Education

There are some fundamental questions that need to be addressed when talking about education planning:

What is education?

What is the point, what do students need, or want to get out of education?

Why does education matter?

What do parents or gradians want their children to learn?

Why do we have to go school?

Who is in involved in education?

Fundamentally students, families, and communities are the core to education

Let’s take a closer look at the student population in Alaska:

The public schools enroll 131,000 students:

The State spends $18,217 per student

Of the 131,000 enrolled students 6% identify as Asian/Pacific Islander, 7% Latino, *14% are uncategorized*, 24% Alaskan Native, 49% White

Who authorizes and operates our education?

Who provides for education?

Functionally western governmental structures are the only legal options for education.

What is that structure?

The Elementary and Secondary Education Act of 1965 amended by the Every Student Succeeds Act is the Federal law that mandates and regulates education in the United States.

The State of Alaska Constitution provides for Education, stating:

“The legislature shall by general law establish and maintain a system of public schools open to all children of the State, and may provide for other public educational institutions.

The general Alaska State law governing Education is outlined through statues in Title 14 EDUCATION, LIBRARIES, and MUSUEMS. These statutes dictate that, “The legislature delegates to school boards for each regional educational attendance area the authority to operate the public schools in those areas in accordance with the provisions of this chapter,”

A closer look at who is involved in the authorizing and operation of public schools is outlined in the Alaska State Statutes.

Alaska state legislator, Governor, Lieutenant Governor, State School Board, State Commissioner, Department of Education and Early Development, Local and Regional School Boards, School Districts, Principals, US Federal Government, Department of community and Economic Development, other states within the United States.

Tribes have been speaking out for educational change for decades.

In September 2016, the State Board of Education and Early Development, known as the State Board established five strategic priorities aimed at improving public education for all students in Alaska.

The Strategic Priorities were:

1. Amplify Student Learning
2. Ensure Excellent Educators
3. Modernize the Education System
4. Inspire Tribal and Community Ownership of Educational Excellence
5. Promote Safety and Well-Being

Following the State Board’s initial actions, Governor Walker, in his 2017 State of the State address, spoke of the need to improve public education in Alaska. The Governor’s comments launched the current effort to craft changes in our education system that will address student achievement gaps and increase graduation rates by making sure that every student across the state has equitable opportunity to learn and succeed.

A twenty member Tribal and Community Ownership committee was established to address Strategic Priority 4: Inspire Tribal and Community Ownership of Educational Excellence

One Recommendation was agreed upon by the committee:

It was, to Create the option for self-governance compacting for the delivery of education between the State of Alaska and Tribes or tribally-empowered Alaska Native Organizations.

At the 2017 Elders Youth Conference a resolution in support of educational tribal compacting between tribes and the state of Alaska was unanimously passed and put forward to the Alaska Federation of Natives. Later that year the Alaska Federation of Natives adopted this resolution in support of tribal compacting between tribes and the state of Alaska

Compacting

What is a compact?

A Compact is a Government to Government agreement.

Why compact?

The two parties involved are both recognized governments. The need has been recognized by the State of Alaska and Tribal Governments that the State of Alaska, on its own as a single entity, can’t efficiently, economically, or fully implement Native Education Models that are required to address the needs of every student in the State of Alaska. As a result, a partnership agreement between the governments is the chosen method to address the need for education change.

The recommendation from the governor’s educational challenge was: self -governance compacting

Which should create the option for self-governance compacting for the delivery of education between the State of Alaska and Tribes or tribally-empowered Alaska Native organizations.

Defined as, Self-governance compacting for the delivery of education means the Tribes or tribally- empowered Alaska Native organizations exercise their rights, in partnership with the State of Alaska, to assume the responsibility and associated funding to carry out programs, functions, services, and activities that the State of Alaska would otherwise be obligated to provide.

The Rationale

The State-Tribal compact affirms the State of Alaska’s commitment to honor the government to government relationship between the State and Tribes to realize better education outcomes for students.

Compacting has a proven track record.

There are several examples of other compact agreements the State of Alaska is currently operating.

The Western Regional Higher Education Compact, recommended by the Western Governors' Conference on November 10, 1950, for adoption by the states or territories of Alaska, Arizona, California, Colorado, Idaho, Hawaii, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming,

The Compact for Education is enacted into law and entered into in behalf of the State of Alaska with all other states and jurisdictions legally joining in it

The Alaska Tribal Child Welfare Compact is a government-to-government agreement between the State of Alaska and Alaska Tribes and Tribal Organizations. It establishes a framework for Tribes to provide child welfare services on behalf of the state, and recognizes Tribes’ inherent sovereign authority to serve their citizens as they have since time immemorial. The compact defines the services to be carried out by Tribes and Tribal Organizations in a defined jurisdiction or service area.

Compacting between Tribes and the United States government began in the 1990’s.

The Alaska Tribal Health Compact (ATHC) which authorizes tribes and tribal health organizations to operate health and health-related programs, was formed on October 1, 1994. The Compact is the umbrella agreement that sets forth the terms and conditions of the government-to-government relationship between Alaska Native tribes and/or tribal organizations, and the United States government through the Indian Health Service

Compacting for education is not a new concept. Washington State is currently in a compact agreement with Tribes for education through, the Washington House Bill 1134 Passed April 16, 2013.

Legal and Regulatory Process

A compact is formed through negations over regulations, statutes, and follows a legal process.

Regulations are formed from the need to address a concern or issue.

Why do we have regulations?

These are just a few reasons regulations exists:

Protection

Standardisation

Limitations

Control

Communication

Structure

Order

Accountability

Representation

Direct Public Funds

Who will sign the compact?

The state of Alaska and Tribal governments have the authority to sign compact agreements.

Compacting Considerations

Let’s take a broad look at the arena within which a proposed compact would operate.

Global, Federal, Tribal, State

Where these overlap is where a successful compact will take place.

We must remember that families and students are the heart of education and the statues and language within the compact should reflect and empower families.

An education compact needs to address the reality of today’s world. The US is a western nation that has within its borders hundreds of nation states, which are Tribes. Which means educational models must address a need for western education and indigenous educational models because all citizens are affected by this relationship. It is not an issue that is just a native problem.

Native educational models and practice have been proven successful for hundreds of years and are robust, valid, and dynamic. The concept of a tribal school does not exclude none native students. Taking time to focus on indigenous educational models does not come at the expense of other educational models. Tribal compact schools as public schools provides an option of choice for families and provides a pathway for all communities in Alaska to have more ownership of their education.

We don’t know what a compact will look like yet but we do know that in order for it to work it must address the needs of all students.