

Tribally Controlled Schools

"...all Treaties made, or which shall be made, under the Authority of the United States, shall be the supreme Law of the Land..."

United States Constitution, Article VI

There are **183 Bureau-funded elementary and secondary schools** in the United States on 64 Tribal Nations in 23 states. Of these, **54 are BIE-Operated**, and **129 are Tribally Controlled**.

Tribally Controlled Schools are considered **independent**, meaning the Bureau of Indian Education and State Education Agencies do not have the authority to implement additional requirements, restrictions, or limitations related to educational programming or the use of funds beyond those in statute and regulation. BIE and State Education Agencies are also prohibited from "exercising control over the content of school curriculum" 20 U.S.C. § 1232a. This law ensures that Tribally Controlled School educational curriculum remains under local control.

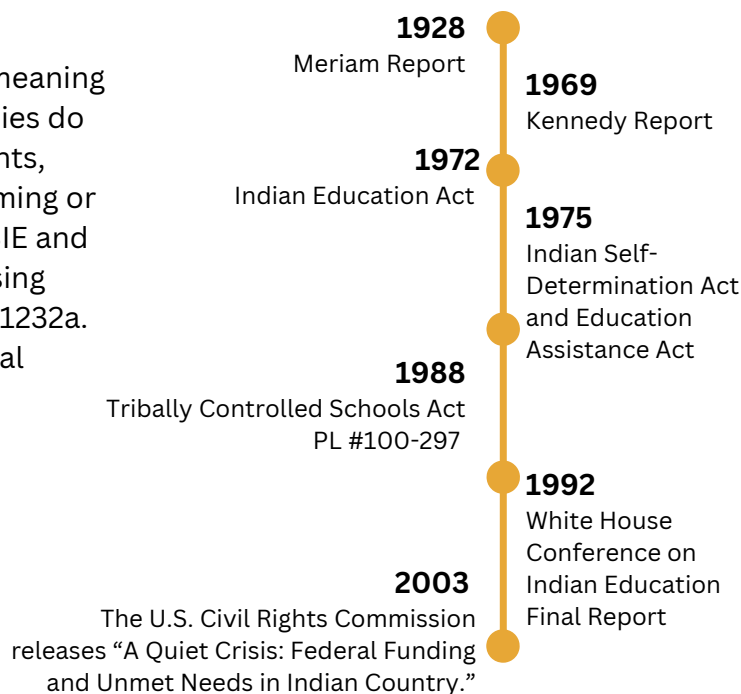
69%

of BIE-funded schools are tribally controlled.

129

Tribally controlled schools are funded by the Bureau of Indian Education.

Federal Initiatives that Support Tribally Controlled Schools



Advocacy Needs

- Full, mandatory funding for BIE-funded schools in the FY 2025 and FY 2026 Budget Request.
- Given their historical underfunding, BIE-funded schools must maintain baseline capacity to ensure a basic continuity of operations, which requires Congress to annually fund statutorily mandated fixed costs. These fixed costs were not funded by Congress in FY24 and we support the House Report 118-581 funding levels and language that "provides the Agency's requested baseline capacity, which covers fixed costs from fiscal year 2024 and fiscal year 2025."
- Reclassify BIE funding from discretionary to mandatory to protect BIE schools and uphold the government's trust and treaty responsibility to American Indian education.
- Advance appropriations for the BIE until BIE funding is reclassified as mandatory funding.
- Request for pay increases at the same rate as federal employees for non-teachers in Tribally Controlled Schools in the FY25 and FY26 BIE Budget Request to Congress; continued teacher pay parity with the Department of Defense Education Activity in the FY2026 BIE Budget Request to Congress; equitable distribution of all line items budgets benefitting BIE operated schools, such as Education and IT, to Tribally Controlled Schools.
- Request that Tribal Grant Support Costs be treated as Contract Support Costs. Moving these expenses to mandatory will ensure that ISEP allocation does not compete with Tribal Grant Support Costs.
- Extend the Legacy Restoration Fund by reauthorizing the Great American Outdoors Act to address deferred maintenance backlogs on federal lands and Bureau of Indian Education funded schools.

Funding

- The United States has a trust, treaty, and statutory responsibility to provide American Indian students with a quality and culturally responsive education, including providing funding, policies, and structures for educational programming and services; and appropriate, safe educational facilities.
- Tribally Controlled Schools cannot draw on the local tax base; they cannot issue bonds; they primarily rely upon support from the Federal government.
- The Bureau of Indian Affairs and the Bureau of Indian Education are the federal agencies responsible for executing Congress' directives regarding American Indian education.
- Tribally Controlled Schools receive no designated funding for technology infrastructure, equipment, or management.



Tribally controlled schools are historically underfunded, and need designated funding for pay increases for school employees, teachers and academic counselors.

“True local control requires the least possible Federal interference”

Tribally Controlled Schools Act of 1988



Educational Sovereignty & Self-Determination

- Tribally Controlled Schools and local communities can affect the quantity and quality of educational opportunities and services for American Indian children.
- The autonomy provided to Tribally Controlled Schools authorizes each school to act as its own Local Education Agency (LEA) and district (DEA), as well as confers many State Education Association (SEA) responsibilities to the school. Many tribally controlled schools also develop and administer programs to meet cultural and linguistic aspirations of the tribal communities they serve.
- The Indian Self-Determination and Education Assistance Act and the Tribally Controlled Schools Act codify Tribally Controlled Schools' right to educational sovereignty and self-determination to “assure maximum Indian participation in the direction of educational services so as to render such services more responsive to the needs and desires of [tribal] communities.”

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