

114TH CONGRESS
1ST SESSION

S. 1419

To promote the academic achievement of American Indian, Alaska Native, and Native Hawaiian children with the establishment of a Native American language grant program.

IN THE SENATE OF THE UNITED STATES

MAY 21, 2015

Mr. TESTER (for himself, Mr. SCHATZ, Mr. UDALL, Mr. HEINRICH, and Ms. HEITKAMP) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

A BILL

To promote the academic achievement of American Indian, Alaska Native, and Native Hawaiian children with the establishment of a Native American language grant program.

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Native Language Im-
3 mersion Student Achievement Act”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Congress established the unique status of
7 Native American languages and distinctive policies
8 supporting their use as a medium of education in

1 the Native American Languages Act (Public Law
2 101–477).

3 (2) Reports from the Bureau of Indian Affairs
4 and tribal, public, charter, and private schools and
5 colleges that use primarily Native American lan-
6 guages to deliver education, have indicated that stu-
7 dents from these schools have generally had high
8 school graduation and college attendance rates above
9 the norm for their peers.

10 (3) Such successful schools include Native
11 American language medium schools focusing on both
12 children who enter school speaking Native American
13 languages and children who enter school with little
14 or no knowledge of a Native American language, as
15 well as Native American Language Nests and Native
16 American Language Survival Schools.

17 (4) The Elementary and Secondary Education
18 Act of 1965 (20 U.S.C. 6301 et seq.) includes policy
19 barriers to schools taught through Native American
20 languages and a lack of adequate funding to support
21 such opportunities.

22 (5) There is a critical need that requires imme-
23 diate action to support education through Native
24 American languages to revitalize and maintain these
25 languages.

1 **SEC. 3. NATIVE AMERICAN LANGUAGE SCHOOLS.**

2 Title VII of the Elementary and Secondary Edu-
3 cation Act of 1965 (20 U.S.C. 7401 et seq.) is amended
4 by adding at the end the following:

5 **“PART D—NATIVE AMERICAN LANGUAGE**
6 **SCHOOLS**

7 **“SEC. 7401. NATIVE AMERICAN LANGUAGE SCHOOLS.**

8 “(a) PURPOSES.—The purposes of this section are—

9 “(1) to establish a grant program to support
10 schools using Native American languages as the pri-
11 mary language of instruction of all curriculum
12 taught at the schools that will improve high school
13 graduation rates, college attainment, and career
14 readiness; and

15 “(2) to further integrate into this Act, Federal
16 policy for such schools, as established in the Native
17 American Languages Act (Public Law 101–477).

18 “(b) PROGRAM AUTHORIZED.—

19 “(1) IN GENERAL.—From the amounts made
20 available to carry out this section, the Secretary may
21 award grants to eligible entities to develop and
22 maintain, or to improve and expand, programs that
23 support schools, including prekindergarten through
24 postsecondary education sites and streams, using
25 Native American languages as the primary language
26 of instruction of all curriculum taught.

1 “(2) ELIGIBLE ENTITIES.—In this section, the
2 term ‘eligible entity’ means any of the following enti-
3 ties that has a plan to develop and maintain, or to
4 improve and expand, programs that support the en-
5 tity’s use of one or more Native American languages
6 as the primary language of instruction in a school:

7 “(A) An Indian tribe (as defined in section
8 103 of the Native American Languages Act (25
9 U.S.C. 2902)).

10 “(B) A Tribal College or University (as de-
11 fined in section 316 of the Higher Education
12 Act of 1965).

13 “(C) A tribal education agency.

14 “(D) A public elementary school or sec-
15 ondary school (including a public charter
16 school).

17 “(E) A private and accredited elementary
18 school or secondary school.

19 “(F) A school operated by the Bureau of
20 Indian Education.

21 “(G) A Regional Corporation (as defined
22 in section 3 of the Alaska Native Claims Settle-
23 ment Act (43 U.S.C. 1602)).

24 “(H) A private or tribal nonprofit organi-
25 zation.

1 “(I) A consortium of any of the entities de-
2 scribed in subparagraphs (A) through (H).

3 “(c) APPLICATION.—

4 “(1) IN GENERAL.—An eligible entity that de-
5 sires to receive a grant under this section shall sub-
6 mit an application to the Secretary at such time, in
7 such manner, and containing such information as
8 the Secretary may require, including the following:

9 “(A) The name of the Native American
10 language to be used for instruction at the
11 school supported by the eligible entity.

12 “(B) The number of students attending
13 such school.

14 “(C) The number of present hours of in-
15 struction in or through 1 or more Native Amer-
16 ican languages being provided to targeted stu-
17 dents at such school, if any.

18 “(D) The status of such school with regard
19 to any applicable tribal education department or
20 agency, public education system, indigenous
21 language schooling research and cooperative, or
22 accrediting body.

23 “(E) A statement that such school—

24 “(i) is engaged in meeting targeted
25 academic proficiency levels for students, as

1 may be required by applicable Federal,
2 State, or tribal law, including the avail-
3 ability of coursework for students to fulfill
4 the requirements necessary to obtain a
5 high school diploma;

6 “(ii) will strive to achieve high level
7 language fluency in students in the Native
8 American language of the school; and

9 “(iii) provides assessments of students
10 using the Native American language of in-
11 struction, where appropriate.

12 “(F) A list of the qualifications of the staff
13 to deliver effective education through the Native
14 American language of the school.

15 “(2) ADDITIONAL APPLICATION MATERIALS.—

16 In addition to the application described in paragraph
17 (1), an eligible entity that desires to receive a grant
18 under this section shall submit to the Secretary the
19 following:

20 “(A) TRIBAL CERTIFICATION.—

21 “(i) IN GENERAL.—A certification
22 from a Federally recognized Indian tribe,
23 or a letter from any State or community
24 recognized Native American entity, on
25 whose land the school supported by the eli-

1 gible entity is located, or which is served
2 by such school, indicating that the school
3 has an endorsement to provide education
4 primarily through the Native American
5 language and that there are sufficient
6 speakers of such Native American lan-
7 guage at the school or available to be hired
8 by the school.

9 “(ii) INABILITY TO SECURE CERTIFI-
10 CATION.—If neither a certification nor a
11 letter can be secured as described in clause
12 (i), the eligible entity may submit to the
13 Secretary an explanation of why such cer-
14 tification and letter cannot be obtained.
15 The Secretary may waive the certification
16 and letter requirement under clause (i) if
17 the explanation is deemed acceptable.

18 “(B) COLLECTION OF DATA.—A statement
19 that such school will collect data relative to
20 high school graduation, college attendance, or
21 other data relevant to student achievement, ca-
22 reer readiness, or community participation of
23 students who matriculate through its programs,
24 and will participate in data collection conducted
25 by the Secretary that will determine best prac-

1 tices and further academic evaluation of the
2 school.

3 “(C) DEMONSTRATION OF CAPACITY.—A
4 demonstration of the capacity to have speakers
5 of its Native American language provide in-
6 struction in the content curriculum offered by
7 such school.

8 “(D) NATIVE LANGUAGE EDUCATION
9 PLAN.—A Native language education plan that
10 integrates high achievement in the Native
11 American language with improved student aca-
12 demic achievement, high school graduation
13 rates, college attainment, and career readiness
14 by carrying out the activities authorized in sub-
15 section (e).

16 “(d) AWARDING OF GRANTS.—In awarding grants
17 under this section, the Secretary shall—

18 “(1) determine the amount and length of each
19 grant; and

20 “(2) ensure, to the maximum extent feasible,
21 that diversity in languages is represented.

22 “(e) ACTIVITIES AUTHORIZED.—An eligible entity
23 that receives a grant under this section shall carry out
24 the following activities:

1 “(1) Support Native American language edu-
2 cation and development.

3 “(2) Develop or refine instructional curriculum
4 for the school supported by the eligible entity, in-
5 cluding distinctive teaching materials and activities,
6 as appropriate.

7 “(3) Fund training opportunities for teachers
8 and, as appropriate, staff and administrators, that
9 would strengthen the overall language and academic
10 goals of such school.

11 “(4) Develop a Native language alignment plan
12 to create or refine assessments of student proficiency
13 on State or tribally developed academic standards
14 for Native American language schools, aligned with
15 the Native language of instruction in such schools,
16 as appropriate.

17 “(5) Other activities that promote Native Amer-
18 ican language education and development, as appro-
19 priate.

20 “(f) REPORT TO SECRETARY.—Each eligible entity
21 that receives a grant under this section shall provide an
22 annual report to the Secretary in such form and manner
23 as the Secretary may require.

24 “(g) BUILDING NATIVE LANGUAGE IMMERSION EVI-
25 DENCE BASE.—

1 “(1) IN GENERAL.—The Secretary, in consulta-
2 tion with the Commissioner of the National Center
3 for Education Statistics, shall compile and analyze
4 data and reports provided under subsection (f) to
5 evaluate the outcomes of the grant program and
6 contribute to the evidence base of Native language
7 immersion student outcomes.

8 “(2) DISSEMINATION.—Not later than 180 days
9 after the date the Secretary receives all reports
10 under subsection (f), the information described in
11 paragraph (1) shall be disseminated to Congress, in-
12 cluding the Subcommittee on Indian, Insular and
13 Alaska Native Affairs and the Committee on Edu-
14 cation and the Workforce of the House of Rep-
15 resentatives, and the Committee on Indian Affairs
16 and the Committee on Health, Education, Labor
17 and Pensions of the Senate.

18 “(h) AUTHORIZATION OF APPROPRIATION.—There is
19 authorized to be appropriated to carry out this section
20 \$5,000,000 for fiscal year 2016, and such sums as may
21 be necessary for each of the 4 succeeding fiscal years.”.

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