

107TH CONGRESS  
1ST SESSION

# H. R. 1337

To amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 3, 2001

Mrs. MINK of Hawaii (for herself, Mr. ABERCROMBIE, and Mr. KENNEDY of Rhode Island) introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Native American Lan-  
5       guages Act Amendments Act of 2001”.

6       **SEC. 2. PURPOSE.**

7       The purposes of this Act are as follows:

8               (1) To encourage and support the development  
9       of Native American Language Survival Schools as

1 innovative means of addressing the effects of past  
2 discrimination against Native American language  
3 speakers and to support the revitalization of such  
4 languages through education in Native American  
5 languages and through instruction in other academic  
6 subjects using Native American languages as an in-  
7 structional medium, consistent with United States  
8 policy as expressed in the Native American Lan-  
9 guages Act (25 U.S.C. 2901 et seq.).

10 (2) To demonstrate the positive effects of Na-  
11 tive American Language Survival Schools on the  
12 academic success of Native American students and  
13 their mastery of standard English.

14 (3) To encourage and support the involvement  
15 of families in the educational and cultural survival  
16 efforts of Native American Language Survival  
17 Schools.

18 (4) To encourage communication, cooperation,  
19 and educational exchange among Native American  
20 Language Survival Schools and their administrators.

21 (5) To provide support for Native American  
22 Language Survival School facilities and endowments.

23 (6) To provide support for Native American  
24 Language Nests either as part of Native American  
25 Language Survival Schools or as separate programs

1 that will be developed into more comprehensive Na-  
 2 tive American Language Survival Schools.

3 (7) To support the development of local and na-  
 4 tional models that can be disseminated to the public  
 5 and made available to other schools as exemplary  
 6 methods of teaching Native American students.

7 (8) To develop a support center system for Na-  
 8 tive American Survival Schools at the university  
 9 level.

10 **SEC. 3. DEFINITIONS.**

11 Section 103 of Public Law 101–477 (25 U.S.C.  
 12 2902) is amended to read as follows:

13 “DEFINITIONS

14 “SEC. 103. For the purposes of this title, the fol-  
 15 lowing definitions apply:

16 “(1) INDIAN.—The term ‘Indian’ has the mean-  
 17 ing given that term in section 9161 of the Elemen-  
 18 tary and Secondary Education Act of 1965 (20  
 19 U.S.C. 7881).

20 “(2) INDIAN TRIBAL GOVERNMENT; INDIAN  
 21 TRIBE.—The terms ‘Indian tribal government’ and  
 22 ‘Indian tribe’ mean any Indian tribe, band, nation,  
 23 or other organized group or community, including  
 24 any Alaska Native village or regional or village cor-  
 25 poration as defined in or established pursuant to the  
 26 Alaska Native Claims Settlement Act (43 U.S.C.

1 1601 et seq.), which is recognized as eligible for the  
2 special programs and services provided by the  
3 United States to Indians because of their status as  
4 Indians.

5 “(3) INDIAN RESERVATION.—The term ‘Indian  
6 reservation’ has the meaning given the term ‘res-  
7 ervation’ in section 3 of the Indian Financing Act of  
8 1974 (25 U.S.C. 1452).

9 “(4) NATIVE AMERICAN.—The term ‘Native  
10 American’ means an Indian, Native Hawaiian, or  
11 Native American Pacific Islander.

12 “(5) NATIVE AMERICAN LANGUAGE.—The term  
13 ‘Native American language’ means the historical,  
14 traditional languages spoken by Native Americans.

15 “(6) NATIVE AMERICAN LANGUAGE COLLEGE.—  
16 The term ‘Native American Language College’  
17 means—

18 “(A) a tribally controlled community col-  
19 lege or university (as defined in section 2 of the  
20 Tribally Controlled Community College Assist-  
21 ance Act of 1978 (25 U.S.C. 1801)) or a col-  
22 lege applying for a Native American Language  
23 Survival School in a Native American language  
24 which that college regularly offers as part of its  
25 curriculum and which has the support of an In-

1           dian tribal government traditionally affiliated  
2           with that Native American language; or

3           “(B) Ka Haka ‘Ula O Ke’elikolani College.

4           “(7) NATIVE AMERICAN LANGUAGE EDU-  
5           CATIONAL ORGANIZATION.—The term ‘Native Amer-  
6           ican Language Educational Organization’ means an  
7           organization that—

8           “(A) is governed by a board consisting pri-  
9           marily of Native Americans and as many speak-  
10          ers of 1 or more Native American languages as  
11          possible;

12          “(B) is currently providing instruction  
13          through the use of a Native American language  
14          to at least 10 preschool, elementary, or high  
15          school students for at least 700 hours of in-  
16          struction per year per student;

17          “(C) has provided such instruction for at  
18          least 10 preschool, elementary, or high school  
19          students through a Native American language  
20          for at least 700 hours per year per student for  
21          not less than 3 years prior to applying for a  
22          grant under this Act; and

23          “(D) may be a public school that meets the  
24          requirements of subparagraphs (A), (B), and  
25          (C).

1           “(8) NATIVE AMERICAN LANGUAGE NEST.—The  
2           term ‘Native American Language Nest’ means a  
3           site-based educational program, enrolling families  
4           with children below the age of 7, which is conducted  
5           through a Native American language for at least  
6           700 hours per year per student with the specific goal  
7           of strengthening, revitalizing, or reestablishing a Na-  
8           tive American language and culture as a living lan-  
9           guage and culture of daily life.

10           “(9) NATIVE AMERICAN LANGUAGE SURVIVAL  
11           SCHOOL.—The term ‘Native American Language  
12           Survival School’ means a Native American language  
13           dominant site-based educational program which ex-  
14           pands from a Native American Language Nest, ei-  
15           ther as a separate entity or inclusive of a Native  
16           American Language Nest, to enroll families with  
17           children eligible for elementary or secondary edu-  
18           cation and which provides a complete education  
19           through a Native American language with the spe-  
20           cific goal of strengthening, revitalizing, or reestab-  
21           lishing a Native American language and culture as  
22           a living language and culture of daily life.

23           “(10) NATIVE AMERICAN PACIFIC ISLANDER.—  
24           The term ‘Native American Pacific Islander’ means  
25           any descendant of the aboriginal people of any is-

1 land in the Pacific Ocean that is a territory or pos-  
 2 session of the United States.

3 “(11) NATIVE HAWAIIAN.—The term ‘Native  
 4 Hawaiian’ has the meaning given that term in sec-  
 5 tion 9212 of the Elementary and Secondary Edu-  
 6 cation Act of 1965 (20 U.S.C. 7912).

7 “(12) SECRETARY.—The term ‘Secretary’  
 8 means the Secretary of Education.

9 “(13) TRADITIONAL LEADERS.—The term ‘tra-  
 10 ditional leaders’ includes Native Americans who have  
 11 special expertise in Native American culture and Na-  
 12 tive American languages.

13 “(14) TRIBAL ORGANIZATION.—The term ‘trib-  
 14 al organization’ has the meaning given that term in  
 15 section 4 of the Indian Self-Determination and Edu-  
 16 cation Assistance Act (25 U.S.C. 450b).”.

17 **SEC. 4. NATIVE AMERICAN LANGUAGE NESTS AND SUR-**  
 18 **VIVAL SCHOOLS.**

19 Title I of Public Law 101–477 (25 U.S.C. 2901 et  
 20 seq.) is amended by adding at the end the following new  
 21 sections:

22 “GENERAL AUTHORITY

23 “NATIVE AMERICAN LANGUAGE NESTS

24 “SEC. 108. (a) IN GENERAL.—The Secretary is au-  
 25 thorized to provide funds, through grant or contract, to  
 26 Native American Language Educational Organizations,

1 Native American Language Colleges, Indian tribal govern-  
2 ments, organizations that demonstrate the potential to be-  
3 come Native American Language Educational Organiza-  
4 tions, or a consortia of such organizations, colleges, or  
5 tribal governments for the purpose of establishing Native  
6 American Language Nest programs for students below the  
7 age of 7 and their families.

8 “(b) REQUIREMENTS.—A Native American Lan-  
9 guage Nest program receiving funds under this section  
10 shall—

11 “(1) provide instruction and child care through  
12 the use of a Native American language for at least  
13 10 children below the age of 7 for at least 700 hours  
14 per year per student;

15 “(2) provide compulsory classes for parents of  
16 students enrolled in a Native American Language  
17 Nest in a Native American language, including Na-  
18 tive American language speaking parents;

19 “(3) provide compulsory monthly meetings for  
20 parents and other family members of students en-  
21 rolled in a Native American Language Nest;

22 “(4) provide a preference in enrollment for stu-  
23 dents and families who are fluent in a Native Amer-  
24 ican language;



1           “(5) receive at least 5 percent of its funding  
2           from another source, which may include federally  
3           funded programs, such as a Head Start program  
4           funded under the Head Start Act (42 U.S.C. 9801  
5           et seq.); and

6           “(6) ensure that a Native American language  
7           becomes the dominant medium of instruction in the  
8           Native American Language Nest not later than 6  
9           years after first receiving funding under this title.

10          “NATIVE AMERICAN LANGUAGE SURVIVAL SCHOOLS

11          “SEC. 109. (a) IN GENERAL.—The Secretary is au-  
12          thorized to provide funds, through grant or contract, to  
13          Native American Language Educational Organizations,  
14          Native American Language Colleges, Indian tribal govern-  
15          ments, or a consortia of such organizations, colleges, or  
16          tribal governments to operate, expand, and increase Na-  
17          tive American Language Survival Schools throughout the  
18          United States and its territories for Native American chil-  
19          dren and Native American language speaking children, in-  
20          cluding through the provision of direct educational services  
21          and school support services.

22          “(b) ELIGIBILITY.—As a condition of receiving funds  
23          under subsection (a), a Native American Language Edu-  
24          cational Organization, a Native American Language Col-  
25          lege, an Indian tribal government, or a consortia of such  
26          organizations, colleges, or tribal governments—

1 “(1) shall—

2 “(A) have at least 3 years experience in  
3 operating and administering a Native American  
4 Language Survival School, a Native American  
5 Language Nest, or other educational programs  
6 in which instruction is conducted in a Native  
7 American language; and

8 “(B) include students who are subject to  
9 State compulsory education laws; and

10 “(2) may include students from infancy through  
11 grade 12, as well as their families.

12 “(c) PRIORITY.—In making grants or entering into  
13 contracts, the Secretary shall give priority to—

14 “(1) the provision of direct educational services;

15 “(2) applicants with the support of the appro-  
16 priate tribal government or governments; and

17 “(3) applicants that have researched language  
18 revitalization and the unique characteristics and cir-  
19 cumstances of the languages of their schools.

20 “(d) USE OF FUNDS.—

21 “(1) REQUIRED USES.—A Native American  
22 Language Survival School receiving funds under this  
23 section shall—

24 “(A) consist of not less than 700 hours of  
25 instruction per student conducted annually

1 through a Native American language or lan-  
2 guages for at least 15 students for whom a Na-  
3 tive American Language Survival School is  
4 their principal place of instruction;

5 “(B) provide direct educational services  
6 and school support services to students that  
7 may also include—

8 “(i) support services for children with  
9 special needs;

10 “(ii) transportation;

11 “(iii) boarding;

12 “(iv) food service;

13 “(v) teacher and staff housing;

14 “(vi) purchase of basic materials;

15 “(vii) adaptation of teaching mate-  
16 rials;

17 “(viii) translation and development; or

18 “(ix) other appropriate services;

19 “(C) provide direct or indirect educational  
20 and support services for the families of enrolled  
21 students on site, through colleges, or through  
22 other means to increase their knowledge and  
23 use of the Native American language and cul-  
24 ture, and may impose a requirement of family

1 participation as a condition of student enroll-  
2 ment; and

3 “(D) ensure that within 3 years of enroll-  
4 ment, all students achieve functional fluency  
5 appropriate to the unique circumstances and  
6 endangerment status of that Native American  
7 language with the ultimate goal of academic or  
8 cognitive fluency.

9 “(2) PERMISSIBLE USES.—A Native American  
10 Language Survival School receiving funds under this  
11 section may—

12 “(A) include Native American Language  
13 Nests and other educational programs for stu-  
14 dents who are not Native American language  
15 speakers but who seek to establish fluency  
16 through instruction in a Native American lan-  
17 guage or to reestablish fluency as descendants  
18 of Native American language speakers;

19 “(B) provide instruction through more  
20 than 1 language;

21 “(C) provide instruction through a regional  
22 program (as opposed to 1 site) to better serve  
23 geographically dispersed students;

24 “(D) include a program of concurrent and  
25 summer college or university education course

1 enrollment for secondary school students en-  
2 rolled in Native American Language Survival  
3 Schools, as appropriate;

4 “(E) provide special support for Native  
5 American languages for which there are very  
6 few or no remaining Native American language  
7 speakers;

8 “(F) develop comprehensive curricula in  
9 Native American language instruction and in-  
10 struction through Native American languages  
11 including—

12 “(i) curricula that can be used by  
13 public schools for instruction through a  
14 Native American language or teaching Na-  
15 tive American languages as subjects;

16 “(ii) community Native American lan-  
17 guage use in communities served by Native  
18 American Language Survival Schools; and

19 “(iii) knowledge of a specific Native  
20 American language gained through re-  
21 search for the purpose of directly aiding  
22 the development of curriculum materials;

23 “(G) provide programs in preservice and  
24 inservice teacher training, staff training, per-  
25 sonnel development programs, programs to up-

1 grade teacher and staff skills, and community  
2 resource development training, that shall in-  
3 clude a program component which has as its  
4 objective increased Native American language  
5 speaking proficiency for teachers and staff em-  
6 ployed in Native American Language Survival  
7 Schools and Native American Language Nests,  
8 which may include—

9 “(i) visits or exchanges among Native  
10 American Language Survival Schools and  
11 Native American Language Nests of school  
12 or nest teachers, staff, students, or fami-  
13 lies of students;

14 “(ii) participation in conference or  
15 special nondegree programs focusing on  
16 the use of a Native American language or  
17 languages for the education of students,  
18 teachers, staff, students, or families of stu-  
19 dents;

20 “(iii) full or partial scholarships and  
21 fellowships to colleges or universities for  
22 the professional development of faculty and  
23 staff, and to meet requirements for the in-  
24 volvement of the family or the community  
25 of Native American Language Survival

1 School students in Native American Lan-  
2 guage Survival Schools, and to develop re-  
3 source persons for Native American lan-  
4 guage programs in public schools, provided  
5 that a recipient of a fellowship or scholar-  
6 ship awarded under the authority of this  
7 clause who is enrolled in a program leading  
8 to a degree or certificate shall—

9 “(I) be trained in the Native  
10 American language of the Native  
11 American Language Survival School,  
12 if such program is available through  
13 that Native American language;

14 “(II) complete a minimum an-  
15 nual number of hours in Native Amer-  
16 ican language study or training dur-  
17 ing the period of the fellowship or  
18 scholarship; and

19 “(III) enter into a contract which  
20 obligates the recipient to provide his  
21 or her professional services, either  
22 during the fellowship or scholarship  
23 period or upon completion of a degree  
24 or certificate, in Native American lan-  
25 guage instruction in the Native Amer-

1            ican language associated with the Na-  
2            tive American Language Survival  
3            School in which the service obligation  
4            is to be fulfilled;

5            “(iv) training in the language and cul-  
6            ture associated with a Native American  
7            Language Survival School either under  
8            community or academic experts in pro-  
9            grams which may include credit courses;

10           “(v) structuring of personnel oper-  
11           ations to support Native American lan-  
12           guage and cultural fluency and program  
13           effectiveness;

14           “(vi) Native American language plan-  
15           ning, documentation, reference material  
16           and archives development; or

17           “(vii) recruitment for participation in  
18           teacher, staff, student, and community de-  
19           velopment; or

20           “(H) rent, lease, purchase, construct,  
21           maintain or repair educational facilities to en-  
22           sure the academic achievement of Native Amer-  
23           ican Language Survival School students.



1 “DEMONSTRATION PROGRAMS REGARDING LINGUISTICS  
2 ASSISTANCE

3 “SEC. 110. (a) DEMONSTRATION PROGRAMS.—The  
4 Secretary shall provide funds, through grant or contract,  
5 for the establishment of 3 demonstration programs that  
6 will provide assistance to Native American Language Sur-  
7 vival Schools and Native American Language Nests. Such  
8 demonstration programs shall be established at—

9 “(1) Ka Haka ‘Ula O Ke‘elikolani College of  
10 the University of Hawaii at Hilo, in consortium with  
11 the ‘Aha Punana Leo, Inc., and with other entities  
12 if deemed appropriate by such College, to—

13 “(A) conduct a demonstration program in  
14 the development and operation of the various  
15 components of a regional Native American Lan-  
16 guage Survival School program and college level  
17 Native American language teaching and use  
18 that is supportive of Native American Lan-  
19 guage Survival Schools; and

20 “(B) provide assistance in the establish-  
21 ment, operation, and administration of Native  
22 American Language Nests and Native Amer-  
23 ican Language Survival Schools by such means  
24 as training, hosting informational visits to dem-  
25 onstration sites, and providing a national clear-

1           inghouse for data and information relevant to  
2           teaching Native American languages, outreach,  
3           courses, conferences, and other means;

4           “(2) Piegan Institute of Browning, Montana to  
5           demonstrate the operation of a Native American  
6           Language Nest and Survival School; and

7           “(3) the Alaska Native Language Center of the  
8           University of Alaska at Fairbanks, in consortium  
9           with other entities as deemed appropriate by such  
10          Center, to conduct a demonstration program, train-  
11          ing, outreach, conferences, visitation programs, and  
12          other assistance in developing orthographies, re-  
13          source materials, language documentation, language  
14          preservation, material archiving, and community  
15          support development.

16          “(b) USE OF TECHNOLOGY.—The demonstration  
17          programs authorized to be established under this section  
18          may employ synchronic and asynchronic telecommuni-  
19          cations and other appropriate means to maintain coordi-  
20          nation and cooperation with one another and with partici-  
21          pating Native American Language Survival Schools and  
22          Native American Language Nests.

23          “(c) DIRECTIONS TO THE SECRETARY.—The dem-  
24          onstration programs authorized to be established under  
25          this section shall provide direction to the Secretary in de-

1 veloping a site visit evaluation of Native American Lan-  
 2 guage Survival Schools and Native American Language  
 3 Nests.

4 “(d) FOLLOWUP AND DATA COLLECTION.—The dem-  
 5 onstration programs authorized to be established under  
 6 this section may conduct followup data collection and anal-  
 7 ysis on students while they are in school to assess how  
 8 Survival School students are performing in comparison to  
 9 other students, as well as identify instructional methods  
 10 that are working and those methods which may not be  
 11 working.

12 “(e) ENDOWMENTS AND FACILITIES.—The dem-  
 13 onstration programs authorized to be established under  
 14 this section may establish endowments for the purpose of  
 15 furthering their activities relative to the study and preser-  
 16 vation of Native American languages, and may use funds  
 17 to provide for the rental, lease, purchase, construction,  
 18 maintenance, and repair of facilities.

19 “AUTHORIZATION OF APPROPRIATIONS

20 “SEC. 111. There are authorized to be appropriated  
 21 such sums as may be necessary to carry out the activities  
 22 authorized by this Act for each of fiscal years 2002  
 23 through 2007.”.

