

109TH CONGRESS
2D SESSION

S. 2674

To amend the Native American Languages Act to provide for the support of Native American language survival schools, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 27, 2006

Mr. AKAKA (for himself, Mr. INOUE, Mr. BAUCUS, and Mr. JOHNSON) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

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 2006”.

6 **SEC. 2. FINDINGS.**

7 Section 102 of the Native American Languages Act
8 (25 U.S.C. 2901) is amended—

9 (1) by striking paragraph (4);

1 (2) by redesignating paragraphs (1), (2), (3),
2 (5), (6), (7), (8), (9), and (10) as paragraphs (7),
3 (8), (9), (10), (11), (12), (14), (15), and (16), re-
4 spectively;

5 (3) by inserting before paragraph (7) (as redes-
6 ignated by paragraph (2)) the following:

7 “(1) historians and linguists estimate that there
8 were over 300 distinct Native languages at the time
9 of first European contact with North America;

10 “(2) as of the date of enactment of the Native
11 American Languages Act Amendments Act of 2006,
12 there are only about 155 Native languages remain-
13 ing, and 87 percent of those languages have been
14 classified as deteriorating or nearing extinction;

15 “(3) according to the 2000 decennial census,
16 only 32.3 percent of the 4,100,000 Native Ameri-
17 cans report speaking a language other than English
18 at home;

19 “(4) although the actual number and age of the
20 average fluent speaker of a Native language is un-
21 known, there have been efforts to suppress and
22 eliminate Native languages throughout American
23 history, resulting in fewer speakers who are fluent in
24 a Native language;

1 “(5) there is a widespread practice of treating
2 Native languages as if they are anachronisms, which
3 in the past often resulted in acts of suppression and
4 extermination of Native languages and cultures;

5 “(6) Native Americans in the United States
6 have special status that recognizes distinct cultural
7 and political rights, including the right to maintain
8 separate identities;”;

9 (4) by inserting after paragraph (12) (as rededesignated by paragraph (2)) the following:

11 “(13) during World War II, the United States
12 employed Native American code talkers who developed secret means of communication based on Native languages and who were critical to winning that war and others;”;

16 (5) in paragraph (15) (as redesignated by paragraph (2)), by striking “and” after the semicolon;

18 (6) in paragraph (16) (as redesignated by paragraph (2)), by striking the period at the end and inserting a semicolon; and

21 (7) by adding at the end the following:

22 “(17) previous Federal laws have resulted in inadequate funding for the enormous task of preserving and supporting Native languages.”.

1 **SEC. 3. PURPOSES.**

2 The purposes of this Act are—

3 (1) to encourage and support, consistent with
4 the policy of the United States as expressed in the
5 Native American Languages Act (25 U.S.C. 2901 et
6 seq.)—

7 (A) the development of Native American
8 language survival schools as innovative means
9 of addressing the effects of past discrimination
10 against Native American language speakers;
11 and

12 (B) the revitalization of Native American
13 languages through—

14 (i) education in Native American lan-
15 guages; and

16 (ii) instruction in other academic sub-
17 jects using Native American languages as
18 an instructional medium;

19 (2) to demonstrate the positive effects of Native
20 American language survival schools on the academic
21 success of Native American students and the stu-
22 dents' mastery of standard English;

23 (3) to encourage and support the involvement
24 of families in the educational and cultural survival
25 efforts of Native American language survival schools;

1 (4) to encourage communication, cooperation,
2 and educational exchange among Native American
3 language survival schools and the administrators of
4 Native American language survival schools;

5 (5) to provide support for Native American lan-
6 guage survival school facilities and endowments;

7 (6) to provide support for Native American lan-
8 guage nests—

9 (A) as part of Native American language
10 survival schools; or

11 (B) as separate programs that will be de-
12 veloped into more comprehensive Native Amer-
13 ican language survival schools;

14 (7) to support the development of local and na-
15 tional models that can be disseminated to the public
16 and made available to other schools as exemplary
17 methods of teaching Native American students; and

18 (8) to develop a system of support for Native
19 American language nests and Native American lan-
20 guage survival schools through Native American lan-
21 guage colleges.

22 **SEC. 4. DEFINITIONS.**

23 Section 103 of the Native American Languages Act
24 (25 U.S.C. 2902) is amended—

1 (1) by striking “For the purposes of this title—
2 ” and inserting “In this title.”;

3 (2) by striking paragraph (7);

4 (3) by redesignating paragraphs (1), (3), (4),
5 (6), and (8) as paragraphs (6), (13), (12), (7), and
6 (3), respectively, and moving the paragraphs so as
7 to appear in numerical order;

8 (4) by inserting before paragraph (2) the fol-
9 lowing:

10 “(1) ELEMENTARY SCHOOL.—The term ‘ele-
11 mentary school’ has the meaning given the term in
12 section 9101 of the Elementary and Secondary Edu-
13 cation Act of 1965 (20 U.S.C. 7801).”;

14 (5) by inserting after paragraph (3) (as redesign-
15 ated by paragraph (3)) the following:

16 “(4) INDIAN TRIBAL GOVERNMENT.—The term
17 ‘Indian tribal government’ has the meaning given
18 the term in section 502 of the Indian Environmental
19 General Assistance Program Act of 1992 (42 U.S.C.
20 4368b).”;

21 (6) in paragraph (5), by striking “(5) The
22 terms” and inserting the following:

23 “(5) INDIAN TRIBE; TRIBAL ORGANIZATION.—
24 The terms”;

(7) by inserting after paragraph (7) (as redesignated by paragraph (3)) the following:

“(8) NATIVE AMERICAN LANGUAGE COLLEGE.—
The term ‘Native American language college’ means—

“(A) a tribally controlled college or university (as defined in section 2 of the Tribally Controlled College or University Assistance Act of 1978 (25 U.S.C. 1801)); and

“(B) a single, State-governed college or university per State (which may operate as part of a larger college or university) at which 1 or more Native American languages are dominant with respect to—

“(i) instruction; or

“(ii) use in internal communication and administration.

“(9) NATIVE AMERICAN LANGUAGE EDUCATIONAL ORGANIZATION.—The term ‘Native American language educational organization’ means an organization that—

“(A) is governed by a board consisting—

“(i) primarily of Native Americans; and

1 “(ii) as many speakers of 1 or more
 2 Native American languages as practicable;

3 “(B) is currently providing instruction
 4 through the use of a Native American language
 5 to at least 10 preschool, elementary school, or
 6 secondary school students for at least 700
 7 hours per year per student;

8 “(C) has provided instruction through the
 9 use of a Native American language to at least
 10 10 preschool, elementary school, or secondary
 11 school students for at least 700 hours per year
 12 per student for a period of not less than 3 years
 13 before the date of application for a grant or
 14 contract under this title; and

15 “(D) may be a public school that meets the
 16 requirements of subparagraphs (A), (B), and
 17 (C).

18 “(10) NATIVE AMERICAN LANGUAGE NEST.—
 19 The term ‘Native American language nest’ means a
 20 site-based educational program that—

21 “(A) enrolls families with children under
 22 the age of 7;

23 “(B) is conducted through a Native Amer-
 24 ican language for at least 700 hours per year
 25 per student; and

1 “(C) has the specific goal of strengthening,
2 revitalizing, or reestablishing a Native Amer-
3 ican language and culture as a living language
4 and culture of daily life.

5 “(11) NATIVE AMERICAN LANGUAGE SURVIVAL
6 SCHOOL.—The term ‘Native American language sur-
7 vival school’ means a site-based educational pro-
8 gram—

9 “(A) in which a Native American language
10 is dominant;

11 “(B) that expands from a Native American
12 language nest, as a separate entity or inclusive
13 of a Native American language nest, to enroll
14 families with children eligible for elementary
15 school or secondary school; and

16 “(C) that provides a complete education
17 through a Native American language with the
18 specific goal of strengthening, revitalizing, or
19 reestablishing a Native American language and
20 culture as a living language and culture of daily
21 life.”;

22 (8) by inserting after paragraph (13) (as redes-
23 ignated by paragraph (3)) the following:

24 “(14) SECONDARY SCHOOL.—The term ‘sec-
25 ondary school’ has the meaning given the term in

1 section 9101 of the Elementary and Secondary Edu-
 2 cation Act of 1965 (20 U.S.C. 7801).

3 “(15) SECRETARY.—The term ‘Secretary’
 4 means the Secretary of Education.”; and

5 (9) in each paragraph that does not have a
 6 heading, by inserting a heading, in the same style as
 7 the heading in the amendment made by paragraph
 8 (4), the text of which is comprised of the term de-
 9 fined in the paragraph.

10 **SEC. 5. NATIVE AMERICAN LANGUAGE NESTS AND SUR-**
 11 **VIVAL SCHOOLS.**

12 The Native American Languages Act (25 U.S.C.
 13 2901 et seq.) is amended by adding at the end the fol-
 14 lowing:

15 **“SEC. 108. NATIVE AMERICAN LANGUAGE NESTS.**

16 “(a) IN GENERAL.—The Secretary may make grants
 17 to, or enter into contracts with, Native American language
 18 educational organizations, Native American language col-
 19 leges, Indian tribal governments, organizations that dem-
 20 onstrate the potential to become Native American lan-
 21 guage educational organizations, or consortia of such enti-
 22 ties for the purpose of establishing Native American lan-
 23 guage nests for—

24 “(1) students under the age of 7; and

25 “(2) families of the students.

1 “(b) REQUIREMENTS.—A Native American language
2 nest receiving funds under this section shall—

3 “(1) provide instruction and child care through
4 the use of a Native American language for at least
5 10 children under the age of 7 for at least 700
6 hours per year per student;

7 “(2) provide compulsory classes in a Native
8 American language for parents of students enrolled
9 in a Native American language nest (including Na-
10 tive American language-speaking parents);

11 “(3) provide compulsory monthly meetings for
12 parents and other family members of students en-
13 rolled in a Native American language nest;

14 “(4) provide a preference in enrollment for stu-
15 dents and families who are fluent in a Native Amer-
16 ican language;

17 “(5) receive at least 5 percent of the funding
18 for the program from another source, which may in-
19 clude any federally funded program (such as a Head
20 Start program funded under the Head Start Act (42
21 U.S.C. 9831 et seq.)); and

22 “(6) ensure that a Native American language
23 becomes the dominant medium of instruction in the
24 Native American language nest not later than 6

1 years after the date on which the Native American
2 language nest first receives funding under this title.

3 “(c) DIVERSITY AND PRIORITY.—In making grants
4 and entering into contracts under this section, the Sec-
5 retary shall—

6 “(1) encourage geographic, linguistic, and tribal
7 diversity, to the maximum extent practicable; and

8 “(2) give priority to—

9 “(A) a Native American language nest
10 that—

11 “(i) previously received Federal funds;

12 and

13 “(ii) as determined by the Secretary,
14 demonstrates full use of any appropriate
15 Native American language in each aspect
16 of the Native American language nest;

17 “(B) a Native American language survival
18 school that—

19 “(i) previously received Federal funds;

20 and

21 “(ii) as determined by the Secretary,
22 demonstrates not less than 80 percent use
23 of any appropriate Native American lan-
24 guage in each aspect of the Native Amer-
25 ican language survival school;

1 “(C) the provision of direct educational
2 services;

3 “(D) applicants that have the support of
4 each appropriate tribal government; and

5 “(E) applicants that have researched lan-
6 guage revitalization and the unique characteris-
7 tics and circumstances of the languages of their
8 schools.

9 **“SEC. 109. NATIVE AMERICAN LANGUAGE SURVIVAL**
10 **SCHOOLS.**

11 “(a) IN GENERAL.—The Secretary may make grants
12 to, or enter into contracts with, Native American language
13 educational organizations, Native American language col-
14 leges, Indian tribal governments, or consortia of such enti-
15 ties, to operate, expand, and increase the number of Na-
16 tive American language survival schools throughout the
17 United States and the territories of the United States for
18 Native American children and Native American language-
19 speaking children.

20 “(b) ELIGIBILITY.—As a condition of receiving funds
21 under subsection (a), a Native American language edu-
22 cational organization, a Native American language college,
23 an Indian tribal government, or a consortium of such enti-
24 ties—

1 “(1) shall have at least 3 years experience in
2 operating and administering—

3 “(A) a Native American language survival
4 school;

5 “(B) a Native American language nest; or

6 “(C) any other educational program in
7 which instruction is conducted in a Native
8 American language;

9 “(2) shall include students who are subject to
10 State compulsory education laws; and

11 “(3) may include—

12 “(A) students from infancy through grade
13 12; and

14 “(B) the families of the students.

15 “(c) DIVERSITY AND PRIORITY.—In making grants
16 or entering into contracts under this section, the Secretary
17 shall—

18 “(1) encourage geographic, linguistic, and tribal
19 diversity, to the maximum extent practicable; and

20 “(2) give priority to—

21 “(A) a Native American language nest
22 that—

23 “(i) previously received Federal funds;
24 and

1 “(ii) as determined by the Secretary,
 2 demonstrates full use of any appropriate
 3 Native American language in each aspect
 4 of the Native American language nest;

5 “(B) a Native American language survival
 6 school that—

7 “(i) previously received Federal funds;
 8 and

9 “(ii) as determined by the Secretary,
 10 demonstrates not less than 80 percent use
 11 of any appropriate Native American lan-
 12 guage in each aspect of the Native Amer-
 13 ican language survival school;

14 “(C) the provision of direct educational
 15 services;

16 “(D) applicants that have the support of
 17 each appropriate tribal government; and

18 “(E) applicants that have researched lan-
 19 guage revitalization and the unique characteris-
 20 tics and circumstances of the languages of their
 21 schools.

22 “(d) USE OF FUNDS.—

23 “(1) REQUIRED USES.—A Native American lan-
 24 guage survival school receiving funds under this sec-
 25 tion—

1 “(A) shall consist of not less than 700
 2 hours of instruction per student conducted an-
 3 nually through 1 or more Native American lan-
 4 guages for at least 15 students for whom a Na-
 5 tive American language survival school is their
 6 principal place of instruction;

7 “(B) shall provide direct educational serv-
 8 ices and school support services to students,
 9 which may include—

10 “(i) support services for children with
 11 special needs;

12 “(ii) transportation;

13 “(iii) boarding;

14 “(iv) food service;

15 “(v) teacher and staff housing;

16 “(vi) purchase of basic materials;

17 “(vii) adaptation of teaching mate-
 18 rials;

19 “(viii) translation and development;

20 and

21 “(ix) other appropriate services;

22 “(C)(i) shall provide direct or indirect edu-
 23 cational and support services for the families of
 24 enrolled students on site, through colleges, or
 25 through other means to increase the families’

1 knowledge and use of the Native American lan-
 2 guage and culture; and

3 “(ii) may impose a requirement of family
 4 participation as a condition of student enroll-
 5 ment; and

6 “(D) shall ensure that within 3 years of
 7 enrollment, all students achieve functional flu-
 8 ency in a Native American language that is ap-
 9 propriate to the unique circumstances and
 10 endangerment status of the Native American
 11 language, with the ultimate goal of academic or
 12 cognitive fluency.

13 “(2) PERMISSIBLE USES.—A Native American
 14 language survival school receiving funds under this
 15 section may—

16 “(A) include Native American language
 17 nests and other educational programs for stu-
 18 dents who—

19 “(i) are not Native American lan-
 20 guage speakers; but

21 “(ii) seek—

22 “(I) to establish fluency through
 23 instruction in a Native American lan-
 24 guage; or

1 “(II) to reestablish fluency as de-
 2 scendants of Native American lan-
 3 guage speakers;

4 “(B) provide instruction through more
 5 than 1 language;

6 “(C) provide instruction through a regional
 7 program (as opposed to 1 site) to better serve
 8 geographically dispersed students;

9 “(D) include a program of concurrent and
 10 summer college or university education course
 11 enrollment for secondary school students en-
 12 rolled in the Native American language survival
 13 school;

14 “(E) provide special support for Native
 15 American languages for which there are very
 16 few or no remaining Native American language
 17 speakers;

18 “(F) develop comprehensive curricula in
 19 Native American language instruction and in-
 20 struction through Native American languages,
 21 including—

22 “(i) curricula that can be used by
 23 public schools for—

24 “(I) instruction through a Native
 25 American language; or

1 “(II) teaching Native American
2 languages as subjects;

3 “(ii) community Native American lan-
4 guage use in communities served by Native
5 American language survival schools; and

6 “(iii) knowledge of a specific Native
7 American language gained through re-
8 search for the purpose of directly aiding
9 the development of curriculum materials;

10 “(G) provide programs in pre-service and
11 in-service teacher training, staff training, per-
12 sonnel development, upgrading of teacher and
13 staff skills, and community resource develop-
14 ment training, that shall include a program
15 component that has as the objective of the pro-
16 gram component increased speaking proficiency
17 in Native American languages for teachers and
18 staff employed in Native American language
19 survival schools and Native American language
20 nests, which may include—

21 “(i) visits or exchanges among Native
22 American language survival schools and
23 Native American language nests of teach-
24 ers, staff, students, or families of students;

1 “(ii) participation in conferences or
2 special nondegree programs focusing on
3 the use of 1 or more Native American lan-
4 guages for the education of teachers, staff,
5 students, or families of students;

6 “(iii) subject to paragraph (3), full or
7 partial scholarships and fellowships to in-
8 stitutions of higher education—

9 “(I) to provide for the profes-
10 sional development of faculty and
11 staff;

12 “(II) to meet requirements for
13 the involvement of the family or the
14 community of Native American lan-
15 guage survival school students in Na-
16 tive American language survival
17 schools; and

18 “(III) to develop resource per-
19 sonnel for Native American language
20 programs in public schools;

21 “(iv) training in the language and cul-
22 ture associated with a Native American
23 language survival school that is provided
24 by a community or academic expert, in-
25 cluding credit courses;

1 “(v) structuring of personnel oper-
 2 ations to support Native American lan-
 3 guage and cultural fluency and program
 4 effectiveness;

5 “(vi) Native American language plan-
 6 ning, documentation, reference material,
 7 and archives development; and

8 “(vii) recruitment for participation in
 9 teacher, staff, student, and community de-
 10 velopment; or

11 “(H) rent, lease, purchase, construct,
 12 maintain, or repair educational facilities to en-
 13 sure the academic achievement of Native Amer-
 14 ican language survival school students.

15 “(3) REQUIREMENTS FOR RECIPIENTS OF FEL-
 16 LOWSHIPS OR SCHOLARSHIPS.—A recipient of a fel-
 17 lowship or scholarship under paragraph (2)(G)(iii)
 18 who is enrolled in a program leading to a degree or
 19 certificate shall—

20 “(A) be trained in the Native American
 21 language of the Native American language sur-
 22 vival school, if such program is available
 23 through that Native American language;

24 “(B) complete a minimum annual number
 25 of hours in Native American language study or

1 training during the period of the fellowship or
 2 scholarship; and

3 “(C) enter into a contract that obligates
 4 the recipient to provide the recipient’s profes-
 5 sional services, during the period of the fellow-
 6 ship or scholarship or on completion of a degree
 7 or certificate, in Native American language in-
 8 struction in the Native American language as-
 9 sociated with the Native American language
 10 survival school in which the service obligation is
 11 to be fulfilled.

12 **“SEC. 110. DEMONSTRATION PROGRAMS.**

13 “(a) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
 14 tion, the term ‘eligible entity’ means an entity, or a consor-
 15 tium of entities (including a Native American language
 16 educational organization in cooperation with a Native
 17 American language college or another entity), that, as de-
 18 termined by the Secretary—

19 “(1) has provided support to a Native American
 20 language survival school or a Native American lan-
 21 guage nest during the 5-year period preceding the
 22 date on which the entity receives a grant from, or
 23 enters into a contract with, the Secretary;

24 “(2) has demonstrated participation in a na-
 25 tional cooperative effort relating to research of Na-

1 tive American language survival schools or Native
2 American language nests; and

3 “(3) has the support of at least 1 Native Amer-
4 ican language survival school or Native American
5 language nest.

6 “(b) ESTABLISHMENT.—The Secretary shall make
7 grants to, or enter into contracts with, eligible entities to
8 establish at least 4 demonstration programs in geographi-
9 cally diverse locations to—

10 “(1) provide assistance to Native American lan-
11 guage survival schools and Native American lan-
12 guage nests; and

13 “(2) participate in a national study of the lin-
14 guistic, cultural, and academic effects of Native
15 American language survival schools and Native
16 American language nests.

17 “(c) PURPOSES.—The demonstration programs shall
18 be established by 1 or more eligible entities for—

19 “(1) the development and operation of the var-
20 ious components of a regional Native American lan-
21 guage survival school program and a college-level
22 Native American language teaching and use pro-
23 gram that is supportive of Native American lan-
24 guage survival schools for children from infancy
25 through grade 12;

1 “(2) the provision of assistance in the establish-
2 ment, operation, and administration of Native Amer-
3 ican language survival schools and Native American
4 language nests by such means as—

5 “(A) training;

6 “(B) hosting informational visits to dem-
7 onstration sites; and

8 “(C) providing a national clearinghouse for
9 data and information relevant to—

10 “(i) teaching Native American lan-
11 guages;

12 “(ii) conducting outreach;

13 “(iii) conducting research relating to
14 Native American language nests and Na-
15 tive American language survival schools;

16 “(iv) offering courses;

17 “(v) providing conferences; and

18 “(vi) carrying out other activities;

19 “(3) the public or private operation of a Native
20 American language survival school serving children
21 at least through grade 5;

22 “(4) cooperation between Native American lan-
23 guage survival schools and Native American lan-
24 guage nests and other indigenous entities across
25 international, Indian reservation, and State bound-

1 aries with respect to the revitalization of Native
 2 American languages; and

3 “(5) the use of professional linguists in train-
 4 ing, outreach, conferences, and visitation programs,
 5 and for provision of other assistance, in devel-
 6 oping—

7 “(A) orthographies;

8 “(B) resource materials;

9 “(C) language documentation;

10 “(D) language preservation;

11 “(E) material archiving; and

12 “(F) community support development.

13 “(d) USE OF TECHNOLOGY.—The demonstration
 14 programs established under this section may employ syn-
 15 chronic and asynchronic telecommunications and other ap-
 16 propriate means to maintain coordination and cooperation
 17 among the programs and with participating Native Amer-
 18 ican language survival schools and Native American lan-
 19 guage nests.

20 “(e) SITE VISIT EVALUATIONS.—The demonstration
 21 programs established under this section shall provide di-
 22 rection to the Secretary in developing a site visit evalua-
 23 tion of Native American language survival schools and Na-
 24 tive American language nests.

1 “(f) FOLLOWUP AND DATA COLLECTION.—A dem-
2 onstration program established under this section may
3 conduct followup data collection and analysis on students
4 while the students are in school—

5 “(1) to assess how Native American language
6 survival school students are performing in compari-
7 son with other students; and

8 “(2) to identify instructional methods that are
9 working and instructional methods that are not
10 working.

11 “(g) AVAILABILITY OF INFORMATION.—

12 “(1) IN GENERAL.—Each eligible entity shall
13 make available to the Secretary any information (in-
14 cluding any curriculum, translation, research, or as-
15 sessment, and any data collected under subsection
16 (f)) produced or collected by the eligible entity in
17 carrying out a demonstration program under this
18 section.

19 “(2) DISTRIBUTION.—The Secretary may dis-
20 tribute any information received under paragraph
21 (1) to any other entity at no cost to the entity, as
22 the Secretary determines to be appropriate.

23 “(3) PUBLICATION.—Not less frequently than
24 once each year, the Secretary shall publish in the
25 Federal Register a list describing any information

1 received under paragraph (1) during the preceding
2 year.

3 “(h) ENDOWMENTS AND FACILITIES.—A demonstra-
4 tion program established under this section may—

5 “(1) establish endowments to further the activi-
6 ties of the demonstration program relating to the
7 study and preservation of Native American lan-
8 guages; and

9 “(2) use funds to provide for the rental, lease,
10 purchase, construction, maintenance, and repair of
11 facilities.

12 “(i) EVALUATION.—Not less frequently than once
13 each year, the Secretary shall evaluate each demonstration
14 program that receives assistance under this section using
15 such criteria as the Secretary determines to be appro-
16 priate.

17 **“SEC. 111. ACHIEVEMENT OF STANDARDS.**

18 “(a) IN GENERAL.—In recognition of the unique cir-
19 cumstances of Native American language nests and Native
20 American survival schools, the Secretary shall, by regula-
21 tion, provide to Native American language nests and Na-
22 tive American survival schools alternative methods of
23 achieving national education standards with respect to Na-
24 tive American language education.

1 “(b) CERTIFICATION AND DESIGNATION OF PARA-
2 PROFESSIONALS.—

3 “(1) DEFINITION OF PARAPROFESSIONAL.—In
4 this subsection, the term ‘paraprofessional’ means a
5 person who, at a Native American language nest or
6 a Native American survival school—

7 “(A) provides educational services relating
8 solely to Native American language or Native
9 American culture; or

10 “(B) provides bilingual educational assist-
11 ance to a teacher.

12 “(2) CERTIFICATION AND DESIGNATION.—

13 “(A) IN GENERAL.—Notwithstanding any
14 other provision of law (including regulations), a
15 paraprofessional shall be considered to meet
16 any applicable requirement relating to qualifica-
17 tions or training for teachers or staff, with re-
18 spect to the services and assistance described in
19 paragraph (1) only, if the paraprofessional—

20 “(i) receives a certification from an
21 Indian tribe associated with the Native
22 American language used by the paraprofes-
23 sional; or

24 “(ii) is designated as a Native Amer-
25 ican language expert or a Native American

1 cultural expert by a Native American lan-
2 guage educational organization associated
3 with the Native American language or cul-
4 ture taught by the paraprofessional.

5 “(B) FACTORS FOR CONSIDERATION.—In
6 certifying or designating a paraprofessional
7 under subparagraph (A), an Indian tribe or Na-
8 tive American language educational organiza-
9 tion shall take into consideration whether the
10 paraprofessional has demonstrated high
11 achievement with respect to—

12 “(i) the Native American language
13 used by the paraprofessional;

14 “(ii) the Native American culture to
15 be taught by the paraprofessional; or

16 “(iii) pedagogy appropriate to the Na-
17 tive American language or culture to be
18 taught by the paraprofessional.

19 “(C) APPROVAL BY SECRETARY.—Not
20 later than 180 days after the date on which an
21 Indian tribe or Native American language edu-
22 cational organization certifies or designates a
23 paraprofessional under subparagraph (A), the
24 Indian tribe or Native American language edu-
25 cational organization shall submit the certifi-

1 cation or designation to the Secretary for ap-
2 proval.

3 “(D) REVIEW.—Not less frequently than
4 once every 5 years, an Indian tribe or Native
5 American educational organization shall review,
6 and revoke, as the Indian tribe or Native Amer-
7 ican educational organization determines to be
8 appropriate, a certification or designation under
9 this paragraph.

10 “(c) RECOGNITION.—Notwithstanding any other pro-
11 vision of law, no Federal agency, State or local educational
12 agency, early childhood education program, institution of
13 higher education, or other entity that provides or receives
14 assistance under Federal law shall fail to recognize as
15 meeting applicable Federal requirements—

16 “(1) a satisfactory score of a student of a Na-
17 tive American language nest or Native American
18 survival school on a performance assessment in ac-
19 cordance with regulations promulgated pursuant to
20 subsection (a); or

21 “(2) the training or qualifications of a para-
22 professional certified or designated under subsection
23 (b).

1 **“SEC. 112. AUTHORIZATION OF APPROPRIATIONS.**

2 “There are authorized to be appropriated to carry out
3 this title such sums as are necessary for each of fiscal
4 years 2007 through 2012.”.

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