsafe conditions if a parent drinks. Comprehensive community-based strategies to combat alcohol and drug abuse amongst youth include varied approaches: education, familial engagement, alternative activities, and intervention and prevention programming. Alternative activities are a valuable approach in rural areas, where youth can become invested in one of few popular extracurricular activities—whether it is sports, cultural activities, or academics. When youth are involved and invested in positive activities they are less likely to engage in alcohol and substance misuse. Additionally, positive options and the relationships that develop through these activities will give children and youth reasons to stay healthy.

Tribal Strategies

- Create comprehensive, culturally appropriate drug and alcohol screening and treatment programs in Native communities.
- Create positive and engaging options for youth, such as after-school programs, sports activities, mentorship opportunities, and traditional activities.
- Reduce the availability of alcohol in the community. For example, a Tribe may elect to ban alcohol sales, limit sales, or prohibit sales to intoxicated people.
- Strengthen Tribal laws designed to prevent the sale of alcohol and commercial tobacco to minors.
- Implement prescription drug monitoring programs to reduce abuse of painkillers and other medications.
- Work with surrounding communities to reduce the availability of alcohol and influx of illegal drugs into the Native community.
- Strengthen Tribal laws limiting or regulating the sale of potentially dangerous over-the-counter items such as paint, glue, and cold medicine.
- Implement a strong substance use prevention curriculum in the school settings.
- Strengthen the capacity of Tribes to implement and evaluate evidence-based, traditional, and practice-based evidence programs to combat alcohol and drug use among community youth.

¹⁰ U.S. Centers for Disease Control. (2008). Alcohol-Attributable Deaths and Years of Potential Life Lost Among American Indians and Alaska Natives – United States, 2001-2005. *Morbidity and Mortality Weekly Report*, 57(34), 938-941. Retrieved November 18, 2008, from <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5734a3.htm>.

¹¹ *Id.*

Policy Objectives

- Advocate for increased funding for the Department of Justice, Substance Abuse and Mental Health Services Administration, and the Indian Health Service alcohol and drug treatment programs currently serving Native communities.
- Make alcohol and drug counseling and treatment available to all pregnant women.
- Increase funding to combat illegal drugs, including funding for Tribal police, special drug task forces, lab cleanup, and drug treatment programs.
- Improve funding and coordination of Tribal healing to wellness courts and eliminate the ineffective system of incarceration for drug use.
- Understand and treat drug and alcohol misuse issues as mental and behavioral health issues as opposed to criminal issues.
- Advocate for IHS to fully staff all IHS substance abuse and treatment counseling positions.
- Encourage CDC and SAMHSA to implement demonstration projects to create an evidence base for culturally-based substance use prevention programming and homegrown interventions in Indian Country.

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SUPPORTIVE ENVIRONMENTS

Children who have their basic needs met—including love, shelter, food, clothing, family security, and opportunities for growth—are children more likely to thrive, explore, learn, dream, and succeed. Our children must be protected from unsafe environments and supported by our communities.

Affordable & Safe Housing

Healthy adults begin their lives in healthy homes as children. The availability of affordable and safe housing is critical to the success of Native children. Many Tribal communities face severe housing shortages, with waitlists that far exceed availability of new housing construction.¹² Construction costs are higher in remote communities. Many Tribes struggle to repair existing housing, which more often leaves Tribal housing stock in substandard conditions. Additionally, overcrowding on Indian trust land is six times the national rate. In Alaska Native villages it is eight times the national rate.¹³ More than a third of homes on reservations and more than 40 percent of homes in Alaska Native villages are overcrowded, compared with roughly five percent of other homes in the United States.¹⁴ For children in particular, overcrowded, deteriorated building conditions can lead to health problems, lack of sleep, magnified family dysfunction, and transient living conditions, which can significantly affect school performance. In the area of housing, Tribes' flexibility in administering federal housing programs has been an important tool for improving the quantity and quality of housing conditions on reservations and meeting housing needs at the local level.

Tribal Strategies

- Create Tribal housing agencies to oversee housing construction, make repairs, and to administer federal programs.
- Ensure that adequate emergency and temporary housing options are available to reduce overcrowding.
- Create home ownership programs for Tribal members.
- Support the co-location of housing programs and health programs. Placing community based health services in housing projects allows community members to have greater access to both types of services.

Policy Objectives

- Encourage Congress and the Bureau of Indian Affairs to continue funding the BIA Housing Improvement Program, which provides resources for emergency improvements.
- Advocate for reauthorization and adequate funding of the Native American Housing and Self-Determination Act so that Tribal governments can determine the housing needs of their communities and provide safe and affordable housing for Native youth and their families.

¹² National American Indian Housing Council. (2001). *Too Few Rooms: Crowding in Native American Communities and Alaska Native Villages*. Retrieved November 4, 2008, from <http://naihc.net/NAIHC/files/CCLIBRARYFILES/FILENAME/0000000051/Too%20Few%20Rooms%20Publication.pdf>.

¹³ U.S. Commission on Civil Rights. (2003). *A Quiet Crisis: Federal Funding and Unmet Needs in Indian Country* 62 (citing Native American Indian Housing Council. *Overcrowding is Extensive, Causing Host of Health Problems*. (2002)).

¹⁴ *Id.* at 62, (citing Native American Indian Housing Council. (2001)).

- Provide opportunities for Indian home ownership by allowing the U.S. Department of Housing and Urban Development and/or other private entities to guarantee home loans made by private lenders to Indian people.
- Become involved in current mortgage reform conversations to increase access for Native people.

Supportive Families

Child development and well-being begins at the family level. Programs that strengthen and support families are an important way to invest in children's success and overall stability of the community. All families have basic needs, such as income, food, shelter, recreation, child care, and health care. Where these services are in short supply, families can feel increased stress and have fewer options for addressing basic and more intensive needs. Risk levels for social problems like child abuse and neglect, drug and alcohol abuse, and domestic violence can increase and flourish in communities where basic services are in short supply. As families experience increased risk for social problems, including exposure to trauma, a higher level of assistance is required, such as: early intervention programs that prevent child abuse and neglect, risk education for parents and teens, and coping skills training. Communities that can develop basic services that support and improve family functioning and the higher level services for families at risk are much more likely to have healthy, well children. When overall family functioning is improved individuals are more likely to be able to contribute positively to community-based economic development and the overall stability of the community.

One indicator of how Native families and children are doing is the overrepresentation of these families in state foster care systems. Native children are disproportionately represented in state foster care systems at 2-3 times their population rate nationally and in some states as high as 17 times their population rate.¹⁵ The vast majority of these families are referred for neglect, which is often a symptom of structural challenges in the community, such as poverty, unemployment, and the absence of basic community services. Furthermore, state governments depend upon Tribal governments to help them address the needs of Native families in their care, such as finding effective family services and foster care placements. This assistance is critical to states being able to reverse disproportionality in their systems and reduce both short-term and long-term costs associated with disproportionality. Unfortunately, many Tribes do not have the infrastructure or resources to provide this level of support consistently. Investing in Tribal government services is an investment in strong Native families and ensuring the well-being of Native children.

Tribal Strategies

- Identify new partnerships for development of basic family services and those for higher at risk families. Leverage state and federal funds in a manner that supports the goals and vision of the Tribe regarding desired outcomes and best approaches for families and reserve Tribal funds for areas that state and federal programs do not address adequately.

¹⁵ Woods, S. & Summers, A. (2016). Technical assistance bulletin: Disproportionality rates for children of color in foster care (Fiscal Year 2014). National Council of Juvenile and Family Court Judges: Reno, NV. Available at <http://www.ncjfcj.org/sites/default/files/NCJFCJ%202014%20Disproportionality%20TAB%20Final.pdf>.

- Develop Tribal disaster plans that support families and protect children at times when disasters may occur. Tribal planning addresses the types of disasters that are most likely to occur in their area, available resources, and the roles and methods for achieving a coordinated response by emergency services involving Tribal, federal, and state agencies.
- Plan for Tribal emergency support services for families in crisis, such as domestic violence and runaway shelters, child abuse response, crisis hotlines, and emergency psychiatric care. Many Tribes have coordinated emergency services plans that anticipate family crisis that can't be handled through one agency's services and supports. These emergency services plans coordinate across jurisdictions to involve Tribal, federal, and state agencies.
- Develop inter-agency agreements with community-based programs to facilitate improved coordination and clarity of roles and responsibilities. Many of the families that Tribal providers will see have multiple needs that span across several agencies' service areas. Tribal inter-agency agreements, which can involve Tribal, federal, and state agencies, ensure that families are able to receive coordinated services that wraparound the family without unnecessary burdens to access services.
- Early intervention programs for families provide some of the surest ways to keep families out of crisis and address family challenges without more intrusive and costly services. Tribal governments have developed unique approaches to providing early intervention programs across many program areas that are well-coordinated and provide culturally specific interventions that have the most opportunity to succeed. Examples include parent training, parent support services, and family resource centers that can conduct outreach to at risk families to provide basic child development information, safety tools, and parent training for families at risk of child abuse or neglect.

Policy Objectives

- Increase funding for Child Abuse Discretionary Activities under the Child Abuse Prevention and Treatment Act, including Evidence-Based Community Prevention Programs. Target the funding increases to Tribal community issues to ensure the development of research that can measure promising treatments and interventions to qualify for evidence-based funding sources at the state and federal level.
- Fully fund the prevention and treatment programs under the Indian Child Protection and Family Violence Prevention grant programs (P.L. 101-630, Title IV). These are the only Tribal specific child abuse and domestic violence prevention and treatment programs within the federal government.
- Make Tribal governments eligible to receive direct funding from the Community Mental Health Services Block Grant to ensure that Tribal governments will have funding to support trauma-informed mental health services and substance abuse services to families in need in Tribal communities.
- Ensure that Tribal police and courts have adequate resources and access to tools to effectively investigate and prosecute domestic violence and child abuse offenders on Tribal lands. This includes allowing Tribal courts to exercise criminal jurisdiction over non-Indian child abuse offenders that abuse Native children on Tribal lands.
- Increase coordination and support from federal law enforcement agencies, such as the Federal Bureau of Investigation and Attorney General's office, to improve timely investigations and successful prosecutions of child abuse offenders that abuse Native children on Tribal lands.

Child Welfare

Given the importance of family in child development, it is imperative that communities have in place structures to support troubled families and to provide children with loving and supportive homes if their parents cannot care for them. Family services that can safely maintain children in their homes reduce trauma to children and avoid intensive involvement in child welfare systems that can further traumatize children and incur more costly services, such as out of home placement. All Tribes operate some level of child welfare services, but many Tribal communities are not able to support the full range of child welfare services needed to reduce foster care placements and strengthen families so more children can remain at home safely without the extra trauma of being removed from their homes and placed in substitute care. This includes services like child abuse prevention and intensive in-home or reunification services.

For children that cannot return home, permanency services, such as Tribal customary adoption and guardianship, are needed. Permanency services such as these are important to helping Native children stay in contact with their extended family and culture which are protective factors against negative influences such as substance abuse or school absenteeism, especially for older youth. Smaller Tribes often do not have the infrastructure to operate administratively demanding programs such as Title IV-E Foster Care and Adoption Assistance, so resources that are scaled to Tribal community needs and capacity are important. While Native people living on Tribal lands represent approximately 2% of the United States population, Tribal governments receive less than 1% of federal funds targeted for child welfare services and even less for child abuse prevention and family reunification services.¹⁶ Where Tribal governments have been able to develop community-based services using the local knowledge that only they possess, many times out-of-home placements have dramatically decreased and families are less likely to re-enter the child welfare system at a later time. Empowering local Tribal governments is a solution that works well not just for Tribal children and families living on Tribal lands, but also for states that often rely upon Tribes to help them address Native family's needs.

Tribal Strategies

- Many Tribes are taking a public health approach to supporting families by increasing the integration of services that work together to prevent, identify, and address child abuse and neglect in communities.
- While federal programs often rely on evidence-based models developed with non-Indian communities, Tribal programs have been increasingly developing and promoting culturally-appropriate materials, activities, and programs that focus on the prevention of child abuse and neglect. These efforts draw from Tribal traditions and values, and also involve cultural adaptation of mainstream evidence-based models, such as you see in home visiting programs.
- Many Tribes, like states, have been challenged with increasing foster care caseloads. In response, several Tribes have developed new practice models and service delivery systems that build Tribal

¹⁶ Stoltzfus, E. (2014). Child welfare: An overview of federal programs and their current funding (CRS Publication No. 7-5700 R43458). Retrieved from <http://fosteryouthalliance.org/wp-content/uploads/2014/04/Child-Welfare-An-Overview-of-Federal-Programs-and-Their-Current-Funding.pdf>.

child welfare capacity in a manner that optimizes support for in-home and other family support services that can prevent placement of children in foster care or help them be successfully reunified with their family after placement. These capacity building plans incorporate Tribal strengths and challenges as well as culturally appropriate training and technical assistance.

- The need for quality foster care and kinship homes is a challenge that many Tribes have effectively addressed by developing their own Tribal foster care, customary adoption, guardianship, and related licensing/approval standards and training to increase the capacity to recruit and retain Native placement families. Using community-based standards helps provide additional incentives and long-term sustainability to these efforts.
- As more and more Tribes have developed their Tribal juvenile court capacity, the need for revised Tribal juvenile codes, bench books, and court processes has grown. New and innovative court procedures and approaches to adjudicating child welfare proceedings are being developed in Indian Country that build upon Tribal restorative justice and wellness court models. These Tribal juvenile codes often include a continuum of placement options and incorporate permanency options that reflect traditional practices, such as relative placement, shared parenting arrangements, and customary adoption without the termination of parental rights.
- Tribal child welfare work requires deep and sustained collaboration across multiple governments and agencies. Many Tribes have become adept at leveraging resources and improving coordinated responses through inter-governmental agreements with counties and states to help define the roles and responsibilities of inter-governmental partners working in collaboration with Tribes. These agreements identify both procedural and funding arrangements that can improve services and outcomes for Native children and families, whether in the jurisdiction of the Tribe or state/county.

Policy Objectives

- Ensure uniform and effective implementation of the Indian Child Welfare Act and provide incentives to states to partner with Tribes to improve outcomes to Native children and families.
- Enact legislation that provides federal funding for all Tribes to support intensive in-home and treatment services that can strengthen and heal families to support additional children being able to stay at home safely and avoid the trauma of being removed and placed in out-of-home care.
- Provide adequate resources for the implementation of federally-approved Tribal Title IV-E programs that support foster care, kinship guardianship, and adoption assistance payments, case management, training, and data collection activities for children placed by Tribal agencies and courts.
- Advocate for changes in the tax code to support federal tax credit parity for Tribal families that seek to adopt children through a Tribal court.

Juvenile Justice

Supportive communities also have structures in place to intervene and provide assistance to youth and families when youth get into trouble and face challenges. Intermediate sanctions and alternatives to detention, such as trauma-informed mental health services, are not widely available in Tribal communities.¹⁷ These gaps in alternative services result in Native youth receiving overly intensive interventions and being overrepresented in state and federal detention facilities, raising the risk that they will later become involved in the adult criminal system. This occurs despite the fact that the actions of Native youth are mostly low-level offenses.¹⁸ Another consequence is that Native youth are often forced to leave their communities in order to receive rehabilitative services, a practice that is reminiscent of the era when Native youth were sent away to federal boarding schools only to be further traumatized and disconnected from support systems in their communities. Programs that rehabilitate, treat, and redirect justice-involved youth in their communities are critical to ensuring that youthful misbehavior does not lead to dysfunction and criminality in adulthood.

Tribal Strategies

- As in other human service areas, Tribally-developed juvenile codes are critical to helping address the unique needs of Native youth and ensuring continued connection with extended family and protective factors contained within Tribal culture. In response, numerous Tribes have developed juvenile codes and court procedures that focus on restorative justice and youth well-being as primary drivers of healing and reduction of criminal offenses.
- Engage in Tribally initiated partnerships with community members and nonprofit organizations to offer organized activities for at-risk or delinquent youth, such as Boys and Girls Clubs or elders as mentors.
- Tribes are increasingly using alternatives to detention and are working to reduce over-reliance on secure detention in cases where it is not absolutely necessary. This helps constrain the use of detention to youth only when they are a danger to themselves or the community. For the majority of delinquent youth, non-detention programs are more effective and economical.
- Many Tribal communities lack recreation and employment opportunities for Native youth, especially during the summer when youth are not in school. Creative youth job skills training, internship programs, life and cultural skills experiences, and recreation programming help youth stay connected to their community and culture, while also drawing upon creative approaches to providing these supports.

¹⁷ Arya, Neelum & Rolnick, Addie C. (2008). *A Tangled Web of Justice: American Indian and Alaska Native Youth in Federal, State, and Tribal Justice Systems*, 14. Campaign for Youth Justice

¹⁸ *Id.* at 8, 20-24.

- For Native youth that have been in detention outside of their communities, re-entry into the community can be very challenging. A number of Tribes have developed re-entry programs that focus on not just the youth, but also their families and peers, to help provide a more meaningful and supported re-entry. Re-entry programs are critical to ensuring that youth coming out of detention can transition back into work or school, rather than falling again into delinquent behavior or crime. These efforts often involve developing agreements with local school systems, businesses, and health and human services providers to improve coordination and leverage opportunities to assist youth who are transitioning back into the community after detention.

Policy Objectives

- Support legislation to make Tribes directly eligible for juvenile justice program funding, including funding for diversion, intervention, and rehabilitation services.
- Enact federal legislation to support research on the characteristics and leading causes of Native youth delinquency and Tribally-developed interventions that have been successful with Native youth offenders.
- Support technical assistance to Tribes in developing trauma-informed, culturally appropriate, individually tailored services for youth at risk of involvement in Tribal and state juvenile justice systems.
- Encourage the Bureau of Indian Affairs and the Department of Justice to provide funding and support for youth rehabilitation and treatment, and to follow federal requirements that detention be used only where absolutely necessary.
- Encourage the Bureau of Prisons to follow existing requirements for youth to be housed near their home communities.
- Create a federal juvenile justice law for Native youth that provides protections for Native youth, including Tribal notice when a youth encounters the justice system, Tribal ability to intervene in state court proceedings, authority to petition for transfer of a case from state to Tribal court, and a requirement for active efforts to avoid secure confinement and rehabilitate youth.
- Provide publicly-funded legal representation to Native youth in juvenile justice systems to protect their rights and minimize harm.
- Support funding and curriculum for educational services for detained and incarcerated youth at BIA funded juvenile detention facilities.

Safe Communities

Domestic violence, child abuse, and alcohol and substance abuse are longstanding problems on many reservations and in Alaska Native villages, and several Native communities have seen escalating violent crime rates in recent years. American Indian and Alaska Native people are twice as likely as the general population to be victims of violent crime.¹⁹ In particular, compared to other racial and ethnic groups, Native women, youth, and young adults have high rates of violent victimization, such as rape, sexual assault, and robbery.²⁰ Native people are also more likely to report being victimized by a stranger and by someone of another race.²¹ Crime must be addressed to keep children safe and give them opportunities for positive development.

Tribal Strategies

- Develop comprehensive Tribal justice systems. A comprehensive justice system includes police and law enforcement, Tribal courts and prosecutors, detention and corrections, and alternatives to detention, such as probation, treatment programs, and transitional residential facilities.
- Develop community policing, neighborhood watch, and safe streets programs that allow residents to be trained and organized to monitor their communities and report crimes. While not a substitute for adequate police resources, such programs can supplement police programs and help reduce crime while empowering community members.
- Recruit, train, and retain qualified police officers in Tribal communities.
- Recruit, train, and retain qualified child welfare specialists in Tribal communities.
- Ensure that officers receive cultural training as well as training on specific issues such as domestic violence.

Policy Objectives

- Advocate for expanded Tribal criminal jurisdiction so that Tribes can prosecute non-members and non-Indians in cases of child maltreatment, family violence, and sexual assault.
- Encourage collaboration and coordination between Tribal, federal, and state governments, and improved localized partnerships.
- Encourage Congress and federal agencies to provide adequate resources for construction, staffing, and operation of residential youth and adult treatment facilities in Indian communities. Local residential treatment facilities allow Tribes to create culturally appropriate programming and keep residents close to their communities so that families are not broken up during the course of treatment.
- Encourage Congress and federal agencies to embrace culturally relevant Tribal programs such as Tribal drug courts, peacemaker courts, and other therapeutic and traditional alternatives.

¹⁹ Perry, Stephen W. (2004). *American Indians and Crime: A BJS Statistical Profile, 1999-2000*, 4-5. U.S. Department of Justice, Bureau of Justice Statistics.

²⁰ *Id.* at 7.

²¹ *Id.* at 8-9.

- Encourage the Bureau of Indian Affairs to fully staff all BIA law enforcement officer positions, and ensure that officers are trained and aware of the unique culture and challenges within the Tribal communities they service.
- Encourage Congress and federal agencies to fully fund implementation of the Adam Walsh Act and provide funding and training to address barriers such as the lack of access to either state or federal background check systems and the resources to be in compliance with federal security procedures related to access of national database systems administered by the FBI.

Protection from Environmental Hazards

Environmental toxins and waste contribute to long-term health problems for children. Like other poor and rural communities, Native homelands are more likely to be used as legal and illegal toxic waste disposals sites. Native peoples' dependence on the land for subsistence and ceremonial needs makes them especially vulnerable to pollution and environmental toxins.²² Therefore, environment improvement is critical to children's well-being.

Tribal Strategies

- Develop and implement lead-reduction campaigns by testing and replacing old water pipes and lead-based paint in antiquated buildings.
- Develop Tribal waste management codes to regulate waste disposal and discourage illegal dumping on Tribal lands.
- Strengthen Tribal clean air, clean water, and natural resource management programs. These programs often incorporate environmental monitoring measures, which can assist Tribes in identifying and addressing problem areas.
- Ensure waste dumps and storage facility sites located on, or near reservations, are carefully considered by the affected Tribal community and that adequate environmental precautions are taken.

Policy Objectives

- Ensure that IHS fully funds Tribal sanitation facilities construction, particularly in remote reservations and Alaska Native villages, which often lack plumbing and sanitation facilities.
- Encourage Congress and federal agencies to support and fund Tribal capacity and authority to engage in environmental activities such as water pollution control, clean-up of solid and hazardous waste sites, monitoring of mercury and other toxins, and invasive species control.
- Encourage Congress and federal agencies to provide grants for clean energy development in order to reduce the environmental hazards associated with production of carbon fuels.

²² Brook, D. (1998, Jan.). Environmental Genocide: Native Americans and Toxic Waste. *The American Journal of Economics and Sociology*, 57(1), 105-113.

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STUDENTS READY TO SUCCEED

Native students must have well-constructed schools, Tribally-led innovation and choice, and effective teachers who link culture and instruction and design curriculum around student's strengths, challenges, and needs. Efforts to close the achievement gap while respecting the cultural background of Native students will require a collective commitment from schools, Tribes, communities, and families. Through these improved educational opportunities, Native students will thrive in the classroom and beyond. Students will also need to reach first grade prepared to learn through effective school readiness programs built for success.

School Construction and Facilities

Studies have shown that a safe facility improves student academic outcomes.²³ Facilities can in fact play a key role in bolstering community engagement leading to increased students success.²⁴ For the 92% of students in public schools, Tribal leaders and Native educators know facilities matter just as much for Native students. For the remaining 8% of Native students in Bureau of Indian Education Schools, the most recent report from the Office of Inspector General at the U.S. Department of Interior in the fall of 2016 confirms the importance of facilities.²⁵ The report found that over 60 BIE owned or funded Indian school facilities were in poor or fair condition in addition to a significant backlog of facilities in need of replacement.

Native children attending both public and BIE schools must overcome asbestos, radon, and mold problems as well as electrical and plumbing problems.²⁶ The problems are severe enough that Tribal leaders and Native educators have reasonable concluded, as has the BIE, that Native student academic achievement suffers due to the facilities crisis.

More recently, states across the country have seen the problems that result from inadequate infrastructure with respect to broadband internet access. Technology is no longer a luxury in 2016, and serves as a necessity to keep up with today's advanced society. Examples of students unable to access the assessments meant to measure their achievement have been heard from North Dakota to New Mexico. Perhaps more importantly, public schools that serve Native majority students and BIE schools often don't have access to technology. Action must be taken to build schools that are technologically acceptable and have basic access to the Internet.

Tribal Strategies

- Partnerships with Tribal governments on construction can lead to cost efficiencies in construction as long as sufficient funding is available to address the backlog of BIE schools in need.

²³ Code Compliant School Buildings Boost Student Achievement. Ronald Lumpkin, Robert Goodwin, Warren Hope, and Ghazwan Lufti, 2014. Sage Publishing: <http://journals.sagepub.com/doi/pdf/10.1177/2158244014556993>

²⁴ When it Comes to Student Achievement, Facilities Matter. Sierra Mannie, 2016. The Hechinger Report: <http://hechingerreport.org/comes-student-achievement-facilities-matter/>.

²⁵ Condition of Indian School Facilities. Secretary of Interior's Office of Inspector General, October 4, 2016. https://www.doi.gov/sites/doi.gov/files/FinalEval_BIESchoolFacilitiesB_093016.pdf.

²⁶ *Id.* at P. 23 to 29.

- Innovative public-private partnerships with Tribes could access incentives and present an opportunity that will require new thinking and seed federal funding from the federal side, along with Tribal leadership across the country.

Policy Objectives

- Encourage Congress and the BIE to fully fund school construction and renovation on reservations in order to ensure that school buildings are safe, modern, handicapped-accessible, and large enough to accommodate all students.
- Encourage Congress to fund broadband infrastructure development and connections to enable schools and students to have this critical resource to succeed.
- Encourage Congress and federal agencies to provide schools with adequate funds to purchase new textbooks, libraries, modern computers, and laboratory equipment.
- Encourage states and localities to survey public schools on Tribal lands in order to ensure that the state is meeting its obligation of safe, modern, handicapped-accessible facilities.

Tribally-Led Innovation and Choice

Congress has shown overwhelming bipartisan support for Tribes and Native communities leading the way in the development of Native education systems. Tribes have long asked for greater authority to exercise control over their students. Several examples of Tribal innovation and choice show that with Tribal leadership comes culture, language, and greater ownership of the outcomes for Native students.

The Navajo (Diné) Nation was recently approved to implement the “Diné School Accountability Plan” to fully implement a plan to establish new and consistent Diné-based educational standards for schools throughout the Navajo Nation’s 26,000 square mile reservation in June 2016. The Plan includes more than 60 Bureau of Indian Education-funded schools on the reservation. The Plan, which has been in development by the Navajo Nation since 2005, was approved last fall by the U.S. Department of Education and U.S. Department of the Interior.

This marks the first time in history that the federal government has approved a Tribal education plan of this scope and reach. The Diné School Accountability Plan establishes reservation-wide standards for K-12 education based on a curriculum that incorporates Navajo language, history and cultural knowledge into the school system, a goal that the Tribe says is critical to the very survival of the Navajo culture and its people.

Numerous other examples show that Tribal control over choice and innovation can lead to better outcomes for students and Native communities. The Ojibwe Language Immersion School has had great success. School partnerships with the Chickasaw Nation have shown that Native students thrive, graduate, and lead in their communities when Tribes are able to exercise their sovereignty on behalf of their students. In these cases, both Native students and Tribes thrive.

The successes and the movement toward Native control of Native education show that new opportunities for Tribal innovation in Native education must not dismantle or defund current projects, but instead must build on their successes. Tribes and Native communities can lead partnerships with organizations that share a commitment to sustained investment in Native students, but the key necessity is sovereignty: Tribes must determine the innovation and choice that is appropriate for the Native students they serve.

Tribal Strategies

- The Navajo Nation's Accountability Workbook Waiver for BIE schools approved in the fall of 2016 can serve as a model, but federal support for Tribally led initiatives will be necessary in order to move forward with Tribal leadership and break through barriers based on the history of unnecessary roadblocks to reform.
- Charters and choice in Native education must be Tribally led with authorization left to the Tribes, so as not to repeat the mistakes of the past where Tribes have been excluded from the primary role necessary to improve Native student outcomes.

Policy Objectives

- Encourage Congress and the BIE to allow Tribes the latitude to proceed without undue regulatory restrictions to utilize the Tribally Controlled Schools Act (Public Law 100-297), so that Tribal leadership is empowered to serve Native students.
- Authorize Tribes to use the provisions of the Indian Self-Determination and Education Assistance Act (Public Law 638-93), to shift control of schools that serve significant majorities of Native students to Tribal governments.
- Partner with Tribes to allow flexibility and innovation in Native education via Tribally authorized charter schools to best serve Native students.

Skilled Teachers: A Campaign for Teachers of Native Students

Effective teacher training is critical to student success. Examples of successful programs to increase the number of Native educators in Montana and Hawaii have shown what's possible.²⁷ Adequate support to expand and strengthen the skills of Native and non-Native educators to address the varying cultural, linguistic, and academic needs of all Native students is perhaps the most important way of improving Native student success. Effective teacher development is essential in remote rural communities, where attracting and retaining skilled professionals is challenging due to isolated school locations and limited resources.

The need for more effective educators is clear: 72% Native high school seniors graduated within four years in 2014, compared with 82% of high school seniors across the nation (National Center for Education Statistics, Institute for Education Sciences, 2016). Since 2009, enrollment in teacher training programs across the United States has declined over 36%, creating teacher vacancies and highlighting the potential for growth within Native education. Shortages are particularly acute in states with high Native populations,

²⁷ "Where do you grow great teachers? Montana's Blackfeet Tribe Desperately Needs More Native Educators—so it's Letting Them Train Without Ever Leaving the Reservation," By Miriam Hall, June 7, 2016. Accessed March 24, 2017: http://www.slate.com/articles/life/tomorrows_test/2016/06/the_blackfeet_Tribe_needs_more_teachers_so_it_s_letting_them_train_without.html.

such as North Dakota, where the state issued a “critical shortage area” declaration in June of 2016.

To respond, national stakeholders, led by the National Indian Education Association (NIEA) have created a campaign to: (1) raise the profile of the need for teachers in Native schools via a communications campaign, (2) centralize the recruitment and application process for Native majority schools, (3) research and analyze teacher vacancy data at Native-majority schools, (4) remove barriers to entry into the teacher profession, and (5) increase traditional pathways for Native educators.

Tribal Strategies

- For some Tribes, recruiting, training, and retaining effective teachers and school leaders on reservations in Native communities can be successful. However, as part of this best practice, a key tool to recruitment and retention will be to offer financial incentives, housing assistance, and student loan repayment programs to those deciding to teach in Indian Country. These critical resources are often unavailable without Federal support.
- Develop educational degree programs, teacher certification programs, culture/language teacher certification programs, and educational research projects at Tribal colleges and universities. Incentivizing these best practices is essential.

Policy Objectives

- Support legislation that provides for teacher training, school administrator and school superintendent grants, and institutional infrastructure support for Tribal colleges and universities.
- Encourage equity in funding for all teacher education programs - including Tribal colleges and universities.
- Support legislation for incentives and loan repayment programs for students deciding to become educators on reservations or in other Native communities, especially those incentives that encourage students to teach and become administrators on a long-term basis.

Culture-Based Education

Traditional knowledge and culture-based education are central to producing engaged and successful learners. Culture-based education recognizes the importance of including cultural practices, family, and community experiences into the academic and social context of the school system. No single approach will effectively solve the academic and social challenges facing Native students. Each school and community possess a unique set of needs, however share a common set of values based on family and community engagement: (1) Family & Community: actively involving family and community in the development of curricula, everyday learning and leadership; (2) Context: structuring the school and the classroom that respect Native culture; (3) Content: making learning meaningful and relevant through content and assessments that are relevant to Native cultures; (4) Language: recognizing and using native or heritage language; and (5) Data & Accountability: gathering and maintaining data using various methods to ensure students develop in a culture-based academic system. To reach better outcomes, Native educational instruction must be consistent with Tribal beliefs, thought, and philosophy and respectful of cultural practices.

Tribal Strategies

- Support capacity building for Tribal education departments to become resource and professional learning centers. As with local education agencies and in light of the federal trust responsibility, catalyzing best practice here will be necessary to lift up best practices.
- Develop cooperative agreements with state and local education agencies for training and technical assistance. ESSA allows this for the first time. Seed incentives to successfully develop best practice will help Tribes show how this can be done.
- Develop and support innovative programs to partner elders with youth, such as mentoring programs or traditional subsistence and arts apprenticeships. Integrate culturally relevant content into all school curricula where appropriate – including contemporary Tribal issues and information on local Tribes.
- Develop community engagement approaches to build awareness on the necessity of culture-based education in high Native population local education agencies.
- Develop culturally responsive assessment systems that reflect the instruction taking place in the classroom.

Policy Objectives

- Encourage meaningful consultation between Tribes and state and local education agencies in the development of their Every Student Succeeds Act (ESSA) education plans.
- Support BIE flexibility in the development and adoption of Tribal specific accountability systems.
- Remove barriers that prevent Tribes and Native serving schools from providing classroom instruction from a culturally driven model, including opportunities to assess students in the language of instruction being provided.
- Encourage the development and funding of immersion programs within all school settings.
- Support increased appropriations for Title VI and the Johnson O'Malley programs.

College, Career, and Community Readiness

21st century education systems directly impact an ever-changing education and workplace landscape. Emphasis on higher education and career readiness is forcing K-12 and postsecondary institutions to improve their collection, assessing, and sharing of data and student information in order to make informed program and policy decisions. Unfortunately, Native students have comparatively low rates of high school graduation and are less likely than other students to obtain a post-secondary education. Nearly 21% of Native Americans over the age of 25 have not graduated from high school or obtained a GED (compared to 11% in the general population), and only 12% have obtained a bachelor's degree or higher (compared with 30% in the general population). Encouraging collaborative solutions to develop data sharing policies, agreements and opportunities among Tribal government, communities, federal and state agencies will ensure improved college and career readiness for students on and off reservations and in Alaska Native villages.

Tribal Strategies

- Develop and encourage partnerships between Tribal colleges and universities and partnering four-year institutions - specifically focused on distance learning - so that Native students have higher education options in their home communities.
- Provide scholarships to Tribal member students attending college or pursuing advanced degrees. Such scholarship funding is in short supply and federal support for Native higher education is imperative.
- Offer loan repayment assistance to Tribal members who return to their home communities to work after obtaining a college or graduate degree.
- To assist in student retention, encourage colleges to build in funds in student financial aid packages for students to visit home frequently. Small retention investments along these lines requires modest investments, but has been shown to be successful.²⁸

Policy Objectives

- Provide targeted funding for Native career and vocational education/training programs to meet this critical need for Native students and young adults. Such programs are vital to preparing a future workforce that will effectively operate to contribute to economic development and Native communities.
- Encourage better collection of data on Native students attending four-year institutions.
- Support legislation that would direct four-year institutions receiving funding for the Native student population to focus those funds on Native student retention efforts.
- Advocate for funding to address remediation crises in Tribal Colleges and Universities (TCUs) so that Native students are able to have the academic skills necessary to begin their college careers.
- Encourage Congress and federal agencies to create scholarship opportunities, educational placement, internship, and loan repayment programs for Native youth.
- Encourage Congress to authorize targeted programs to attract more Native students to specific professional careers, such as health care, STEM, and education.
- Advocate for full funding for TCUs.

²⁸ “When a Few Bucks Can Get Students to the Finish Line” by Tina Rosenberg, March 14, 2017. Retrieved March 24, 2017 from https://www.nytimes.com/2017/03/14/opinion/when-a-few-bucks-can-get-students-to-the-finish-line.html?_r=0 .

Students Ready to Start School: Effective Early Learning

Successful schooling starts before kindergarten. Children who attend quality early education programs are better prepared and perform better in school.²⁹ Given the well-documented educational barriers faced by many Native children—from poverty to poor schools to high dropout rates—Head Start and Early Head Start are important components to educational success. Research on Head Start programs in particular has shown them to increase high school graduation rates, narrow the achievement gap between low and high income children, and to reduce crime.³⁰

Tribal Strategies

- Develop language nests within the Head Start and Early Head Start centers in Tribal communities. Seed support from the federal government will be necessary.
- Encourage partnerships between Head Start programs and Tribal colleges for teacher and language certification and graduate higher education programs to ensure adequate teacher training is available. Due to limited resources, federal seed funding will be necessary to develop models for how best to partner across different institutions.
- Collaborate with Tribal college language and culture programs to ensure Native language and culture is integrated into Head Start curriculum appropriately.

Policy Objectives

- Encourage states to access the Preschool Development Grant funding available through the Every Student Succeeds Act and fully engage with Tribes as partners in Native early learning programs to serve Native students and Native communities.
- Protect and preserve funding for Indian Head Start programs and work to ensure that Tribes have the flexibility to administer these programs in a manner that best suits their communities.

²⁹ National Head Start Association. *Benefits of Head Start and Early Head Start Programs* (2008). Retrieved November 4, 2014, from <http://www.nhsa.org/download/research/REDFactSheets1.pdf>.

³⁰ Fight Crime: Invest in Kids. *Head Start Reduces Crime and Improves Achievement* (2006). Retrieved August 29, 2009, from <http://www.fightcrime.org/reports/headstartbrief.pdf>.

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VIBRANT COMMUNITIES

In order to invest in children and the community structures that support them, Tribal governments must have options for economic development and flexibility to channel Tribal and federal funds into programs that best support their members. The objective is to foster economically strong and resilient communities which can support community programs that provide basic support for children and families and help lift families out of poverty.

Effective Governance

Vibrant communities have strong governments. Tribal governments have long led Native communities using both traditional and modern forms of governance, but to be most effective, they need solid legal and political infrastructures. They also need access to a broad range of flexible funding sources, including government grants and must be recognized as equal partners when working cooperatively within other governments. Tribal governments operate in a political spectrum that interfaces with the federal and state governments in many ways. Strong Tribal governments recognize when to consider cooperation with both state and federal governments and agencies. Tribal governments create vibrant communities by understanding when to cooperate and when to lead in their relationships with other sovereigns.

Tribal Strategies

- Enact Tribal codes to support the various aspects of Tribal governance, including tax and business codes and codes governing land use, zoning, and the provision of social services.
- Explore partnerships and agreements with non-Tribal entities, including state and local governments, to improve provisions of governmental services to Tribal members.
- Consider engaging in state-Tribal compacts and agreements for clarifying roles and processes in shared responsibilities of government, such as patrolling for safe streets, enforcing truancy laws, and enforcing child support orders.
- Explore partnerships and agreements with businesses and industry to develop methods of delivering government services to Tribal members.
- Create a governance education program for new Tribal council members.

Policy Objectives

- Advocate for increased funding and greater flexibility for Indian Community Development Block Grants through the U.S. Department of Housing and Urban Development.
- Advocate for Tribal access to a wider range of state and local government block grants. Tribes are often excluded from the distribution formulas for these block grants, which provide an important source of stable base funding for non-Indian governments.
- Advocate for increased opportunities for self-governance programs which enhance Tribal capacity to create governmental programs that offer opportunities for Tribal communities and Tribal members.
- Advocate for effective consultation methods that incorporate meaningful Tribal government participation during policy consideration at both the state and federal levels.

Economic Development

Sustainable economic development is a critical prerequisite for all of the activities outlined in this agenda. Without healthy economies, Tribal governments are forced to depend solely on limited federal assistance and scarce private funding to build the infrastructure and programs needed to raise healthy children. Equally important, healthy economies create job opportunities within the Tribe, which help children to have goals and future career aspirations.

Tribal Strategies

- Pursue diverse avenues of economic development and/or develop a comprehensive, culturally appropriate economic development plan in order to create a long-term, sustainable economic community.
- Encourage new business ventures to create jobs in the community by hiring and training Tribal members.
- Develop job training programs and encourage small business development in Tribal communities.
- Provide incentives for Tribal members who have specialized education or training to return to the community.
- Pursue opportunities to build capacity in technology and information systems so that businesses locate on Tribal lands and Tribal citizens can pursue employment remotely.

Policy Objectives

- Encourage Congress to make permanent tax incentives for businesses located on Tribal land, including the Indian employment tax credit and the accelerated depreciation allowance.
- Encourage Congress to enact new tax credits to benefit economic development on Tribal land, including a shareable tax credit for development of renewable energy resources.
- Encourage Congress and the IRS to treat Tribal governments in the tax code, on par with state governments, including clarification of Tribal authority to issue tax-exempt bonds for governmental and economic development purposes.
- Encourage agencies to expand implementation of the Indian Employment and Related Services Demonstration Act (Pub. L. 102-477) and Section 166 of the Workforce Investment Act to foster job training, job creation, and economic development in Tribal communities.
- Encourage the Department of Labor to develop additional Tribal Job Corps sites and to create other job training programs in Tribal communities.
- Encourage the Department of the Interior and other federal agencies to utilize loan guarantee programs and incentives to increase economic development opportunities for Tribal governments and local businesses.

Safe Drinking Water

Like the availability of healthy food, access to safe drinking water is a basic requirement for healthy children. Many Native communities have no water delivery infrastructure, or the infrastructure that does exist is old and in disrepair. Safe and adequate water supply and waste disposal facilities are lacking in approximately 12% of American Indian and Alaska Native homes, compared to 1% of the homes for the U.S. general population.³¹ These conditions have direct and adverse impacts on children's health. Infants living in Alaska Native villages without water service, compared to the general population, have been found to have five times the number of hospitalizations due to lower respiratory tract infections, and eleven times the average rate for hospitalizations due to pneumonia.³² In a time when groundwater contamination is increasingly common, Tribes need community water treatment and delivery systems, in addition to reliable operation and maintenance of existing systems to ensure access to safe drinking water for their members.

Tribal Strategies

- Construct community water and wastewater systems in Tribal communities.
- Ensure that water and wastewater systems are consistently and properly operated and maintained.

Policy Objectives

- Support legislation that would permit Tribes to use federal funds to repay the interest and principal on construction loans where Tribes elect to undertake construction, even when federal appropriations for the project are spread out over a period of years.
- Advocate for removal of the Tribal match requirement for construction of water and wastewater systems.
- Federal government must promote safe water quality standards to protect surface and subsurface streams and repositories flowing into Tribal lands.

Social Services and Community Support

Tribal governments can use the resources generated by government grants and economic development to build strong social service and community support systems. When these programs are administered by Tribes, they can be more closely tailored to the needs of Tribal members and the unique characteristics (such as geographic isolation or harsh climates) of community. Tribal governments are also in the best position to offer services in a manner that reflects Tribal culture and values.

Tribal Strategies

- Tribes should explore the feasibility of administering education, social service, and family support programs. At times, doing so may mean compacting with a state.

³¹ U.S. Department of Health and Human Services, Indian Health Service. (2006). *Facts on Indian Health Disparities (based on 2000-2002 rates)*. Retrieved August 25, 2008, from <http://info.ihs.gov/Files/DisparitiesFacts-Jan2006.pdf>.

³² Hennessy, T.W., et al. (2008). The Relationship Between In-Home Water Service and the Risk of Respiratory Tract, Skin, and Gastrointestinal Tract Infections Among Rural Alaska Natives. *American Journal of Public Health*, 98(11):2072-8.

- Construct Tribal community centers, which offer a range of activities for children and families after school and during the summer. Community centers are an important way to provide youth with activities and services, especially where other activities are lacking.
- Encourage partnerships between health clinics and community centers in order to provide after hours and emergency care for children.

Policy Objectives

- Support Temporary Aid for Needy Families (TANF), welfare assistance, and other federal poverty programs. Work to increase opportunities and resources for direct Tribal administration of these programs and encourage Congress and federal agencies to allow Tribes greater flexibility to meet local needs in administration.
- Through reauthorization, ensure adequate funding for Tribal TANF programs by providing incentives for states to match Tribal TANF programs and allowing Tribes to negotiate their TANF block grant funding level and administrative costs.
- Establish planning grants for Tribal TANF and allocate additional funding for infrastructure.
- Recognize TANF as an eligible program under self-governance and Public Law 93-638.
- Provide direct Tribal access to Title XX, the Social Services Block Grant, of the Social Security Act.
- Encourage the Administration for Children and Families to expand Tribal administration of federal child support enforcement programs.
- Advocate for Tribal college inclusion in job training programs and funding made available to community colleges.
- Support capacity building opportunities for Tribal education agencies.

Dependable Infrastructure

In addition to personnel and programming, vibrant communities require strong physical and information infrastructure to support development and services. Maintaining and enhancing community infrastructure is critical to safety, economic development, job creation, and improving living conditions for youth and families throughout Indian Country. In many Tribal communities, utility services, telecommunications, and roads are lacking or serve only limited areas. This can make economic development difficult, and it also means that children living in those communities may lack access to basic services, such as electricity or emergency medical care. Investment in physical and information infrastructure is a necessary first step to developing systems to support children.

Tribal Strategies

- Strengthen Tribal and local control over utility services, including electric, water and telecommunications, and invest in infrastructure to support these services. Tribal control over utility and information services allows Tribes to better serve their members and to generate additional revenue by selling excess power or capacity.

- Ensure that all community members have access to affordable, modern utility services. Access to heat, electricity, and water is essential to maintaining basic health standards in homes where children are raised. Access to telecommunications services provides an important educational outlet for children living in remote communities and also offers vital emergency notification and communication links.
- Modernization of transportation infrastructure in Tribal communities by improving transportation planning in developing roads, bike paths, sidewalks, and public transport options.
- Foster intra-Tribal data and information coordination across Tribal departments by strengthening Tribal data capacity and infrastructure.

Policy Objectives

- Encourage Congress, the Department of the Interior, and the Department of Energy to fully implement Title V of the Energy Policy Act, which authorizes a range of programs to foster energy development on Tribal lands.
- Advocate for increased funding for road construction and maintenance programs and for Tribal access to public transportation planning and implementation grants.
- Encourage the Administration to permanently authorize the Tribal Office at the Federal Communications Commission.
- Encourage Congress and federal agencies to provide affordable access to the electric power grid to serve Tribal and other remote communities.
- Advocate for flexible construction funding to help Tribes build multipurpose government structures and other community buildings.
- Advocate for greater investment and coordination in Tribal data capacity building.

Safe Transportation to School

Children need to be able to get to school safely. The roads in many Native communities are in poor condition and some are impassable by school buses.³³ Many Indian reservation roads and school bus routes were never intended to be used as major vehicle thoroughfares, so they were not built to any safety specifications and do not have adequate signage, safety barriers, or even road shoulders.³⁴ Native people also have much higher rates of traffic-related pedestrian injury and death than other groups, a significant number of which occur in children under the age of fifteen.³⁵ Often, the main road through a reservation is a two-lane state highway, where vehicles travel at high speeds, and these generally have no sidewalks, crosswalks, or traffic controls.³⁶ Development of safe transportation options for school children is critical in these communities.

³³ U.S. Department of the Interior, Bureau of Indian Affairs. (2008). *TEA-21 Reauthorization Paper: Transportation Serving Native American Lands*, 13.

³⁴ *Id.* at 11, 15.

³⁵ LaValley, J., Crandall, C.S., Sklar, D.P., & Banks, L. (2004). *Pedestrian Safety in Native America*. Department of Transportation, 1, 6, 20.

³⁶ *Id.* at 7-8, 12, 18.

Tribal Strategies

- Ensure safe bus routes are available for children to get to and from school, including construction, maintenance, and repair of roads where buses travel.
- Construct, maintain, and repair sidewalks and crosswalks on roads frequently used by children. Employ crossing guards during school hours.
- Construct walking or biking routes off of major roadways.
- Develop school travel plans to improve pedestrian and bike travel routes.
- Encourage local schools on Tribal lands to contact their state's Safe Routes to School Program Coordinator, and to participate and apply for funding for school safety projects.

Policy Objectives

- Advocate for Tribes to have set-aside funding, and to be direct recipients of funding provided under the Safe Routes to School Program.
- Encourage Congress and federal agencies to increase funding for road and sidewalk construction, maintenance and repair, and fuel costs.
- Advocate for Tribal access to targeted programs to improve transportation options for youth, such as school buses, and walking or biking routes.

Water Rights

Water is sacred to many Tribal nations and is vital to Tribal subsistence, cultural practices, health and welfare, agricultural production, and economic development. Legal rights to water resources have been long contested by Tribes, states, and localities. Water allocations to Tribal lands first originated in the early 1800s through Tribal treaty provisions, advancing through Tribal water settlements and claims, and now water resources are becoming more scarce resources due to overuse and the impacts of climate change. Water rights are among the most important rights many Tribes have yet to exercise.

Although the United States carries the obligation as trustee to protect Tribal rights, federal water policy and programs have too often supported non-Native communities to the detriment of Tribal legal rights. As a result, many Tribal communities now suffer from an inadequate, and often compromised, water supply. Many homes on Indian reservations still lack a clean and reliable water supply, and the lack of water and water infrastructure has halted economic development on some reservations and damaged precious cultural and natural resources. Increasing pressure on water supply from climate change, population growth, and economic development will require more Tribes to resolve their water rights claims in the near future.

As of 2016, only 81 federally-recognized Tribes have resolved their water rights claims through litigation or settlement, and only 33 have water settlements approved by Congress. The federal government continues to bypass development of Tribal water resources and move slowly on water rights settlements. In 2009, the federal government spent over \$3 billion on water projects in foreign countries, while Indian water rights languish.

Tribal Strategies

- Develop and implement Tribal water codes addressing both water quality and quantity to assert Tribal water rights
- Actively assert and protect Tribal water rights to ensure that they are established and legally protected.

Policy Objectives

- Encourage the creation of a permanent funding mechanism for Indian water rights settlements help build water infrastructure to service Tribal communities.
- Advocate for the Department of the Interior to lift its moratorium on approving Tribal water codes for Tribes with Indian Reorganization Act constitutions requiring Secretarial approval. The moratorium, established in 1975, needs to be lifted to all Tribes to adopt water codes.
- Support funding for the construction, maintenance, and rehabilitation of existing Indian irrigation, dams, and related water projects.
- The federal government should work with Tribes to build Tribal technical capacity to develop water resources, water management, and water infrastructure. This could be done by instructing agencies, such as the Bureau of Reclamation, the United States Geological Survey, and the Environmental Protection Agency, to work with Tribes on water resources projects on Tribal lands.

First Kids 1st Founding Partners

Founded in 1944, the **National Congress of American Indians** is the oldest, largest and most representative American Indian and Alaska Native organization in the country. NCAI advocates on behalf of more than 250 Tribal governments, promoting strong Tribal-federal government-to-government policies, and promoting a better understanding among the general public regarding American Indian and Alaska Native governments, people and rights.

The **National Indian Child Welfare Association** is a national voice for American Indian and Alaska Native children and families. We are the most comprehensive source for information on Indian child welfare and the only national American Indian organization focused specifically on the Tribal capacity to prevent child abuse and neglect. Our members include Tribes, individuals, and private organizations concerned with American Indian and Alaska Native child and family issues.

The **National Indian Education Association** is membership based organization committed to increasing educational opportunities and resources for American Indian, Alaska Native, and Native Hawaiian students while protecting our cultural and linguistic traditions. Founded in 1969, NIEA is the largest and oldest Indian education organization in the nation and strives to keep Indian Country moving toward educational equity. Governed by a Board of Directors made up of twelve representatives, the NIEA has several committees that work to ensure native educators and students are represented in various educational institutions and forums throughout Indian Country and Washington, D.C.

Established in 1972, the **National Indian Health Board** serves federally recognized American Indian and Alaska Native Tribal governments by advocating for the improvement of health care delivery to Native populations. We strive to advance the level and quality of health care and adequacy of funding for health programs operated by the Indian Health Service, Tribal governments, and urban Indian organizations.



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