

**NO CHILD LEFT BEHIND: IMPROVING
EDUCATION IN INDIAN COUNTRY**

FIELD HEARING
OF THE
**COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS**
UNITED STATES SENATE
ONE HUNDRED TENTH CONGRESS

FIRST SESSION

ON

EXAMINING THE NO CHILD LEFT BEHIND ACT, FOCUSING ON
IMPROVING EDUCATION IN INDIAN COUNTRY

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AUGUST 10, 2007 (Santa Fe, NM)
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Printed for the use of the Committee on Health, Education, Labor, and Pensions



Available via the World Wide Web: <http://www.gpoaccess.gov/congress/senate>

U.S. GOVERNMENT PRINTING OFFICE

37-293 PDF

WASHINGTON : 2009

For sale by the Superintendent of Documents, U.S. Government Printing Office
Internet: bookstore.gpo.gov Phone: toll free (866) 512-1800; DC area (202) 512-1800
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NO CHILD LEFT BEHIND: IMPROVING EDUCATION IN INDIAN COUNTRY

FRIDAY, AUGUST 10, 2007

U.S. SENATE,
COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS,
Santa Fe, New Mexico.

The committee met, pursuant to notice, at 9:30 a.m., in Santa Fe Indian School, Santa Fe, New Mexico, Hon. Jeff Bingaman, presiding.

Present: Senator Bingaman.

OPENING STATEMENT OF SENATOR BINGAMAN

Senator BINGAMAN. Let me make a short statement, and then defer to our host here, Joe Abeyta, and have him make any statement that he would like on behalf of the Santa Fe Indian School.

This is a hearing of the Senate Committee on Health, Education, Labor, and Pensions, otherwise known as the HELP Committee. Senator Kennedy authorized me to have this hearing, he is the Chairman of our committee.

In 2002, Congress enacted the No Child Left Behind Act, which, in fact, was the name we attached to the amendments enacted that year to the Elementary and Secondary Education Act of 1965. It's been over four decades that the Federal Government has been involved in trying to assist States and school districts, and schools around the country in improving education.

We are now preparing to reauthorize that bill again, and the purpose of this hearing is to identify ways that Congress can improve on the law, make it work better—particularly for Native American students. And that is the focus of our hearing.

I have more of a statement to make here, but let me just interrupt at this point, and indicate my thanks to Joe Abeyta for his hosting this hearing, and all of the help and advice that he's provided to me in the Senate over many years. Santa Fe Indian School is the ideal place to host a hearing of this type, and he was willing to do that, and we very much appreciate it.

Let me call on him to make any statement he would like at this point, do you want to use this microphone?

STATEMENT OF JOSEPH ABEYTA, SUPERINTENDENT, SANTA FE INDIAN SCHOOL, SANTA FE, NM

Mr. ABEYTA. I'm going to be fine, Senator.

I would first like to sincerely thank you for coming to Santa Fe and taking the time to host these very important and significant

hearings regarding our children, and our concern for their educational well-being.

I need to acknowledge the fact that for 30 years—it's been a long time, Senator. You're not a recent visitor to the issue of Indian education, but from the very beginning, you've been available, been sensitive, and certainly been supportive. And I think that this morning, if everyone has not had an opportunity to see the newspaper, there is this incredible article that discusses—is it \$33.6, not million, billion dollars—that the Senator is being thanked for by the President of the United States in getting through the Congress.

Now, I don't know Senator if applause is appropriate at these kinds of hearings, but—

[Applause.]

Thank you. In the tradition of our Pueblo community, and in the tradition of certainly, Santa Fe Indian School, I'd like to—with your permission—ask Mr. Pena, who is a former Chairman of the all-new Pueblo Council and former Governor of his Pueblo to please do the invocation for us this morning.

And I would ask everyone to please stand.

[Invocation given in Native American dialect.]

Senator BINGAMAN, thank you very much.

Just very briefly, Senator, I've been at the school for 30 years, and people are curious about my longevity. And one of the reasons is, I try not to forget, I work hard at remembering the people that I work for.

I'd like to acknowledge, please, if you'll allow me, several Governors that are present this morning: Governor Everett Chavez, from San Domingo Pueblo.

Senator BINGAMAN. All right, good morning.

Mr. ABEYTA. You know Governor Mountain from San Ildefonso.

Senator BINGAMAN. Good morning.

Mr. ABEYTA. Governor Pena, of course, is a former Governor.

Members of our Board of Trustees, our former Governor Yobi Will from the Sukey Pueblo. The President of the San Trena School Board of Trustees is a former Governor also, Mr. Martez.

With that, I'm looking forward to an opportunity to visit with you about some major dollars that we need, Senator BINGAMAN.

[Laughter.]

I hope you'll be of assistance.

[Laughter.]

It's truly a pleasure, and it's a special honor, and we have such a respect for you and all that you've done for all of us—not just Pueblo people, but Indians throughout the United States of America—people all over. We respect you. Thank you.

Senator BINGAMAN. Well, thank you very much, Joe, for your kind hospitality and your leadership here at the school, over many years.

Let me go ahead and make a few more comments, here, before we start on the testimony about—just sort of to set the context for where we are with this reauthorization effort.

I think most of us agree that, by the time we start measuring academic achievement of students in the third grade, there already exists an achievement gap. And, unfortunately, it is pretty clear that it's a gap between low-income and minority students, and

much more affluent students, or students from much more affluent families.

In an effort to close the achievement gap, and with broad bipartisan support, we did enact, in 2002, the No Child Left Behind provisions.

It starts with the fundamental principle that every child can learn, and needs to be given that opportunity to a much greater extent than we've done in the past. No Child Left Behind expanded the requirements for use of standards and assessments to measure student academic achievement.

Now, States, and school districts and schools are held more accountable for academic achievement of all students, and for closing the achievement gap that I've referred to—the gap between the children of affluent families, and the children of lower income, or minority families.

This, by all means, is a great challenge, and there's been a lot of controversy involved in the effort to implement this. Some of the concerns that have been expressed are very valid. States and school districts, obviously, have not received the resources that that legislation identified as necessary from the Federal Government to help. I believe that the inadequate level of funding we've seen over the last few years have undermined some of the best intentions of teachers and administrators around the country.

Fortunately, that's beginning to change. This year, we're looking at a billion dollar increase in title I funding, \$500 additional for school improvement activities. There are a number of provisions in the law that need to be changed, they need to be rewritten. And, I'm the first to acknowledge that. All States should be allowed to develop growth models. Schools should be recognized for the academic growth of their students as they progress to be more proficient in their academic skills.

We need to recognize that one-size-does-not-fit-all, and that the school improvement needs of one school may be very different from the school improvement needs of another school. And No Child Left Behind has not addressed that distinction, adequately.

We need to do more to help States develop the proper assessments and accommodations for students with disabilities. And we support the States efforts to develop better assessments and tools to measure academic achievement of those who are just learning the English language.

Many Native American students are not proficient in English when they begin school, as their communities continue to speak their Native languages at home, as we want to see them continue.

We also, I think—although these problems I just delineated are very real, I think we also should acknowledge that we are beginning to see some positive results from the legislation that was enacted in 2002. There's evidence that the achievement gaps between these various students is narrowing. No Child Left Behind has provided the means to measure that gap. In fact, before we had the provisions of No Child Left Behind, we did not even track this achievement gap between Native American students and their peers. That's one acknowledgement that we need to recognize.

Clearly we have some substantial problems with the gap in achievement continuing. Last year, the figures I have are that

about 35 percent of Native American fourth graders were scoring at the “proficient” level on New Mexico reading assessment. That compares with something in the range of 70, 72 percent for Anglo fourth graders. There’s similar gaps for students in math, and for students at the eighth grade level. We have significant gaps in college readiness among New Mexico’s Native American students and peers.

While Native Americans made up approximately 12 percent of the student population in our State in 2006, only 5.5 percent of all students who took advance placement exams in our State were Native American.

There are other challenges that we undoubtedly will hear about in the testimony we’re about to receive.

We have before us a very distinguished group of witnesses, and let me just indicate, we have the esteemed Governor of Pueblo de San Ildefonso, we have New Mexico Secretary of Education, she has worked hard on this set of issues during her entire tenure, the President of the National Indian Education Association, thank you very much for coming to attend this, and participate. We have a school principal from Window Rock, we have a teacher from Albuquerque, and most important, perhaps or not perhaps, I think, without a doubt—most important is a student. Thank you for being here.

I look forward to hearing from all of the witnesses, and hopefully learning some things that we can take back to Washington and use as we try to re-write this legislation to make it more workable, and to make it serve the needs of the Native American population better.

Let me just individually introduce the witnesses, and then we will have them testify, and then after all witnesses have testified, I’ll have some questions that I’ll want to ask.

Our first witness is Governor James Mountain, he is Governor of the Pueblo de San Ildefonso, he’s Chairman of the Eight Northern Indian Pueblo Council. Governor Mountain, why don’t you lead off and give us your views. And if you could move that microphone over and bring it close to you, so all the people in the back can hear, that would be terrific.

**STATEMENT OF HON. JAMES R. MOUNTAIN, GOVERNOR OF
THE PUEBLO DE SAN ILDEFONSO, NM**

Mr. MOUNTAIN. With all due respect, Governors, Senator Bingham, panel, distinguished panel guests, and members of the audience, thank you for having us here this morning, Senator.

As you stated, I am James Mountain, I’m the Governor of the Pueblo de San Ildefonso. I am also honored to be the Chairman of the Governors of the Eight Northern Indian Pueblos Council, as well. I also serve as a shareholder of the all-Indian Pueblo Council. And it’s an honor to be here, meeting with you this morning, in discussions of a very serious matter that is before us, in regards to the reauthorization.

As you stated, Senator, there are several issues that are at hand, and that are being worked upon. What my testimony has, as I forwarded that to you—the gist of that, we have experts here, educators, and of course, as you said very importantly, and most im-

portantly, is a student to testify on our behalf as well—is the fact that this No Child Left Behind Act, I'd like to try and summarize it in a sense that—I'm not one to jump to conclusions and criticize. I appreciate the intention and always look to give credit where credit is due—good, bad or ugly, fair or not fair, right or wrong.

But the act, in my research and my interaction with this has had nothing but—I've come across nothing that would enable me to be a proponent of the act, in regards to our children, our Pueblo children, our fellow tribal children. You can look at some of the positive things, where some of the schools are diligently trying to meet the AYP measures.

But what that leaves out is the lack of focus on the cultural measures. And, in my opinion, as I stated in my testimony is—what we are doing, once again, is copying history.

And, what I mean by this is that, at a time that my father, my grandmother—our elders, our ancestors in the recent decade—the treatment of language in this is exemplified as far as the old measures of the prohibition and the relocation policies of old. That's how it seems to be coming across in our interactions where—although we've worked diligently on our end, and with your help, Senator, you've been a champion for our people—to encourage the State schools, here's a perfect example, the Indian School, of what it means to incorporate your language and culture into the education that our children receive, and allow our children to flourish.

And it not only is our children, but it's also our fellow Hispanic children, and other minorities, as well. It also helps to educate our other non-Native fellow members, to enhance their understanding of our sacred tradition in our culture.

My point is, Senator, is that if the measurements of this is focused strictly on reading and math—which are very important to us and our people, as well, we need to elevate those. But if we leave our language and our culture out of this component, and there is no focus from the discussions I've had, from trying to educate myself, and the background of this, on those specific areas, we're recreating history. And, it's had devastating effects, to this day.

There are statistics out there where many tribes have had their language, and now we're down to just a few handfuls that have a full understanding of their language. And this detracts from some of the things that you have helped to champion, such as the Esther Martinez Act, through Congress, to revitalize language. And, if there's no focus, then basically we're going to be suffering once again.

And we've had that tremendous impact upon our culture, as far as losing our language. And once we lose our language, we lose our culture. And basically, without being disrespectful—it's genocide. It's killing our people. Because, if we can not be provided the tools, in a fair and just measurement that incorporates trying to educate our children, then we're getting held back, we're taking steps backwards.

And that's why I make these statements as best as I can, in a respectful manner, but the truth of the matter is that, that is what is happening with the No Child Left Behind Act, as far as the cultural and language component.

Because I can not make sense of the—I was forwarded a copy from the Powacki Valley Schools, which is where the majority of our children from San Ildefonso go, and our Tsuke kids go there, some of our Santa Clara children go there, even kids from Okiawinga attend there, as well. And a lot of our kids, of course, come here to the Indian school.

But, with regards to the Powacki Valley Schools, the report that I received, and the need for areas of improvement, at the high school level, math and reading goals were not met by the Native American, and economically disadvantaged subgroups. It explicitly says that. That's a double negative for us.

And, we can sit here all day and go over the statistics, I think we all understand the statistics, they're difficult measurements. The State has been a proponent saying that it's not helping our school districts. In a quote by our respected Secretary, Ms. Garcia—Dr. Garcia—is, in a TV interview, the week of August 13, she defined the distinction of the AYP as “meaningless.” And I'm trying very hard to try some positive outcomes of this act. And Senator I can tell you today that as far as the function of this act upon our people, our Native American people, there's nothing I can say positive about it, at this time.

And, I would encourage in moving forward, that if there's something that we can do, if there's more consultation, if there's more input that we can have inclusion on, on the moving forward on this, then please, help us—which is what you're providing today—help us understand how we can help you to get this in place, so that it meets the standards of all of our children, here in New Mexico. Because, as I stated—it's not meeting the needs of my Native, my Pueblo children, nor our tribal, fellow tribal children, as well.

Thank you, Senator.

[The prepared statement of Mr. Mountain follows:]

PREPARED STATEMENT OF THE HON. JAMES R. MOUNTAIN

Honorable Senator Jeff Bingaman, I am James R. Mountain, Governor of Pueblo de San Ildefonso. I am also Chairman of the Eight Northern Indian Pueblos Council, Inc. Board of Governors. I am honored and it is my pleasure to have this opportunity to come before this committee on behalf of my Pueblo People and share my thoughts and concerns about the impacts of the No Child Left Behind Act.

While we appreciate the intent of the act, it is having tremendous unintended consequences. I want in the essence of time to focus on three areas as I know others will focus on teacher quality, testing, adequacy of funding, and the problems with standardized tests amongst other important and challenging issues.

I want to begin by attempting to paint the landscape before No Child Left Behind by asking a few questions to put it into a context and draw some conclusions from these questions.

COMPOUNDING EFFECTS/AFFECTS OF NO CHILD LEFT BEHIND ON THE EXISTING FAILURES YET TO BE RESOLVED

If States like New Mexico were already underachieving and their schools seriously failing our Indian children as is evident by every conceivable measure before No Child Left Behind (NCLB), “What could we reasonably conclude if the State argues that NCLB is compounding its situation with all other students?” “If the State is arguing that it cannot meet the demands of the unfunded mandates and we have argued that there has never been adequate funding to meet the needs of our Native children before NCLB, what else can we possibly delineate from this fact?” If before No Child Left Behind, we argued that the standardized tests being used were culturally biased, then what now are we left to presume with the focus of testing under the new law?” And now that there is a shift in the paradigm and the State as a matter of policy and with explicit language in the laws, accepts the fact that native

language, culture and our history are important ingredients in our children's education and under NCLB, there is increased focus on reading, writing and math, which are the focus subjects tested under the law, "What can we reasonably conclude with how teaching native language, culture and our history will be treated?" "How is the treatment of language, alone, that has been exemplified by language prohibition and relocation policies and laws, any different now, than the Federal policies of the past?" Parents are making the same difficult choices our people were forced to make 30-40 years ago with devastating results that haunt us today. And, "what can we reasonably conclude from the first Public Education's Department's 2005-2006 Education Status Report that reflects that every 1 of the 23 predominantly Indian school districts failed to meet Adequate Yearly Progress?" And 17 of the 23 school districts were designated as School Improvement districts for the 2006-2007 school year?

This alone should compel the State to opt out of the No Child Left Behind Act. No Child Left Behind is in fact having the opposite affect of its supposed intent by leaving too many of our children behind at a tremendous cost and loss of our social capital, which is of utmost importance to the well-being of our future. It is morally and legally indefensible to allow this to happen.

INCREASE IN DROP OUT RATES AS THE FIRST INDICATOR OF FAILURE—
"THE SILENT EPIDEMIC"

The ultimate tale of the effects of No Child Left Behind is reflected in the increasing rates of student dropouts and is being witnessed more and more often at an earlier age.

The drop out rate for Native Americans is higher than the State average. It has often been called "the Silent Epidemic." Under No Child Left Behind in 2005, you sponsored an attempt to restore funding for school dropout prevention programs that was targeted to be eliminated. In fact, it has been significantly reduced at a time when the need is at the highest point. The Administration argued that the loss of the drop out prevention dollars could be made up by using title I funds for prevention. You stated that it was clear, that to allow use of title I funds is insufficient to stem the tide. The ETS report which you cited in 2005 concluded that the failure to provide adequate resources for school dropout prevention is "social dynamite." The response on the part of this Administration since the inception of No Child Left Behind has moved in the wrong direction. Its response is horribly inadequate and a breach of its fiduciary and "Trust" obligation.

The impact of dropouts in our small communities at 6 percent can be devastating and the impact over time greatly magnifies. Ten dropouts in a community of less than 600 over 10 years is 60 people. These 60 people have relationships and this impact then has a domino effect and begins to double. If the mean income of a drop out is less than \$23,000 per year, then it becomes evident to recognize that families cannot adequately survive. This then begins to create a vicious cycle that is hard to break. These dropouts become a critical mass of change agents in small communities. The economic impact is devastating and our small communities are not immune. Senator Bingaman, as you stated, ". . . an educated workforce is the foundation for our future economic strength."

With the skyrocketing costs of living, the diminished level of support by IHS for health care, the costs of gas and transportation, the high unemployment rates, "how are these people ever going to have a realistic chance at enjoying a true quality of life in one of the richest countries in the world?"

This Administration's rationalization with how to make up for the lack of funds by robbing Peter to pay Paul brings up my next point.

INEQUITABLE DISTRIBUTION OF RESOURCES

This present scenario with regard to school funding brings me to the next related point. As the Administration argued that the loss of dropout prevention dollars could be made up with title I dollars, it is precisely how in a State like New Mexico, it perpetuates an indefensible behavior of abuse in the use of resources inconsistent with legislative intent adding to the widening disparities. There is already a tremendous inequity at the State and local levels stemming from the blatant abuse in the use of Federal dollars intended to be utilized to address the glaring unmet needs of our Indian children instead of supplanting their operating budgets.

Recent legislative audits of school districts and their use of State bilingual funds revealed such abuses. As a result of years of extensive field hearings conducted by Congress, it has been concluded that there were tremendous unmet needs of Indian children in public schools, Congress increased the base funding for the regular program by 25 percent and 50 percent for special education programs. After Tribal

Leaders and school Administrators argued that the additional add-on of 25 percent to the regular program and 50 percent for special education programs should be exempted from the Equalization Formula to be utilized to address those needs as determined jointly by the local LEA and local Indian Education Committees as required, the recent reports reflect that those exempted resources are utilized for everything else except to enhance programs for our native children with very little or no involvement by the local Indian Education Committees.

“New Mexico First” Recommendations

In conclusion, New Mexico First which you and Senator Domenici created to bring New Mexicans together to deliberate on issues important to New Mexico’s future convened a Town Hall Meeting in 1998 to focus on American Indian issues in New Mexico. To the surprise of no one, it prioritized the unmet needs of Indian children in education as the immediate concern.

Among the seven recommendations, below are two priorities that continue to elude us.

(1) Quality education should be consistent regardless of the child’s community or location of the school, with particular emphasis on improving American Indian student achievement.

(2) Tribal leaders and all educational leaders should examine State funding for public schools and the factors taken into consideration to equalize funding for all schools serving American Indian students.

While we have made great strides in recent years, our inability to resolve these fundamental and substantive issues can only bring us to the conclusion that No Child Left Behind significantly compounds an already difficult set of circumstances that adversely affects our tribal communities and severely diminishes our children’s likelihood of reaching their full potential and realizing success in these school systems. It expands into an area where there has been very little discussion and it therefore becomes the very essence of infringement upon our tribal sovereignty. We are caught up in a web that indirectly neutralizes and minimizes our fiduciary responsibility to provide a meaningful and fully effectuating quality of education for our children. Fulfilling our vision and mission of education for our purposes have never been so far removed as I feel it is today, as a result of usurping our rights in the governance and funding of school programs.

I thank you for the opportunity to share my thoughts and concerns Senator Bingaman and thank you for the opportunity you are providing through this forum to contribute towards a better and enlightened understanding regarding the scope of the impact of No Child Left Behind Act upon my Pueblo students and my people.

Senator BINGAMAN. Thank you, Governor, very much, for your heartfelt testimony. And we will try to get—in the question part of this hearing, try to get some more detail as to how you think we ought to proceed.

Let me now call on our Secretary of Education for the State of New Mexico, Dr. Veronica Garcia. She has been focused on this set of issues a long time, and probably has more hands-on knowledge of how these requirements are being implemented—need to be revised here in New Mexico—than anyone.

Dr. Garcia, thank you for coming.

**STATEMENT OF HON. VERONICA C. GARCIA, SECRETARY
OF EDUCATION, SANTA FE, NM**

Ms. GARCIA. Thank you, Senator Bingaman. Esteemed Governors, past Governors, Superintendent Abeyta, fellow committee members, and members of the audience, I want to thank you for the opportunity to speak to you, and for you to take back this information to your committee, and for coming to us—I really appreciate you doing that.

I want to preface my remarks by saying, first, that I truly believe in the spirit of No Child Left Behind. I agree that for years we continued to see children, based on where they lived, continue to lag behind on their educational attainment. And when I say “based on

where they live,” I often think that when we look at these various subgroups, the common denominator appears to be poverty, and also language for students are tested unfairly, when they don’t have the appropriate language skills—academic English language skills.

English language learners, poor children, have significant hurdles in attaining proficiency, and we must do all we can to support them to attain this proficiency. This is particularly true for our Native American students, who many live in rural, isolated areas of the State, and may not be proficient in English when they enter school.

NCLB focuses on accountability, and I think that that’s important. What it doesn’t focus on are the impacts of poverty, and what can be done at the Federal level to help ameliorate that.

We need to look at, what are things that these children need when they come to school, that come from poverty, that have not had broad-based experiences before they come to school in terms of Pre-K, or breakfast in a school, or after-school enrichment. Or, how do we help rural, isolated areas attract the very best teachers? Because many times these communities have great difficulty in attracting.

And how can we develop a “grow your own” program, which I think would really help to encourage young people graduating from high school—be they live in the Navajo Nation, or Hickory Apache, or Okiawinga or a San Ildefonso where we can get young people that graduate from high school to commit to going on, to getting their degrees in education, and somehow support them while they’re there, so they can be successful in higher ed, but then come back to their communities. Think what a head start we would have with those teachers, who already understand the language and the culture. And not only how they would serve as role models to those kids, and give them hope that they also can be successful.

I want to share with you specific recommendations that I believe will help. Three years ago, New Mexico participated in a consortium of about 17 States. We found that New Mexico—there was approximately \$37 million that we felt we needed, as more schools become identified—and I think it’s necessarily that more schools are failing, but it’s a function of the system that needs to be changed—we need additional support.

Schools that serve high numbers of Native American students have NCLB designations as corrective action or restructuring, and yet we do not have the adequate funding to provide them the support they deserve.

Let me just go through the areas that I think need changing, or could be revised to make the law more helpful and more meaningful.

First, I want to comment that Governor Mountain’s quote is correct, and I say it all the time—the AYP designation, in and of itself, is meaningless. It means nothing to parents. You made it, or you didn’t make it. And I don’t care how often I meet with editorial boards and say, “Please don’t say, you know, X amount of schools failing.” Because we could have a school that might not make AYP because of a participation rate of one subgroup. We could have another school that didn’t make AYP because it had low proficiency

in low areas—they all get the same rating. Or, I could have schools with high proficiency, but because of a participation rate in one subgroup does not make AYP, they get the same label.

What we need is a more graduated system that is more meaningful, that gives parents information about a school, as opposed to a pass/fail that has no meaning, and I think unfairly labels schools.

Second, increasing fairness by providing appropriate assessments and timelines for proficiency of English language learners and special education students. This is particularly true for Native American students. Because, for example, if we have students that do not—have not mastered academic English, we have to test them—regardless—in mathematics the first year.

Our tests are not—as you know, our standards are rated, you know, the top seven in the country, we have an assessment that's aligned to that. But they have to do word problems. They have to read these word problems. If you don't have proficiency in English, you cannot give them an alternate assessment. Right there it is unfair for those students. It puts students who are not proficient in English at a distinct disadvantage.

The timeline for English language acquisition for many scholars in terms of academic language is 7 years. That is not recognized in this current system. And second, the research shows that if children have a well-developed academic language in their own home language, when they make that transfer to English, it will be a lot more effective and efficient, but this system does not allow for that.

Third, you've already talked about this, Senator—growth. There were 10 States that were allowed to apply for a growth model, New Mexico is now in its third year of an aligned system, so we'd be eligible to apply for growth, if the Federal Government would open that window, and allow us to demonstrate growth.

The next area is financial incentives, and I've talked about that, to attract the best and the brightest to high-need, rural, isolated areas, which many of our Native American students live in rural, isolated areas. We need support from the Federal Government to figure out how we can do that, and also to be able to grow our own teachers.

We need to be able to provide technical assistance on the best practices, and disseminate that information. We're fortunate that here in New Mexico we have the Indian Education Act, and the No Child Left Behind does not recognize that we have, in the act, the maintenance of language and culture. And the other piece that is out of sync, is that President Bush signed an Executive Order on implementation of NCLB, and Native American students. And it said that NCLB was supposed to be implemented in line with language and culture. I have asked in writing, I have asked publicly, I've been a part of meetings—we've been able to get no real guidance from Bureau of Indian Affairs, or from, excuse me, Department of Interior, or the U.S. Department of Education, in terms of, well, how do we implement NCLB in terms of language and culture? Right now, we are required to use the same yardstick without any consideration of culture.

We need to change the order of tutoring and choice. Usually the parents that choose choice before they choose tutoring pull out their kids from the school, and then we lose the parents who are

the most active in those schools. So, we need more support in that area.

We need financial support to increase the school day, and the school year, to our neediest schools. We need to have better coordination and support between BIA schools and public schools that move back and forth between the systems. And we need more recognition that, in a State like New Mexico that has an Indian Education Act, and the fact that we recognize the sovereignty of our tribes and pueblos—the implementation of No Child Left Behind, for example, the Navajo Nation, and they're—I believe, title X—how do States still honor sovereignty, implement No Child Left Behind, and deal with the Executive Order? And so, we have all of these things that are coming in conflict, that I think are not recognized by this law, nor the Federal Government.

No Child Left Behind is designed on an urban model, and currently, you know, in terms of restructuring, or meeting highly qualified, where many teachers have to wear multiple hats—how do we meet those needs? We need more flexibility in these rural isolated areas.

Last, we need—in our MOU with the tribes—the tribes certify that individuals have met their criteria for teaching language and culture. Then the Department certifies them to do that. In New Mexico, we support maintenance of language and culture. And yet I feel that this works in counter to what No Child Left Behind requires us to do, in terms of testing students in English.

I had an opportunity over the last couple of years to hold community conversations throughout the State of New Mexico, and I also had the opportunity to visit many Native American communities. And what I hear from them—and I'm going to share with you—is that the current system often demoralizes them by testing them and labeling them in a manner that is unfair to them, and to their communities. I have heard groups say to me that they would like to create their own version of AYP, that also considers cultural competence and language competence, and obviously, that is not recognized.

But, I want to say, in closing, that I am committed to working with you to find solutions. And, I thank you for this opportunity.

[The prepared statement of Ms. Garcia follows:]

PREPARED STATEMENT OF HON. VERONICA C. GARCIA

Good morning. I'd like to thank Senator Jeff Bingaman for his invitation to speak to this committee on a topic that is crucial as we continue to move educational reform forward not only for the State of New Mexico but for our entire country. Let me preface my remarks by saying that I truly believe in the spirit of No Child Left Behind. I agree that for years we have continued to see children based on where they live to continue to lag behind on their educational attainment. While members of various ethnic groups have been at the bottom of the achievement gap I contend that the issue is related more so to poverty and to the individual's facility with the English Language than their ethnicity. Therefore, English Language Learners and poor children have significant hurdles in attaining proficiency. This is particularly true for our Native American Students who many live in rural isolated areas of the State and may not be proficient in English when they enter school.

NCLB focuses on accountability. However, I believe that it needs to add to its focus the impacts of poverty and what can be done at the Federal level to help States ameliorate the impacts of poverty through other initiatives that will help support our students; such as: Pre-K, breakfast in the schools, after-school enrichment programs, recruitment of highly qualified teachers to hard to recruit areas, etc.

This morning, I will share with you specific recommendations that I believe need to be made to NCLB if we are to have a fair system of accountability. Further, the program must be adequately funded. Three years ago New Mexico participated in a consortium of States and at that time found that NCLB was under-funded in New Mexico by millions of dollars. As more schools are identified in need of improvement the dollar amount continues to increase. Schools that serve high numbers of Native American Students have NCLB designations as corrective action or restructuring schools and need additional support yet we do not have adequate funding to provide them the support they deserve.

In general these are areas of NCLB that must be addressed:

- Increase fairness by moving from a pass/fail model to one that provides meaningful information to parents and communities about their schools. AYP designations by themselves are misleading. We need a graduated system or ranking that recognizes when a school is a high performing school yet perhaps missed AYP due to say a participation rate in one area.

- Increase fairness by providing appropriate assessments and timelines for proficiency for English Language Learners and Special Education students. This is particularly important for Native American Students. Many of these children come from nations that do not have a written language. It becomes even more difficult for these children to be tested when they haven't mastered proficiency in English. Secondly, under NCLB children must take the test in mathematics in English regardless of their English proficiency level. In New Mexico, our standards-based assessment requires a significant amount of reading due to the inclusion of word problems. This puts students who are not proficient in English at a distinct disadvantage.

- Increase fairness by recognizing the growth made by struggling schools that have improved. New Mexico has not been eligible to apply to utilize a growth model. It is our hope that we will be given an opportunity to apply. The ability to use growth was limited to 10 States that had longitudinal data and a data system that would support the utilization of a growth model. New Mexico is now in a position to apply but we are not clear if the 10-State limit is still in effect.

- Provide financial incentives to school districts to move their best and brightest teachers to schools of highest need. Many of our Native American students live out in very rural and isolated areas of the State. Many new teachers are looking for a lifestyle that is more consistent with an urban setting (e.g. Starbucks, movie theaters, night life, etc.) We need support from the Federal Government financial incentives that districts can provide to help recruit top notch teachers to these underserved communities.

- Provide more support and technical assistance to States on best practices and improvement models. There needs to be more support to States to encourage the dissemination of best practices not only within New Mexico but around the country. I believe that we have made some gains here in New Mexico with the implementation of the Indian Education Act that could be of service to other States that serve high populations of Native American students.

- Change the order of tutoring and choice by providing support to improve the performance of the school. Hold after school providers to greater accountability and performance outcomes.

- Provide financial support to increase school day and school year to our neediest schools.

- Provide financial incentives to States that provide quality professional development to its teachers based on best practices for teaching. We need training for teachers in cultural sensitivity if we are going to meet the needs of our Native American Students.

- Provide financial incentives to States that can demonstrate strong partnerships between K-12, higher education and the business community to improve the States educational systems. There also needs to be the creation of an infrastructure that will support stronger communication between the BIA schools and the public schools as many of our students move back and forth between the systems.

- In New Mexico we have the Indian Education Act that supports the maintenance of language and culture and the provision to teach it in our schools. The tribes and pueblos certify that individuals within their communities have the skills to impart this knowledge and through an MOU process the Public Education Department credentials them to teach language and culture in the public schools. However, there is no provision under NCLB for testing these children in accordance with language and culture. Further, President Bush signed an executive order that NCLB for Native American students needed to be implemented in recognition of the language and cultural differences. Yet to this day, the States have been unable to get guidance from either the Departments of the Interior or Education. This is a

critical factor for New Mexico as there is a strong sentiment that an indigenous evaluation of competence be developed for Native American students dependent on the needs of each tribe and pueblo. While this is a complex issue it is one that must be addressed.

- NCLB is most easily implemented in a large urban district. It is very difficult to implement in rural isolated areas. For example, restructuring becomes very difficult. Where do displaced teachers go and where do we find the teachers to replace them? Secondly, it is more difficult to meet the requirements for HQT in these communities where often teachers must wear multiple hats and teach several content areas. There need to be more flexible ways to demonstrate competence for teachers who choose to commit to teach in these hard to recruit environments.

- Lastly, it would be wonderful if there were Federal incentives to grow your own teachers from Native American communities. The advantages of having teachers who understand the language, culture, and social mores of a community would have a head start in relating to the young people they teach. They would serve as excellent role models and I think could serve an integral component in helping closing the achievement gap for our Native American Students.

I thank the committee for the opportunity to provide testimony regarding the education of our Native American Students and NCLB. I am very committed to providing leadership to close the achievement gap but we must ensure that we are implementing strategies that help support Native American Students. What I hear from community conversations that I've had in Indian Country is that the current system often demoralizes them by testing them and labeling them in a manner that is unfair to them and their communities. I am committed to working with you to find solutions.

Senator BINGAMAN. Thank you very much for your excellent testimony.

Our next witness will be Dr. VerlieAnn Malina Wright, who is the President of the National Indian Education Association. NIEA is the oldest and largest Native education organization representing American Indians, Alaska Natives, and Native Hawaiian educators and students. It was founded in 1969, it is the largest organization in the Nation dedicated to Native education advocacy, and professional development issues, and embraces a membership of over 3,000 American Indian, Alaska Native, and Native Hawaiian educators, tribal leaders, school administrators, teachers, parents and students.

Dr. VerlieAnn Wright, thank you for being here.

**STATEMENT OF VERLIEANN MALINA WRIGHT, ED.D.,
PRESIDENT, NATIONAL INDIAN EDUCATION ASSOCIATION,
WASHINGTON, DC.**

Ms. WRIGHT. Y'at'eeh, Aloha.

Thank you, Senator Bingaman for holding this important hearing. As the 38th President of the National Indian Education Association, I'm here to provide our views on improving NCLB for Native children.

I thank you, and the pueblos and tribes in New Mexico for your crucial efforts in passing the Esther Martinez Act last year. We urge the HELP Committee to include the provisions in Esther Martinez in NCLB.

We echo what the tribes here in New Mexico have known for a long time—that using Native languages bolsters academic achievement. Research strongly supports this. We actively prepared for the reauthorization of NCLB by conducting 11 field hearings with over 120 witnesses nationwide.

We previously submitted our legislative recommendations based upon these hearing, to this committee in March. The hearings were

productive, but it also was clear that there is a lot of frustration with NCLB, as conveyed in Governor Mountain's testimony.

I would like to highlight a few key areas that we urge the committee to improve in NCLB.

First, title VI needs to be strengthened. Title VII of NCLB recognizes that Native children have unique educational needs due to their cultures and traditions. The purpose of title VII is similar to the purpose of the New Mexico Indian Education Act—to provide culturally based education approaches for Native students. These approaches increase student performance, as well as awareness of their Native backgrounds. Innovative school programs, that incorporate Native languages and culture, as described in Ms. Benally's testimony, have proven academic success in Indian Country. Students can meet NCLB academic benchmarks, while also learning about their cultural traditions.

Second, NCLB should support instruction in Native American languages. New Mexico's Indian Education Act provides opportunities for Native children to perform better academically, because they're taught in a manner that is consistent with their traditions, languages and cultures. Also, programs such as the Navajo Immersion School in Fort Defiance show how Native language immersion programs provide a proven method for Native students to achieve academically in the areas of: math, reading, science, art, social studies and languages.

NCLB should follow the example of New Mexico's Indian Education Act, and the Navajo Immersion school. It should be amended to foster these types of approaches to teaching and learning.

Further, we agree with Dr. Garcia, that assessments of competency should consider Native cultural traditions.

Third, cooperation among tribes, States, and the Federal Government, in addressing the needs of Native students, must be improved. We seek stronger emphasis in encouraging States, tribes, local communities and the Federal Government to work together in developing educational standards. Our proposed amendments provide for the inclusion of tribal input, on the development of State, local education agency, and school plans.

For example, San Filepe. Filepe Pueblo's written testimony states that its local education agency in the State, should be required to consult with Pueblo leaders and parents, in developing educational plans, and that improved cooperation would result in greater academic achievement by students through the use of the Carys language and Native culture.

Fourth, more support is needed for teachers of Native students. Many Native communities, like in New Mexico, are located in rural areas, where quality teachers are in short supply. We agree with Dr. Garcia, that programs that encourage growing our own teachers are crucial. There are programs to do this in NCLB, but unfortunately—they are not funded.

We urge this committee to help us fund these programs. That includes pre-service and in-service education.

I will close by saying that Native communities have many unique challenges, including poor housing, poor health care, alcoholism, lack of transportation, and poverty, which all affect our students' abilities to succeed.

However, if these four areas in funding are improved in NCLB, the Native students and teachers will have the tools they need to get on to the path to success.

Last, I would like to share with you a little bit about my background. This is my 40th year in education, I'm an old buck.

[Laughter.]

But the role of the Federal Government in developing me as a professional teacher, and the role of Santa Fe, I would just like to share this short story.

I was a volunteer, as a senior, in the University of Hawaii, M'Anoa, and I volunteered tutoring at a private Catholic school that was close by. I also was the Debate Coach, and we had an opportunity to come to Santa Fe, 40 years ago. I brought my team of students, we won the nationals in extemporaneous speaking.

Senator BINGAMAN. Terrific.

Ms. WRIGHT. I became a teacher. I was a Finance Major in Business, and I ended up becoming a teacher.

In the 1970s, there was the Education Professions Development Act, and I received a fellowship to UCLA, and the purpose—which is like, well over 30 years ago, Senator—was to develop administrators and leaders. The Federal Government gave me the opportunity, because I could afford a fellowship at UCLA. Also, UCLA, at that time, was one of the top three colleges in education, but I chose UCLA because it was the cheapest airfare home.

[Laughter.]

The third, is that I came out of retirement in 1995 from the Kamaama schools, a Hawaiian school, to help this Hawaiian language immersion school. We are a K–12 school, we are now moving a P–20—preschool to Ph.D., we're currently a P–16. And I wanted to share with you that I think I could incorporate some of the concerns and frustrations about NCLB.

In 1995, I came to help this school become accredited. We were issuing our diplomas, and by the way, Senator, this is our 20th year, this is our 12th graduating class, and we always have had 100 percent graduation rate.

Senator BINGAMAN. That's terrific.

Ms. WRIGHT. Yes. And second, we became a Blue Ribbon School, in the mid-, late-seventies—excuse me, eighties, because we exceeded the national curve equivalences. But, when NCLB came in within the 5 years, we became a restructured school, okay? We went from a total interdisciplinary curriculum, to silos of standards. And this is very difficult for indigenous thinking, because we see everything as a whole.

However, I am pleased to announce that we just received a 6-year accreditation, last month, from WASC, and we also made AYP.

Senator BINGAMAN. Very good.

Ms. WRIGHT. I think that one of the areas that Hawaii, and it has to do with leadership, in terms of the Superintendent. Patricia Hamamoto made the commitment, No. 1, and her technology system to track immersion students. And that way we can now use data to drive instruction.

No. 2, it requires cooperation, and we have worked very hard now to look at cultural indicators and facts, including indigenous rubrics in classrooms that help Native children succeed.

But, perhaps the most profound change is that our third and fourth grade students are tested through the Hawaiian Alliance performance assessment, they are tested in the Hawaii language, and the legislature just approved developing a test for grades 5 and 6. We issued two diplomas—one in the Hawaiian language, and one in English. And this past year, we graduated 13 students, 100 percent went on to higher ed. This year we'll graduate 35, and we hope that we will have 100 percent entry in college.

Thank you so much for allowing me to share my stories.

Senator BINGAMAN. Well, thank you for your excellent testimony and thank you for coming back to Santa Fe for this hearing.

Ms. WRIGHT. It closes the circle, doesn't it?

Senator BINGAMAN. Yes.

Ms. WRIGHT. Thank you.

[The prepared statement of Ms. Wright follows:]

PREPARED STATEMENT OF VERLIEANN MALINA WRIGHT, ED.D.

On behalf of the National Indian Education Association (NIEA), the oldest and largest Native education organization representing American Indians, Alaska Natives, and Native Hawaiian educators and students, thank you for the opportunity to submit testimony to the Senate Health, Education, Labor, and Pensions Committee on the recommendations from Indian Country on the reauthorization of No Child Left Behind.

Founded in 1969, NIEA is the largest organization in the Nation dedicated to Native education advocacy and professional development issues and embraces a membership of over 3,000 American Indian, Alaska Native and Native Hawaiian educators, tribal leaders, school administrators, teachers, parents, and students. NIEA collaborates with all tribes to advocate for the unique educational and culturally related academic needs of Native students and to ensure that the Federal Government upholds its responsibility for the education of American Indians. The trust relationship of the United States includes the responsibility to ensure educational quality and access.

NIEA's top legislative priority is to strengthen the education of American Indians, Alaska Natives, and Native Hawaiians through effective and meaningful education programs and approaches in the reauthorization of the No Child Left Behind Act (NCLB). NIEA is committed to strengthening NCLB for Indian Country through provisions that provide for meaningful tribal involvement in setting the educational priorities for Indian students and the inclusion of Native language and cultural instruction.

NIEA has actively prepared for the reauthorization of NCLB by conducting 11 field hearings with over 120 witnesses in Native communities across the country. NIEA has also conducted numerous listening sessions and meetings with Native students and parents, educators, school administrators, and tribal leaders to learn about the challenges Native people face under NCLB. Based upon this extensive dialogue, NIEA prepared its Preliminary Report on NCLB in Indian Country and its NCLB Policy Recommendations. In March, NIEA submitted comprehensive draft legislative amendments to this committee and to the House Education and Labor Committee for consideration for inclusion in the bill that will reauthorize NCLB.

As an organization of Native educators, NIEA supports high achievement standards for all children and holding public schools accountable for results. Further, NIEA lauds the goal of Title VII of NCLB to meet the unique cultural and educational needs of Native children. Title VII affirms the Federal Government's support for culturally based education approaches as a strategy for positively impacting Native student achievement. NIEA wants to strengthen NCLB to better serve the needs of Native communities, particularly those who live in remote, isolated and economically disadvantaged environments. NIEA's amendments to NCLB focus on several key categories as set forth below.

IMPROVING AND EXPANDING TITLE VII TO ADDRESS THE UNIQUE CULTURAL
AND EDUCATIONAL NEEDS OF NATIVE CHILDREN

Title VII of NCLB recognizes that Native children have unique educational needs due to their cultures and backgrounds. The purpose of Title VII¹ of NCLB is to provide culturally based educational approaches for Native students. These approaches have been proven to increase student performance and success as well as awareness and knowledge of student cultures and histories. In general, these approaches include recognizing and utilizing native languages as a first or second language, pedagogy that incorporates traditional cultural characteristics and involves teaching strategies that are harmonious with the native culture knowledge and contemporary ways of knowing and learning. It also includes curricula based upon native culture that utilizes legends, oral histories, songs and fundamental beliefs and values of the community. In addition, it involves parents, elders and cultural experts as well as other community members' participation in educating native children utilizing the social and political mores of the community.² Part A of title VII deals specifically with the education of American Indian and Parts B and C address the educational needs of the Alaskan Native and Native Hawaiian students. NIEA has proposed amendments to focus the purpose of title VII to include both academic achievement through culturally based education and to increase the cultural and traditional knowledge base of Indian students.

Part A of title VII contains provisions for American Indian Education and provides supplemental grants to local educational agencies, tribes, Native organizations, educational organizations, and others to provide programs and activities to meet academic, cultural, and language needs of Native children. Native learning is strengthened through instruction that integrates traditional cultural practices with basic skills and embraces the knowledge of the environment, Native fine arts and crafts, leadership, character education and citizenship.

Last year, the Department of Education advised Indian education programs receiving title VII funding to shift their focus from the teaching of culture to math and reading. In fact, the Department of Education wrote a letter to the Superintendent of St. Paul schools in Minnesota directing that there be a "gradual shift of focus from history and culture to reading and math."³

This shift in purposes under title VII causes immense concern for NIEA and our members. By law, Native children should have access to culturally relevant and appropriate curriculum that supports their academic achievement so that they may meet the standards that all children are supposed to meet.

At each of the 11 hearings that NIEA held on NCLB, concern was highly focused on the significant narrowing of the curriculum and the decrease in the use of culturally appropriate teaching approaches known to be effective for Native students given the increased focus on testing and direct standardized instructional approaches. NIEA is witnessing a broad-based reduction and diminishment of culturally based education in schools which provide an effective and meaningful education for Native students. In classrooms across Indian Country, Native languages and cultures are being used less and less in teaching Native students math, science, or reading because Indian children are drilled all day long on the materials contained on standardized tests. However, integrating native language and culture in conjunction with these and other content areas is not mutually exclusive. Rather, it is complementary and enhances knowledge and academic achievement. Therefore, Native children's ability to learn better is enhanced by integrating their native language and culture into the curricula.

Current research demonstrates that cultural education can be successfully integrated into the classroom in a manner that would provide Native students with instruction in the core subject areas based upon cultural values and beliefs. Math, reading, language arts, history, science, physical education, music, cultural arts and other subjects may be taught in curricula instilled in Native traditional and cultural concepts and knowledge.

Innovative programs that have proven academic success in Indian Country incorporate language and culture. The *Native Science Connections Research Project (NSCRP)*, in Flagstaff, Arizona is a research model that successfully integrates native language, culture and traditions into the schools' science elementary cur-

¹Title VII of the No Child Left Behind Act incorporates the Indian Education Act of 1972.

²Demmert, W.G. & Towner, J.C. (2003) Final Paper: A Review of the Research Literature on the Influences of Culturally Based Education on the Academic Performance of Native American Students. Northwest Regional Educational Laboratory, Portland, OR.

³Correspondence from Bernard Garcia, Group Leader, Office of Indian Education, U.S. Department of Education, to Patricia Harvey, Superintendent, St. Paul Public Schools, received on November 4, 2005.

riculum. The NSCRP model is applicable to other cultures, grade levels and academic disciplines and demonstrates what works for Native American students in achieving academic success in an era of accountability as marked by NCLB. The Yukon Title VII/Indian Education Program in Yukon, Oklahoma uses funding from title VII to purchase materials for arts and crafts lessons that incorporate reading and math. Additionally, the title VII program has helped each school (11 in all) update their libraries with approximately 900 books with Native American content. The Anchorage School District located in Anchorage, Alaska has developed a culturally responsive 6-year instructional plan to chart a course for closing the achievement gap while concurrently increasing achievement for all students through implementation of a culturally responsive continuum. The school district integrated recommendations from a coalition of Alaska Native educational organizations based upon research indicating that culturally related solutions (more Native culture, language and teachers) were the reasons most commonly attributed for improving schooling for Alaska Natives students.

Given that Native children are performing at far lower academic achievement levels than other categories of students, title VII programs should be expanded and strengthened to ensure that No Child Left Behind also means No Culture Left Behind through the use of culturally based education to meet the unique educational needs of Native students. NIEA's proposed amendments to title VII provide for more emphasis on meeting the unique cultural, language and educational needs of Indian students through enrichment programs that supplement other NCLB programs and will result in academic achievement of Indian students. In fiscal year 2006, title VII served over 469,000 Indian students and 1,196 local education agencies.

STRENGTHENING NCLB TO PROVIDE SUPPORT FOR INSTRUCTION IN
NATIVE AMERICAN LANGUAGES

Titles III, subparts A and B, as well as title VII currently allow for Native language instruction; however, these provisions should be strengthened so that schools can successfully achieve their educational goals and meet academic standards. NIEA's proposed amendments to support Native languages provide additional support for language immersion schools and restoration programs in addition to language activities inside the classroom. Research demonstrates that Native children perform better academically when they are taught in a manner that is consistent with their traditions, languages, and cultures. Native language immersion programs, which have been proven to dramatically improve Native student achievement in English and in Native languages, highlight the reasons to strengthen title VII.

Specifically, Native language immersions programs have fostered higher academic achievement and interest in learning from American Indian, Alaska Native, and Native Hawaiian students. Studies have shown that, while Native American children and youth have exhibited stagnant educational achievement Native language immersion has demonstrated remarkable promise in educational achievement.⁴ National studies on language learning and educational achievement indicate the more language learning, the higher the academic achievement. Native language immersion programs provide a proven method to enable Native students to achieve academically in the areas of math, reading, and science as well as in other content areas. For many Native students living in rural and isolated areas, subjects that are taught in non-cultural pedagogies and removed from a tribal perspective are often lost on Native students due to the non-relevance of the materials to their environment, lives and identities.

Solid data from the immersion school experience indicates that language immersion students experience greater success in school measured by consistent improvement on local and national measures of achievement.⁵ For example, students in the Lower Kuskokwim School District in Alaska receive instruction in their Native languages and achieving Adequate Yearly Progress (AYP). In a Navajo immersion school, both the third and fifth graders are performing at higher levels than their mainstream counterparts in the State reading, writing, and math assessments. There are 18 public immersion schools in Hawaii and they out perform Hawaiian students in public general education. Native students attending language immersion schools are learning State content standards of math, reading, writing, science, and social studies in addition to Native language and culture standards. Native lan-

⁴Pease—Pretty on Top, Janine. *Native American Language Immersion: Innovative Native Education for Children & Families*. American Indian College Fund: Denver, Colorado. 2003.

⁵McCarty, Teresa L. and Dick, Galena Sells. "Mother Tongue Literacy and Language Renewal: The Case of the Navajo." *Proceedings of the 1996 World Conference on Literacy*. University of Arizona: Tucson, AZ. 1996.

guage immersion students are meeting and exceeding the State standards in English and academic standards nationally and are making the academic benchmarks for AYP under NCLB.

While data specific to Native American language immersions schools is continuing to be compiled, national studies from both the public and private sectors emphasize the positive impact of language studies on educational achievement.⁶ Language revitalization and maintenance programs must be incorporated into NCLB so that the implementation of education provisions does not hinder or preclude the offering of Native American languages efforts, including immersion for Native Americans as a part of their educational experience. NCLB must recognize and support Native language revitalization and maintenance efforts of Native American communities.

IMPROVING COOPERATION AMONG TRIBES, STATES, AND THE FEDERAL GOVERNMENT

NIEA seeks stronger emphasis in encouraging States, tribal governments and communities, neighboring areas, and the Federal Government to work together in developing the educational standards and related assessments. NIEA's proposed amendments provide for the inclusion of tribal input in the development of the various State, local educational agency, and school plans. Additionally, NIEA's amendments promote coordination of programs across titles I and VII to foster better programming to meet the unique cultural, language, and educational needs of Indian students.

NIEA supports the strengthening of NCLB assessments that considers the cultural and educational needs of Native students. Assessments must be linguistically and culturally appropriate. States should be required to involve tribes located within their boundaries in the development of State plans to allow for the coordination of activities under the different titles of NCLB. Further, NIEA supports the strengthening of NCLB to provide resources for collaboration among tribes, States, and the Federal Government to allow for increased opportunities in the development of standards that recognize the cultural backgrounds of Native students. Local educational agencies should also be required to consult and seek the input of tribes located in the areas they serve when developing their district plans.

Throughout NIEA's extensive consultation with Indian Country, we have learned that when a school is placed on school improvement for failing to make AYP, they are often advised to focus their activities on reading and math programs. This redirected and ill-advised focus results in the exclusion of language and cultural programs to the detriment of increasing achievement for Native students. NIEA has proposed that school improvement plans include the input of tribal representatives and promotion of culturally based education as a proven method of increasing academic achievement.

IMPROVING SUPPORT FOR TEACHERS OF NATIVE STUDENTS

Many Native communities are located in rural areas where the number of highly qualified teachers is in short supply. Research indicates the negative long term effect on student achievement when taught by teachers who are not highly qualified. Research also indicates that these effects are cumulative. In one study, students assigned to effective teachers for 3 consecutive years went from the 59th percentile in the 4th grade to 76th percentile in the 6th grade. However another group of students with similar characteristics were assigned to less effective teachers and went from the 60th percentile to the 42d percentile.⁷ NIEA seeks to strengthen NCLB by including programs to build capacity within Native communities for increasing the pool of highly qualified teachers. This initiative to provide for improved professional development through pre-service and in-service training for teachers and administrators would also prepare Native peoples to become highly qualified teachers who are also cultural practitioners and can continue upon a career ladder as school administrators, board of education members, and community educators.

The definition of "highly qualified teacher" in NCLB for teachers who educate Native students enhances school accountability through the achievement of AYP. When teachers are able to understand and apply the culture and language skills and abilities of Native students in their classes, the students flourish. This definition of highly qualified should include opportunity structures for Native language and cultural

⁶Sugarmen, Julie and Howard, Liz. "Two Way Immersion Shows Promising Results: Findings of a New Study." Center for Applied Linguistics, ERIC/CLL Language Link. ERIC Clearinghouse on Language and Linguistics: Washington, DC. September 2001, p. 2-3.

⁷Beyond NCLB: Fulfilling the Promise of Our Nation's Children, The Commission on NCLB, The Aspen Institute, Washington, DC. 2007 p. 30-31.

experts in the curricular programs of schools. NIEA supports the strengthening of NCLB to meet the needs of Native peoples who live and learn in their communities.

IMPROVING OPPORTUNITIES FOR PARENTS, FAMILIES, TRIBES, AND OTHER
NATIVE COMMUNITIES TO PARTICIPATE IN THE EDUCATION OF NATIVE CHILDREN

The schools that are successful are the schools where the parents, families, tribes, and the local communities are actively involved and engaged in the school's programs and activities. NCLB should be strengthened to allow increased opportunities for parents, families, and tribes and other Native communities to become more involved in their children's schools and in the development of their educational programs. NIEA advocates for increased parental involvement by improving their knowledge, skills and understanding of standards-based education and school accountability so that they too may advocate for their children's educational success. NIEA supports NCLB in the promotion of standards-based education as a family responsibility that helps children to achieve.

IMPROVING THE MEASUREMENT SYSTEM FOR ADEQUATE YEARLY PROGRESS

The current accountability system needs to be strengthened to allow for broader measures, including measuring individual students' progress of academic achievement over a period of time within the 2014 goal. NIEA supports NCLB provisions for alternative assessments that measure academic, culture and language proficiencies through portfolio-based measures of applied learning that are aligned to standards-based education. Instead of focusing on statewide standardized tests in only math, reading and science, NCLB could be strengthened to include success on multi-disciplinary and multi-level curriculum and instruction as additional measures of achievement.

Many factors in Native communities affect student and school achievement, such as poverty, transportation, poor health care, and poor housing. NIEA supports the encouragement of best practices that increase Native student academic achievement but also seeks flexibility in achievement measures to accommodate these extenuating factors. Further, flexibility in the measurements for accountability could accommodate Native language immersion programs, which have been proven to significantly increase Native student academic achievement over time. To further explain, Native language immersion schools have reported to NIEA that they struggle in the early elementary schools grades to meet AYP because the testing is in English. However, over time, these same students in the latter elementary school grades dramatically outperform their peers academically on tests in English and are meeting AYP.

REQUIRING THE COLLECTION OF DATA AND RESEARCH ON THE EDUCATION
OF NATIVE CHILDREN

NIEA supports the strengthening of NCLB by providing resources to conduct culturally based research. Support for best practices research to educate Native students and use of indigenous research criteria for federally assisted education programs benefits Native student achievement and improves academic measures of school success. NIEA supports the strengthening of NCLB to build capacity of Native education systems to develop, implement, collect and analyze systematic data on the educational status and needs of Native students. NIEA supports the strengthening of NCLB to assist Native education systems to use data to inform and improve student academic achievement. NIEA supports the strengthening of NCLB through partnerships with Native education school systems, higher education institutions and the Departments of Education and Interior. This research initiative could provide for partnerships to support efforts in Native communities that improve education program services and program accountability.

INCREASING FUNDING FOR NCLB, SPECIFICALLY TITLE VII

When NCLB was enacted, Congress promised to provide the resources necessary to meet its many requirements, provide school improvement funds to schools that failed AYP, provide increased resources especially for disadvantaged students and to help close achievement gaps by improving teacher quality, student achievement, and program accountability. However, NCLB has never been funded at the authorized levels. NIEA supports the strengthening of NCLB Title VII through resources that would support pre-service and in-service training for teachers, resources that support national research activities, fellowships for Native students, programs for gifted and talented Native students, grants to tribes for education administrative planning and development, educational services programs for Native students, and

educational opportunity programs for Native students. Only by funding these critical programs on a sustained basis can we ensure that No Child is Left Behind.

NIEA also supports the strengthening of NCLB by providing resources that adequately fund title I programs. NIEA supports the strengthening of NCLB by ensuring that title VII resources cannot be supplanted to meet the shortfalls in other titles of NCLB. NIEA supports the strengthening of NCLB through the inclusion of language that protects the limited resources of title VII.

NIEA continues to be concerned with the inadequate funding in the Department of Education and the Department of Interior, Bureau of Indian Affairs, for Indian education programs and activities. Due to the tight Federal budget, NIEA proposes in its amendments a moderate increase from the current authorizing level of \$96.4 million to \$130 million for title VII, part A, subpart 1, which is an amount equal to an increase of 5 percent each year beginning in fiscal year 2003. NIEA has also increased the authorization for subparts 2 and 3 to \$34 million, which is an amount equal to an increase of 5 percent each year beginning in fiscal year 2003.

BUREAU OF INDIAN AFFAIRS SCHOOLS

There are only two education systems for which Federal Government has direct responsibility: the Department of Defense schools and federally and tribally operated schools that serve American-Indian students through the Bureau of Indian Affairs (BIA) within the Department of the Interior. The federally supported Indian education system includes 48,000 elementary and secondary students, 29 tribal colleges, universities and post-secondary schools. Approximately 10 percent of Native children attend BIA schools while the remaining 90 percent attend public schools supported through the Department of Education.

Only one third of the BIA-funded schools are achieving AYP. NIEA is concerned about the applicability of State standards to Native children attending BIA schools. More often than not, States develop the standards without consultation and inclusion of the tribal communities. Tribal communities are in the best position to determine the needs and the appropriate assessment methods for Native students. NIEA's amendments provide for the ability of a consortium of tribes, BIA-funded schools, or school boards to apply for a waiver of the definition of AYP. Currently, a single tribe, school board, or BIA-funded school may apply for a waiver, however, considering the significant amount of time and resources needed to successfully submit an application, very few tribes, if any, have been able to submit an application on their own. NIEA strongly supports the possibility of developing and applying alternative tribal standards to measure AYP for students attending BIA schools.

CONCLUSION

NIEA is committed to accountability, high standards and rigorous education of our children; however, the implementation of NCLB by the Federal Government does not enable Native students to meet their academic potentials given the lack of consideration of their cultures, languages, backgrounds, and identities. Cultural identity and rigorous educational standards are compatible and complementary. We believe with good faith collaboration that we can provide our children with an education that honors their Native identity while simultaneously preparing them for successful futures by providing them the opportunity to incorporate into the curriculum their rich cultural heritage, language, traditions, and native ways of knowing.

As part of its efforts on reauthorization, NIEA will continue to perform as much outreach as possible so that the Congress can better understand the needs of Native students, thereby allowing student needs to be addressed during reauthorization of NCLB. We are extremely appreciative of Senator Bingaman's and Senator Kennedy's unparalleled support for Indian education. We thank this committee for making Indian education a top priority and for holding this important hearing. We hope that there will continue to be more congressional outreach to Indian country, including additional field hearings in other regions of Indian country, so that the challenges and issues impacting American Indian, Alaska Native and Native Hawaiians' students can be better understood.

Senator BINGAMAN. Next is Ms. Maggie Benally, who is the Principal of the Navajo Immersion School, that Dr. Garcia referred to, at Window Rock Unified School District. Why don't you go right ahead? Thank you for being here.

**STATEMENT OF MAGGIE BENALLY, PRINCIPAL, WINDOW
ROCK UNIFIED SCHOOL DISTRICT, FORT DEFIANCE, AZ**

Ms. BENALLY. Y'at'eeh. Thank you for allowing me to be here. I'm Maggie Benally, an enrolled member of the Navajo Nation and principal of Tsehootsooi Diné Bi'Olta', that's an Immersion School. And, I would like to thank the Window Rock School Unified District, the Navajo Nation, the National Alliance to Save Languages, and NIEA for giving me this opportunity to be here and testify on behalf of all Native children in the State of Arizona, our neighboring State of New Mexico, and throughout Indian country.

I am speaking from the heart because I was a school teacher and now third-year principal at one of the schools in our district, Immersion School. We are a small school, a K-8 school and eventually plan to make it into a high school in the future.

Window Rock Unified School District views No Child Left Behind as an opportunity and improvement for our educational services that the district provides to our students using standard space learning and cultural-based education. I really would like to emphasize that because if we did not do that, I think we would not have been successful. We took it upon ourselves to make sure that our students are educated using cultural-based learning. And, we are, we embrace that change so that students, each student will learn and be the best in this District, in the Navajo Nation, and then throughout the country.

What we did was, look at each of our core principles to make sure that all our students are meeting them, and our District is making sure that we are doing what we can for our children. We looked at our curriculum, we look at our restructure, we look at our assessments, we look at how students are performing, we looked at staff performance, how we communicate with parents and community, and we look at how our school is supporting each other in the school district. And, that is how we put our school together so that our school would be successful in what we are doing, as far as meeting the goals of NCLB.

Tsehootsooi Diné Bi'Olta' embraced the challenge to meet the Arizona Academic content standards and with instruction and Diné in English language. And, when we did that, we looked at our curriculum and to make sure that we are looking at each child and making sure that we are meeting the needs—what we want them to do is learn the language, maintain the language, and revitalize the language for students in our District.

As I mentioned earlier, we have K-8 and plans to develop or expand to 9-12 and our plan is to develop an early college for grades 6-12. That is our goal. And, what we would like to see, as far as NCLB, is support in that area, more funding in terms of getting what we need in academics, curriculum, instruction, and the strategies that are used to help students in education to help them achieve academically.

The success of the school is evidenced by the proficiency level established by students in grades K and 2d, because in K and 2nd the students are immersed in the Native language. There is no English language introduced in those early grades. And, these students have a higher proficiency level on Diné as compared to their

peers at the same age level when the school was a program with an English medium school.

The curriculum was developed and implemented to address the challenging academic content standards in the core subjects. The standards are taught through rich content in the Diné language, the Diné culture and language and the benchmark assessments that we are using are developed by teachers because we know the students, we know what they are capable of, and there is research that is being done to help us validate and have the reliability so that what we are doing in terms of assessments are aligned to the Arizona content standards.

Window Rock Unified School District agrees with the goals of NCLB for Native students. We do not make excuses, but as a District school we make every effort that students at our school and other students in the other schools in the district are provided with quality education to increase success and performance with the integration of language and culture into standard space education.

By learning in two languages, students develop higher-order thinking skills and develop a higher level of both Diné language and English language proficiency. Students learn to speak, read, write, and think in the Diné language, ensuring the survival of the language for future generations.

For the past 3 years and this past spring, our school had made AYP and this, this shows that when you implement and develop curriculum that is culturally based, that will really help schools and that is why we are asking for your help and support.

Tsehootsooi Diné Bi'Olta' Immersion School is one of the four Immersion Schools nationwide that is involved in longitudinal study, that I stated earlier, to make sure that what we are doing, in terms of assessment, is there's a reliability and validity and that that will help us with student achievement. Our graduation rate is up there. As far as we know, the school, the students that graduated from our school, all, each student have gone up to higher education or no one, none of the students dropped out of our high school when they got to that point and are now pursuing other educational opportunities.

However, there are many challenges that No Child Left Behind poses to our effort. Continued support is needed to provide cultural and linguistic-related educational programs. The lack of acknowledgment of the importance of the components of the Native Language Act is evident in our State plans. That needs to be addressed and looked at. Students are lumped into ELL, that is English, Structured English Immersion under title III, and that, I don't think is an appropriate thing for our Native students.

It is also very difficult for school districts serving Native students to find teachers who are fluent in the language and also meet the highly qualified requirements for our schools in the State of Arizona. I'm sure it is for other States. They have to be certified. They have to meet the rigorous standards and, that they have to go through even though our teachers are qualified to teach the language. So, that we are also asking help in amending and changing so that we have teachers who are qualified, that can teach in our schools and the community.

The Immersion School in Window Rock Unified School District isn't the only one of its kind in the Navajo Nation. Other communities and public schools across Indian countries and throughout United States have that desire to revitalize and maintain their Native language. However, contrary State policies hinders their ability to do so. We are asking that that be looked at and through State and funding be provided to help in those areas.

Tseehootsooi Diné Bi'Olta' Immersion School has been in existence for 20 years, operating for over a decade before the passage of Proposition 203 in the State of Arizona. The program has enabled students to become proficient speakers of both Diné and English language and, as stated earlier, have higher graduation rates and higher education success. However, yet in our State, school district requires students to participate in Structure English Immersion, if they come from homes where the primary language is other than English. And policies, such as Proposition 203, devalues the learning of the Diné language. It sends the wrong message to our parents. It just tells them that the only way to succeed is through the English language.

That we are looking at and we also need your support and assistance. The information provides us with enough evidence that support be given to culturally appropriate school systems that provide the opportunities for our children to become speakers and thinkers in their Native language, a foundation that will lead to academic achievement.

In a sense, what I'm saying is what works, language and culture has a positive affect on student achievement. Integration of language and culture into standard space instruction increases student academic achievement. Second language learning increases higher order thinking skills. Development of Diné language or other Native language assists in English language acquisition. And, if there's district support, that really is also a help. And the benefits of being bilingual, being able to speak your own Native language and another language is one of the benefits.

You think in two languages, not just one. Your brain functions at a higher order. When your brain functions at a higher order, then you develop higher order thinking skills fostering academic achievement. You have an academic advantage, you have a social advantage. And, the results is where there is a language proficiency in your Native language and English, there is also results in literacy in Diné language or Native language and English, there is a retention in high school graduation rate, there's teacher retention, family involvement, and responsibility for student learning. And, you have the cultural knowledge, there is your Native American values, in our case the Navajo values, and the language revitalization and maintenance for Native students.

Thank you.

[The prepared statement of Ms. Benally follows:]

PREPARED STATEMENT OF MAGGIE BENALLY (NAVAJO)

Y'at'eeh members of the committee. I am Maggie Benally, an enrolled member of the Navajo Nation and the principal of Tseehootsooi Diné Bi'Olta', Navajo Immersion School. On behalf of the Window Rock Unified School District, the Navajo Nation, the National Alliance to Save Native Languages, and National Indian Education Association (NIEA), I would like to thank you for the opportunity to submit written

testimony to the Committee on Health, Education, Labor, and Pensions on "No Child Left Behind: Improving Education in Indian Country." My testimony is to provide information in regards to improving No Child Left Behind to best meet the needs of Native American students.

The Window Rock Unified School District views No Child Left Behind (NCLB) as an opportunity and improvement of the educational services that the district provides to the students through standards-based learning and cultural-based education. The district accepted the challenge outlined in NCLB and began the improvement effort in school year 2002–2003 through the design and implementation of the district's effort entitled "Embracing Change for Student Learning."

The district's framework for exemplary education used the local community philosophy of lifelong learning and research approach to create a six-step process for continuous reform. The district also created a strategic plan: 6 Core Principles of Learning that includes action plans to align all district activities:

- I. Exemplary, Curriculum, Instruction & Assessment
- II. Exemplary Student Performance
- III. Exemplary Staff Performance
- IV. Strong Parental and Community Relations
- V. Safe, Efficient, and Supportive School Environment
- VI. Efficient and Supportive Learning Operations

It is through the framework and core principles of learning that the district work toward achieving its mission: "We exist to ensure relevant learning for all students to be successful in a multicultural society"

Tsehootsooi Diné Bi'Olta' embrace the challenge to meet the Arizona academic content standards with instruction in the Diné and English languages.

Our school currently serves approximately 240 students in grades K through 8. The goals of the school is to provide opportunities in revitalizing the Diné (Navajo) language for families that do not speak the Diné language in the home and maintain the Diné language for families who do speak the Diné language in the home. The district opened up a Diné language immersion kindergarten classroom within an English medium school in 1986. Presently, it is a K–8 school with plans to expand the school to include grades 9–12 and plans to develop an Early College for students in grades 6–12.

Tsehootsooi Diné Bi'Olta' uses the immersion strategy to teach the Arizona's academic content standards in reading, writing and mathematics using a standards-based approach to learning and teaching. The Diné is the primary language of instruction for a greater percentage of the student's K–8 educational experience. The school begins with full Diné language instruction at K–1 and a gradual increase of English language instruction by 10 percent per grade level from grades 2–8. At K–1, students are immersed in the Diné language to reach a level of proficiency to develop the cognitive academic language (CALP) in Diné. CALP is used to teach the Arizona's academic content standards. At Grade 2, students are instructed in the English language where the gradual transfer of CALP takes place from Diné to English. By the end of 8th grade students receive equal instruction of Arizona's academic content standards in reading, writing and mathematics in the Diné and English languages.

The success of the school is evidenced by the proficiency level established by students in grades K–2. These students have a higher proficiency level on Diné as compared to their peers at the same age level when the school was a program within an English medium school.

The curriculum developed and implemented at Tsehootsooi Diné Bi'Olta' addresses the challenging State academic content standards in the core subjects. These standards are taught through rich content in Diné culture and language. Benchmark assessments are used to measure student progress in Diné and English languages. The teachers developed assessments in the heritage language showed that these assessments are highly reliable and valid. Students do as well or better than their peers taught only in English. This information proves that students who are instructed in two languages have a positive effect on student academic achievement.

Window Rock Unified School District #8 agrees with the goals of NCLB for Native American students. We do not make excuses but as a district and a school, we make every effort that students at Tsehootsooi Diné Bi'Olta' and students in the other schools in the district are provided with quality education to increase student success and performance with integration of language and culture into standards-based instruction.

By learning and being instructed in two different languages, students develop higher order thinking skills (learning content) and develop a higher level of both Diné and English language proficiency. Students learn to speak, read, write and

think in the Diné language—ensuring the survival of the language for the future generations.

For the past 3 years, Tsehootsooi Diné Bi'Olta' met Adequate Yearly Progress (AYP) where other schools in the district were inconsistent. This shows that the goals of NCLB are not incompatible with those of the local community that the school serves, nor are our communities goals incompatible with NCLB. The fact is that the educational goals for our children can be achieved by validating our educational needs—to ensure the survival of the unique Diné culture and language.

Tsehootsooi Diné Bi'Olta' is one of the four immersion schools in a nationwide longitudinal study of immersion students. Current data states that while there is a lag in achievement of primary immersion students, intermediate and secondary students not only reach the “meets” level of performance, but often “exceed.” Additionally, initial studies have proven that none of the immersion students drop out of high school, but rather go on to pursue higher education opportunities.

There are many challenges that the No Child Left Behind poses to our effort. Continued support is needed to provide cultural and linguistic-related educational programs.

The lack of acknowledgement of the importance of the components of the Native American Languages Acts (NALA) policy is evidence in the State plans. However programs such as Structured English Immersion under title III is the only program of instruction for English learners.

It is very difficult for school districts serving native students to find teachers who are fluent speakers and can teach in their native languages and also meet the Highly Qualified requirements. For the past year and again this school year and with plans to expand to grades 9–12, teachers are teaching more than one subject area. Under the current requirements, teachers would have to be endorsed in the subject areas they are teaching along with the regular teacher certification.

The immersion school in Window Rock Unified school district is the only one of its kind on the Navajo Nation. Other communities and public schools on the Navajo Nation and across Indian Country through the United States including Hawaii have the desire to revitalize and maintain their heritage language, however contrary State policies hinder their abilities to do so and/or limits what they can do. The Tsehootsooi Diné Bi'Olta' has been in existence for 20 years, operating for over a decade before the passage of Proposition 203. The program has enabled students to become proficient speakers of both Diné and English and as stated earlier have higher graduation rates and higher education success. Yet in our State, school districts required students to participate in Structured English Immersion if they come from a home where the primary language is other than English. Policies such as Proposition 203 devalue the learning of the Diné language. It sends a wrong message to parents and other stakeholders that the only way to succeed is through English. The educational performance of our students would not have been an issue today if knowing and speaking English were all that our students needed to succeed.

The information provides us with enough evidence that support be given to culturally appropriate school systems that provide the opportunity for our children to become speakers and thinkers in their native language, a foundation that will lead to academic achievement.

Senator BINGAMAN. Well, thank you very much.

You might just pull that microphone a little closer, so people in the back can hear you.

Ms. GUTIERREZ. Can you hear me now?

Senator BINGAMAN. I think so.

STATEMENT OF BERNICE GUTIERREZ, TEACHER, WILSON MIDDLE SCHOOL, ALBUQUERQUE PUBLIC SCHOOLS, ALBUQUERQUE, NM

Ms. GUTIERREZ. Thank you for inviting me here, Senator Bingaman, to hear my testimony. I'm Bernice Paquan Gutierrez and I'm from the Pueblos of Laguna, Zuni, and Acoma. My clan is Turkey on my mom's side and Little Parrot on my father's side. I have raised three boys within the APS school system and they've all graduated.

I was raised for 5 years in my Pueblo of Laguna where I'm registered and I was educated the rest of the time in Albuquerque, New Mexico. You could say I'm a Pueblo-urban Indian. I did not intentionally go into education. When I first graduated from UNM with a Bachelor of University Degree, I didn't know where I was going. And it wasn't until I got into the APS school system with the Indian Education Program, 21 years ago, that I found my niche in the system.

I went back and got my degree in Education from the College of Santa Fe and I'm currently working on my Master's degree. I have a ESL endorsement and a bilingual endorsement and reading endorsement, and I speak English and Spanish fluently and I understand my tailor language. I worked in APS so far, as a tutor, a mentor, a facilitator, and for the past 10 years, a reading teacher. I work in the largest school district in New Mexico. I have knowledge of urban students from all different Pueblos and Tribes within New Mexico and outside of New Mexico. And, it is a very divergent group.

The essence of No Child Left Behind, in my eyes, is excellent since it is finally looking to those children that have always been left behind and which I was left behind at one point, but what I did was, I caught myself up. And it wasn't without the help of my family that that was done.

There are many problems in the urban centers that we need to look to because I know they're also different from the ones out in the Tribal areas. And, one of the most important ideas within No Child Left Behind, is holding educators accountable for the education of our Native students, as well as all the other students that are being left behind.

I am going to talk to the four main principles of No Child Left Behind. The first is, a greater accountability for results. All of the things I'm going to talk about are improvements or revisions that need to be done, because I really believe No Child Left Behind is our chance to get what needs to be done in education for our Native students. Greater accountability for results—one form of testing does not fit all students as, Senator Bingaman, you have said. Though No Child Left Behind needs to implement multiple forms of assessment to obtain adequate results, our Native students will perform better if we implement the following.

We use multiple forms of tests: For example, portfolio assessments, surveys, project, presentations. We need to have assessments over a longer period of time. At our school, we only have 2 days and it's not sufficient time for Native learners that have a different learning style. We need to make accommodations for our students because, as we have accommodations for our ELL students, we do not have those same accommodations that we need for our own students. And those accommodations would be in language. Some of our kids are not proficient in English because they have a first language or they've heard their other language in their home, not necessarily speaking it, but even hearing a language will deter you from learning another language easily and readily.

We need to make sure we have an accommodation in the perceived disability in which people think that, students think that, and teachers think that if a student finishes a test before every-

body else, they're smarter. And that's not true. I encourage my students to take as much time as possible to take their tests so they will do better. My students, our Native American population at Wilson Middle School where I work, are the only ones of the minority populations that made AYP this year.

Social-economic conditions need to be understood. As you said, poverty is very rampant among our students. And sometimes when a student has not had anything to eat, has had problems the night before, they didn't get to sleep because their parents were fighting, something was happening in their life, they're not ready to take a test. And that's only one point in a whole school year where you get tested and it's not going to show the best part of you.

Cultural values.—Values of the Native American student are different than other values. Even though they may not have been raised in their own cultural environment, they still have ideas that their parents have passed on to them. And those need to be looked at and valued, not only by educators, but by everyone in education.

Learning style.—Students have different learning styles. Our Native students have very different learning styles. We're very kinesthetic learners, we learn by doing things, we learn by visual prompts, and those aren't always done in the classroom. We need to look at assessments from a multiple intelligence standpoint. And, I explained that as being the kinesthetic learning styles.

In the funding area, the second principle of NCLB, there's a need for availability of funding for the following, highly qualified teachers with a reading endorsement, not only coming out of college, but those teachers that are currently there. If you do not know how to teach a student reading, have a base reading background, you will reach only half of your students. You need to be able to teach reading while you're teaching in your content area.

Highly qualified teachers and administrators trained to work with Native students.—We need to have administrators and educators culturally aware and sensitive to our students, not only our Native students, but to all students, all the other minority students we have.

In professional development there should be some kind of an endorsement on a teacher's license that says they've had training in cultural awareness in the Hispanic culture, in the Asian culture, in the Black culture, in the Native American culture. They need to have that awareness because when they don't, they don't understand those students. And you need to know your students to be able to teach them.

We need improved, appropriate, and increased facilities. In the urban setting schools, some teachers don't have classrooms. They work in the library, they float around, go to different classrooms. We need a separate place where we can teach our kids. We need materials, specifically for our kids.

Literature.—We need to buy books that can be used in the classroom. We need to have an environment that is not detrimental to learning. I have been in environments where we've suffered through the cold, through the whole winter because there was not sufficient heating in the barracks. We've suffered through the summer heat because our air conditioner wasn't working. And that's

not just myself, that's all the other teachers that are in the school system, when those things aren't taken care of right away.

We need an increased number of Native teachers and administrators. I have tried to push as many of my students into teaching so that they could go on and to help their fellow students that are going to be coming up. We do not have enough teachers, Native teachers and administrators. And if that's one thing we can try and start, is some kind of program to get our students who are graduating into these kind of programs. I understand that there's going to be a backlog of not enough teachers within the next 10 years. And, we need to have those teachers out there to work with our kids.

And the third principle of No Child Left Behind, parents of Native children. Parents need to be empowered by educators to be more effective in supporting their children, in meeting AYP through the following ways: If a school has not met AYP, our parents need to have the possibility of having transportation for their students to other schools—for example, the charter schools, a private school, another school that is making AYP—in order for those parents to have choices. We need increased parent involvement in the schools through a communication system that the schools should set up to invite the parents in. Without knowing your parents, you're not going to know your students. We need to have multicultural concepts, which can be a resource through your parents. You can use story telling, crafts, history, language, careers, role-modeling, foods—all kinds of things that our parents are culturally aware of, they know their own culture, they can teach different kinds of things in the content area. For example, math, science, there's those kinds of things that our parents could probably teach pretty well.

The fourth principle of NCLB, emphasis on the use of scientifically research-based proven effective teaching methods. The key to academic success of Native children is the utilization of proven, effective teaching methods where the teachers are the architects of their instruction. Since 2001, many curriculum programs have flooded the market, which are scientifically research-based and it is now the responsibility of educators of Native children to incorporate culturally relevant methods and strategies into their instruction. There is a need for Native American research and researchers. We need to look at what it is, and research, what Native students need and we need to also have Native researchers doing that. We need to look at teaching methods and see how we can teach our other non-Native teachers the methods that we use in our own classroom so that they can do the best that they can for our kids.

When we look at No Child Left Behind, there are important factors, accountability for teaching our students and funding, which is a major factor in all of these things. Without the funding we can not implement these programs or have the results that we need. Involving Native American parents in the school system so they feel empowered, they feel it's theirs, they feel that they have part of their children's education under their control. And, using research-based teaching methods, which reach our children and

many of the other minority children, so that we can improve and have a better No Child Left Behind policy.

We don't want to go on and have anybody left behind. I was left behind and it was very hard for me. And, I was speaking to my sisters the other day. And we felt that, all the same way. We didn't fit in. And that's why I'm at the middle school now, because I want my kids to know they're going to fit in to the school system and this educational system and they're as good as anybody else.

I want to thank you for the opportunity to let me speak, because my kids are my children. Thank you.

[The prepared statement of Ms. Gutierrez follows:]

PREPARED STATEMENT OF BERNICE PAQUIN GUTIERREZ

FOUR MAIN PRINCIPLES OF NCLB

One of the most important ideas within NCLB is holding educators accountable for the education of our native students as well as other students.

1. Greater Accountability for Results

One form of testing does not fit all students. The NCLB needs to implement multiple forms of assessment to obtain adequate results. Our native students will perform better if we implement the following:

- use multiple forms of tests (portfolio assessment, surveys, projects, presentation, etc.)
- assessment over a longer time period
- accommodations for testing with the following factors:
 - a. language
 - b. perceived disability
 - c. socio-economic conditions
 - d. cultural values
 - e. learning styles
 - f. multiple-intelligence assessments

2. Funding

There's a need for availability of funding for the following:

- highly qualified teachers with reading endorsement
- highly qualified teachers/administrators trained to work with native children
- improved, appropriate, and increased facilities (classroom, materials, environment needs, etc.)
- professional development
- increase number of native teachers and administrators

3. Parents of native children

Parents need to be empowered by educators to be more effective in supporting their children in meeting AYP through the following way:

- transportation
- increased parental involvement
 - a. communication
 - b. multicultural concepts: storytelling, crafts, history, language, careers, role modeling, foods, etc.
- use parents as resources
- choice of programs (charter, local, and/or private schools, etc.)

4. Emphasis on the use of scientifically researched-based, proven effective teaching methods

The key to the academic success of native children is the utilization of proven effective teaching methods where the teachers are the architects of their instruction. Since 2001, many curriculum programs have flooded the market which are scientifically researched-based, it is now the responsibility of educators of native children to incorporate culturally relevant methods and strategies into their instruction.

- need for Native-American research and researchers
- teaching methods

Senator BINGAMAN. Thank you very much for your excellent testimony and your commitment to your children, your students, and your service to education for many, many years.

Our final witness is Samantha Pasena. Is that the right pronunciation? And Samantha is a student here, as I understand it, with Santa Fe Indian School, and is—

Ms. PASENA. A recent graduate.

Senator BINGAMAN [continuing]. A recent graduate. And, she's going to give us perspective from her experience here at the Santa Fe Indian School, as I understand it. Please pull that microphone over so everyone can hear your testimony, and go right ahead.

STATEMENT OF SAMANTHA PASENA, STUDENT, SANTA FE INDIAN SCHOOL, SANTA FE, NM

Ms. PASENA. It is a great honor to represent a student's view on the No Child Left Behind Act of 2001. And, out of a sense of respect for this committee, I want to thank you Senator Bingaman, for being here today and coming to our home, the Santa Fe Indian School. I also want to thank you for allowing me to share my thoughts with you today.

In preparation for my presentation, I spoke with our staff members, members of my community, and students. Their opinions about this legislation are included in my presentation. But I will also talk about points that are very dear to my heart.

I respect the intention of this law, especially since it coincides with the directive given to the Santa Fe Indian School by our leadership, that all children—all Native American children—must be given a chance to learn. As one tribal official stated, "They are our children. No child should go without education, for they are our future." I completely agree with this philosophy. Students do deserve more academic support. However, in reality, there are students that are neglected, academically.

Though there are numerous points of this law that I find disturbing, I will only focus on three that I feel most passionate about.

First, the implementation of the NCLB. The implementation of the NCLB allows each State to determine its own definition of annual yearly progress for AYP. In effect, this makes the BIA our State. As Native people, as Natives, we are forced to forsake our sovereignty by this action. The Santa Fe Indian School, under the Pueblo leadership should not be coerced into giving up its right to determine what is best for its children and, more importantly, what's appropriate.

There is no recognition under the law of the previous history of Indian education. Our ancestors and leaders worked tirelessly to establish a school where Pueblo values would inform the education of their children. Laws were passed to ensure Native people of this right and yet, through the implementation of NCLB, we are forced to teach the same subjects at the same time as other schools, or risk our students being deemed not proficient. The BIA as our State made a decision for the school to use the New Mexico State definition of AYP without consulting our tribal leaders. In this way, the implementation of the law harms its Native students who wish to have their culture studied equally with the Western culture in our schools.

Second, the implementation of the NCLB requires schools to make changes for the purpose of meeting law requirements, changes that require money, a great deal of money. Expenses for simply testing alone, is very costly. Nevertheless, there was not enough money allocated to meet these external demands. Consequently, schools are left with no choice but to divert funds from existing programs to defray the cost of requirements of the NCLB Act. For example, some schools are dropping physical education and other elective programs from the curriculum that have great interest and prove to be of importance to students. In my opinion, this is hurting our students because without health education, the health of our children will only continue to deteriorate, further adding to the national concern.

Not having financial support could indeed counteract the intention of the law because limited course offerings would encourage students to drop out. Due to the lack of interest, students would ultimately leave. We would also lose valuable teachers because they're asked to do more with their existing low salary and unattractive benefits. The law can not demand more from schools, without the money to support its agenda, without damaging education the school was already offering.

Third, I feel that the NCLB is a direct contradiction with the IDEA, Individual Disability Education Act. In order for a student to be recognized as needing special education services, there must be an identified learning disability that disallows a child from learning the same way at the same rate of others. NCLB demands that the special education students take the same tests of others with the exception of only 1 percent—for those identified as having the most serious cognitive disabilities, to take out of grade level tests.

At our school, we have a high percentage of special education students, consistently around 14 percent. With this high percentage, as you can see, some special education students who should take out of grade level tests, are taking the regular tests, are forced to take the regular tests, obviously inconsistent with their disabilities.

Two years ago, one special education student, after the second day of testing began repeatedly banging his head on the table, saying, "I'm stupid, I'm stupid." What is more painful than watching this student's reaction, is knowing that a lifetime of inferiority has been lodged into his head and his heart as a result of this test. I can't help but feel deeply in my own heart that this law has, indeed, left him behind.

Being that I plan to pursue a career in the health field, I feel that no Federal law should have the result of hurting children, for any reason. As Dr. Lyon, Chief of the Child Development and Behavior Branch of the National Institute of Child Health and Human Development stated, "In some cases, we've got kids with disabilities that are being held to a standard they can not reach."

For these three reasons, I would respectfully ask you to consider changing this Federal law so it supports education rather than hurts its children. I hope that you, Hon. Senator Bingaman, will be one of those many individuals who will help us, who will help

us so that our issues will be addressed and recognized. That way we can help the success of all our children. Thank you.

[Applause.]

Senator BINGAMAN. Thank you very much. Thank you very much for your excellent testimony.

I think all of you have given very useful testimony to us here. And, lots of different subjects have been touched upon and discussed. Let me try to formulate a few questions that I can ask here.

One obvious issue that several of you spoke about, I believe Governor Mountain, you began with it, is the issue of how we try to have some accountability to achieve standards that are recognized and still do it in a culturally appropriate way and in a way that strengthens the cultural education and the linguistic education of the school as well.

Now, as I understood the testimony, I guess Ms. Benally, I think I understood your description of what you're doing there at your Immersion School. You are teaching students the Navajo language first. And, then you begin the English language instruction, so that K through second grade is concentrated on Navajo language. All the instruction is in Navajo, as I understand it. And, you're suggesting that the long-term result, I mean, by the time the student is at a certain age, the student does better in all subjects, not just in Navajo, but in English and in math and other subjects because of that model. Is that what your position was?

Ms. BENALLY. Yes.

Senator BINGAMAN. That's the way it's worked in your school.

I didn't know, Governor Mountain, if you felt that more emphasis in the early grades on language training for, in the Native language and in cultural training would help students to do better in all areas in the future. Is that your view, as well?

Mr. MOUNTAIN. Senator, I do believe that is a very valid statement by Ms. Benally and that it would serve the purpose very well, to put that focus in that area. And, I support that as a model and an example that we should follow and take a very serious look at, as leaders, to help in progressing the act.

Senator BINGAMAN. OK.

And, I guess Dr. Wright, you make the same basic point in your testimony, as I understand it also, as say one of the things we ought to be doing, as I recall your testimony, is that we should expand on title VII to address the unique cultural and education needs of Native children. That's the same basic point. Am I right there?

Ms. WRIGHT. That's correct. And if I could give you some key examples in our school. When we take a look at the math data, we have three types of cohorts in our students. First, is a traditional student that learns from easy, simple, to difficult. They're linear learners. The second group is quite interesting because they have some foundation skills, very little processing skills, but higher level thinking skills. And my third, which I think is more indigenous in thinking, do not have as strong a foundation or processing skills, but they have high analytical probability statistics data analysis skills. And so, what this is telling us, from the brain research, not having a written language—if I may use my arm, this is your

brainstem and this is where No Child Left Behind does the cognitive thinking, math and reading in particular. But, there's this auditory part in our brain, but the new research engrain, is that this is the rest of the brain which is special.

And, what we're showing now from the research is that language is embedded in the stem, in the auditory, and in the special. Previous research earmarked language learning in a more narrow focus. When you take a look at how our teachers teach, for example, in science. My teachers use the creation chant, Kumulipo, which is 2,000 lines. But for grades four, five, and six they use 200 lines. And, she takes the vocabulary of the chant in the Hawaiian language, circles all the vocabulary, and the kids go on the Internet and start drawing down all the pictures of the animals that show the specialization, then she begins teaching increased science.

Its seamless, it merges. My science teacher in middle school, when the teacher had trouble teaching tectonic plates to the kids on earth science, he did a hula on transformation, you know, convergent, divergent, and the kids got it like this. And so, I have an assignment from my English teacher at home, it's all the grammar that children are struggling with. I said come up with a mele, which is a chant, a song, and a dance. It's looking at the total way of learning and these are the cultural indicators.

Also, when our students learn, they help each other. In any other testing situation it would be called cheating, but our students Cacao, they pull together, they learn together, and they teach each other. And no child, when we were doing some testing assessments on our computers, no child left the classroom until the last student was finished. It's those cultural values that you're embedding in a child, so that when they graduate they know who they are, they know they're grounded in their traditions and language, and they're globally competitive.

I think that's one of the most greatest advantages. I know NCLB has met many, many hurts, but one of, to me from my experience, the most wonderful asset of NCLB was global competitiveness. It makes our children competitive on a national and international level.

Senator BINGAMAN. Well, thank you very much.

Dr. Garcia, you have a very good list of recommendations for improvement in this law. One of the recommendations is that the Federal Government provide financial support to increase the school day and the school year for our neediest schools. I was just interested in your perspective on, really, how that would impact us here in New Mexico. Are there schools that you believe—would you go to a system where some schools would have a certain length of school day and school year, other schools would have a longer school day or school year because of certain factors that we would identify that would require that? What are your thoughts?

Ms. GARCIA. Well, let me give you an example, Senator. The legislature has funded a program called K-plus, Kindergarten-plus, and we've received, we've begun to see really good data with students who had an additional 20 days before they started kindergarten. And, now that program has been expanded to K-3 Plus, so those students get an additional 20 days before school starts to give

them that extra push that they need to get them on a more level playing field.

Senator BINGAMAN. And is that for each of those three grades or the four grades, kindergarten through 3?

Ms. GARCIA. It's the four grades, but schools apply to participate based on certain criteria. Primarily they've been in high-poverty areas because, again, one of the common denominators is poverty, in terms of students having the opportunity, many kids get the opportunity of public, I mean, pay for private pre-K or other kinds of enriching activities in the summer that, oftentimes, children of poverty don't have that advantage.

Some of the students need additional support, in terms of tutoring after school. If we're going to keep the same framework, in terms of testing and so on, they need that additional advantage. We've also funded, for example, after-school enrichment programs from the State level, but they don't go very far. That not only incorporates academics, but also enrichment activities. And again, language is a very important part of that enrichment, but it takes funding to be able to do that.

One of the aspects of No Child Left Behind, I think that isn't there as we look more globally, how can we look at all of the resources that are coming from the Federal Government and how can they be used in a manner that helps address the issues of health and obesity, that impact learning. Not having adequate access to pre-K programs, when they come to kindergarten they're already behind other children. How can we help ameliorate those impacts of poverty?

And the second piece, I think, is that we need—as we look at standards we say, “well, Arizona made AYP or Hawaii made AYP or New Mexico made AYP, but we're all using a different yardstick.” It's, and I'm not recommending a Federal standard by any means, but there has to be a better way of being able to communicate to our public how our schools and how our children are doing by a yardstick that's more meaningful than just, you made AYP or you didn't make AYP.

Senator BINGAMAN. Let me just ask on that because, you know, in Washington and everywhere in the country everyone's very much in agreement that we don't want a national standard. At the same time, we've got quite a few States that have joined together to develop, essentially, a set of common standards. I think 29 States or some such group. I believe New Mexico is part of that.

You know, just to play the devil's advocate, why don't we want to have some common standard that we can all look to and say, “Look, if the people in Hawaii can meet this standard, why can't we meet it in New Mexico? And if the people in Arizona can meet it, why can't we meet it in New Mexico?” What's wrong with that as a concept?

Ms. GARCIA. Senator, thank you for asking that question. And, I've asked the question myself because I was of the opinion at some point that you needed a national standard. I think there's a difference between national standards and Federal standards. And I think that a national standard that is created by the various groups that represent teachers and parents and organizations like Dr. Wright's and others, are important in coming together and then

States choose to meet that. A Federal standard, depending on who's in office and who's determining those standards, I think could potentially be harmful to States. And, I think that's the distinction between a Federal and a national standard.

Senator BINGAMAN. The idea of a common standard that we'd all agree, would be the right sort of knowledge and understanding that we would want students to have. For example, in mathematics, mathematics is not that culturally specific, or at least the way I think about it. Maybe I'm ignorant about that, but it would be good to say, here's a common standard. We would like 4th graders to be able to do the following mathematics or 8th graders or 12th graders. Is that what you're saying?

Ms. GARCIA. Senator, to some degree, yes. You know, we have de facto standards by the fact that we have the National Assessment of Educational Progress, the NAEP scores. And those, you know, not all students take them. Schools, States like New Mexico are over-sampled because of our high Native American and Hispanic population. And, they primarily test, they don't test every grade and every sample in the State. We are very aligned. Our content standards are aligned to that, to the NAEP, and I think you saw, probably, the report that showed the varying degrees and that's why when we look at AYP, it becomes meaningless as well, because of the standards being so different.

On the other hand, how do we incorporate these cultural and linguistic differences and, even with mathematics, yes the computations may be the same, but if in the word problems, we're talking about something that a child has no language, no basis of understanding in language, there can be a cultural component even in the area of mathematics. And I think that was the reasoning behind NCLB to say, regardless of your language competence, you'd have to have math and English the first year. As I said in New Mexico, because our standards require constructed responses and a lot of writing and a lot of application, if you're not fluent and have academic language in English, you are at a distinct disadvantage.

Senator BINGAMAN. OK.

Let me ask Ms. Gutierrez, what, in your experience in teaching and trying to bring along the students that you have been successful with bringing along, how do you believe this issue of retaining and learning a child's Native language at the same time, help in becoming proficient in English. How do we best accomplish both of those goals? Because I think, at least my view is, we ought to try to accomplish both of those goals from the point of view of the student. When that student goes out into the workforce to make a living, the ideal thing would be to have them be fluent in English, be fluent in their Native language, have a very good sense of themselves and their native culture, but also have the skills they need to succeed anywhere. How do you think we best achieve those goals?

Ms. GUTIERREZ. I look at it from a bilingual standpoint. Knowledge of your first language gives you the background and the esteem to be able to go on and learn a second language. And, the basis of that first language helps you to learn the second language a lot better and internalize that language. It is an advantage to be able to speak two languages. And, it helps you to learn in two dif-

ferent ways, because thinking in a Native language is different than thinking in the English language. As I have difficulty doing when I switch from English to Spanish, to hearing my own language.

Bilingual classrooms need to actually be implemented in the schools, especially for the higher number of students, especially Navajo students in our classrooms, because they're the ones that really fall far behind when it comes to literacy. Because I can see that their language, which they haven't completely mastered yet, because they've been taken out of their school and moved to the urban setting, they haven't mastered it yet so they don't have the real strong background they need in that language to be able to take on the English language and so they falter. If we can take our languages that are written now and try and incorporate them into our schools with the language component, bilingual component, I think it would help our kids a lot.

Because the second language learners that speak Spanish have that opportunity and our students don't a lot of times. And then, we need to make sure that the teachers that we hire to do that are trained in the teaching methods of that language, because you can't just teach somebody a language unless you know some teaching methods to get that done with.

Senator BINGAMAN. Let me ask Ms. Pasena, I appreciate your testimony very much. Could you give me some insights on one issue that I seem to see in the testimony, some here, but elsewhere on some of our earlier hearings in Washington. The challenges that students face are very different, whether they're male or female. And, the dropout problem seems to be much worse for young men than it is for young women, at least the statistics indicate that, that more young women stay in school long enough to graduate than young men, particularly among the Native American students. Is that something that you have had any chance to observe among the students that you were with? Is there a reason? Is there something we could be doing to help young men stay in school in larger numbers?

Ms. PASENA. During my years at the Santa Fe Indian School, I did notice that there were some boys, particularly, that did drop out of school or left for a number of reasons. Like, there's—how could I say this—there are numerous amount of reasons for each child to leave, particularly home, home lifestyle. Like they were saying, if something happens at home, poverty, all of those things. But to determine one particular reason or one straightaway answer, I think it really, you have to look in the background of that child. There's no real reason to say, "OK, boys you stay in school. We have all this for you here."

Senator BINGAMAN. So, no real—

Ms. PASENA. No real basis.

Senator BINGAMAN. Yes. I understand. A main thrust of your testimony was that we need to be more realistic about what we are requiring with regard to special education students. You think that the act, as it's currently administered and implemented and written is not realistic in that regard. And, that is a major problem that we have to change?

Ms. PASENA. I see it as unfair because, as a Gates Scholar, me testing here and then a special ed student with severe cognitive disabilities, who's not able to take that out of test, out of grade level test because he's not part of the 1 percent. I don't see it as fair as forcing him to take that test for the AYP and in the end, not have it affect our school negatively. Because, in the end, when you're looking at the test results, they're all combined into one.

And whether or not your school is exceeding because our school of 14 percent, that really brings our level pretty low. I don't see, like you said, that's realistic. I think the 1 percent should be increased to meet the needs, whatever that may be at the school. So that way, your school can—the test results and the level of progress in your school can be measured fairly.

Senator BINGAMAN. I understand your point very well. Thank you very much.

We could go on for another couple hours, but I know you've been very generous with your time and this has been useful testimony. We can take the suggestions that you've given us here and work with those in Washington. And I think this will be helpful in our deliberations on how to rewrite this law to make it more workable. That's obviously our goal.

Dr. Wright.

Ms. WRIGHT. If I may say one closing comment, Senator? I would like to invite you or a member of your staff to Hawaii in October where the National Indian Education Association will be holding its conference—Alaska Native, Native American Indians, and Hawaiians. We predict over 3,000 people attending the conference, but you will see exemplary models of what we've been talking about today. How culture and language help our people know who they are, but also how we embed English, French, Spanish and all the other languages that help our children succeed in higher ed. I think, perhaps, you might want to send one of your staff members to come see.

Senator BINGAMAN. It's probably going to be hard to persuade any of my staff to go to Hawaii.

[Laughter.]

But I'll work on it, see if we can persuade any of them.

Let me mention, since you did, Michael Uden who is here at the front desk with me. He works with me on education issues in Washington and he was very instrumental in helping organize this hearing. And, he's working on this No Child Left Behind issue very much. Chris McKeno, who works with me here in Santa Fe, has also been very helpful on this. He's at the back of the room and I hope you all are acquainted with Chris. Jude McCartin who's over here, she works with me in Washington on a whole range of issues also.

I think this has been useful. Thank you all for participating and again, thank you Joe, for letting us have this hearing here at the Santa Fe Indian School, which is a wonderful school that we want to see continue to succeed in the great tradition that it has developed.

That will end our hearing. Thank you all for coming.
[Whereupon, at 11:12 a.m. the hearing was adjourned.]

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