

109TH CONGRESS
2^D SESSION

H. R. 4766

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

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2006

Mrs. WILSON of New Mexico (for herself and Mr. RENZI) introduced the following bill; which was referred to the Committee on Education and the Workforce

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; PURPOSES.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Native American Languages Preservation Act of 2006”.

6 (b) PURPOSES.—The purposes of this Act are as fol-
7 lows:

8 (1) To encourage and support, consistent with
9 the policy of the United States as expressed in the

1 Native American Languages Act (25 U.S.C. 2901 et
2 seq.), the revitalization of Native American lan-
3 guages through—

4 (A) education in Native American lan-
5 guages; and

6 (B) instruction in other academic subjects
7 using Native American languages as an instruc-
8 tional medium.

9 (2) To demonstrate the positive effects of Na-
10 tive American language survival schools on the aca-
11 demic success of Native American students and the
12 students' mastery of standard English.

13 (3) To encourage and support the involvement
14 of families in the educational and cultural survival
15 efforts of Native American language survival schools.

16 (4) To encourage communication, cooperation,
17 and educational exchange among Native American
18 language survival schools and the administrators of
19 Native American language survival schools.

20 (5) To provide support for Native American
21 language survival school facilities and endowments.

22 (6) To provide support for Native American
23 language nests—

24 (A) as part of Native American language
25 survival schools; or

1 (B) as separate programs that will be de-
2 veloped into more comprehensive Native Amer-
3 ican language survival schools.

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

8 (8) To develop a support center system for Na-
9 tive American language survival schools at the uni-
10 versity level.

11 **SEC. 2. DEFINITIONS.**

12 Section 103 of the Native American Languages Act
13 (25 U.S.C. 2902) is amended to read as follows:

14 **“SEC. 103. DEFINITIONS.**

15 “In this title:

16 “(1) **ELEMENTARY SCHOOL.**—The term ‘ele-
17 mentary school’ has the meaning given the term in
18 section 9101 of the Elementary and Secondary Edu-
19 cation Act of 1965 (20 U.S.C. 7801).

20 “(2) **INDIAN.**—The term ‘Indian’ has the mean-
21 ing given the term in section 7151 of the Elemen-
22 tary and Secondary Education Act of 1965 (20
23 U.S.C. 7491).

24 “(3) **INDIAN RESERVATION.**—The term ‘Indian
25 reservation’ has the meaning given the term ‘res-

1 ervation’ in section 3 of the Indian Financing Act of
2 1974 (25 U.S.C. 1452).

3 “(4) INDIAN TRIBAL GOVERNMENT.—The term
4 ‘Indian tribal government’ has the meaning given
5 the term in section 502 of the Indian Environmental
6 General Assistance Program Act of 1992 (42 U.S.C.
7 4368b).

8 “(5) INDIAN TRIBE.—The term ‘Indian tribe’
9 has the meaning given the term in section 4 of the
10 Indian Self-Determination and Education Assistance
11 Act (25 U.S.C. 450b).

12 “(6) NATIVE AMERICAN.—The term ‘Native
13 American’ means—

14 “(A) an Indian;

15 “(B) a Native American Pacific Islander;

16 “(C) a Native Hawaiian; and

17 “(D) an Alaska Native.

18 “(7) NATIVE AMERICAN LANGUAGE.—The term
19 ‘Native American language’ means a historical, tra-
20 ditional language spoken by Native Americans.

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

24 “(A) a tribally controlled college or univer-
25 sity (as defined in section 2 of the Tribally Con-

1 trolled College or University Assistance Act of
2 1978 (25 U.S.C. 1801)); and

3 “(B) a college that is applying for, or has
4 obtained, funds under section 109 for a Native
5 American language survival school in a Native
6 American language that—

7 “(i) the college regularly offers as
8 part of the curriculum of the college; and

9 “(ii) has the support of an Indian
10 tribal government traditionally affiliated
11 with the Native American language.

12 “(9) NATIVE AMERICAN LANGUAGE EDU-
13 CATIONAL ORGANIZATION.—The term ‘Native Amer-
14 ican language educational organization’ means an
15 organization that—

16 “(A) is governed by a board consisting—

17 “(i) primarily of Native Americans;
18 and

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

21 “(B) is currently providing instruction
22 through the use of a Native American language
23 to at least 10 preschool, elementary school, or
24 secondary school students for at least 700
25 hours per year per student;

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

8 “(D) may be a public school that meets the
9 requirements of subparagraphs (A), (B), and
10 (C).

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

14 “(A) enrolls families with children under
15 the age of 7;

16 “(B) is conducted through a Native Amer-
17 ican language for at least 700 hours per year
18 per student; and

19 “(C) has the specific goal of strengthening,
20 revitalizing, or reestablishing a Native Amer-
21 ican language and culture as a living language
22 and culture of daily life.

23 “(11) NATIVE AMERICAN LANGUAGE SURVIVAL
24 SCHOOL.—The term ‘Native American language sur-

1 vival school’ means a site-based educational pro-
2 gram—

3 “(A) in which a Native American language
4 is dominant;

5 “(B) that expands from a Native American
6 language nest, as a separate entity or inclusive
7 of a Native American language nest, to enroll
8 families with children eligible for elementary
9 school or secondary school; and

10 “(C) that provides a complete education
11 through a Native American language with the
12 specific goal of strengthening, revitalizing, or
13 reestablishing a Native American language and
14 culture as a living language and culture of daily
15 life.

16 “(12) NATIVE AMERICAN PACIFIC ISLANDER.—
17 The term ‘Native American Pacific Islander’ means
18 any descendant of the aboriginal people of any is-
19 land in the Pacific Ocean that is a territory or pos-
20 session of the United States.

21 “(13) NATIVE HAWAIIAN.—The term ‘Native
22 Hawaiian’ has the meaning given the term in section
23 7207 of the Elementary and Secondary Education
24 Act of 1965 (20 U.S.C. 7517).

1 “(14) SECONDARY SCHOOL.—The term ‘sec-
2 ondary school’ has the meaning given the term in
3 section 9101 of the Elementary and Secondary Edu-
4 cation Act of 1965 (20 U.S.C. 7801).

5 “(15) SECRETARY.—The term ‘Secretary’
6 means the Secretary of Education.

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

11 **SEC. 3. NATIVE AMERICAN LANGUAGE NESTS AND SUR-**
12 **VIVAL SCHOOLS.**

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

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

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

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

1 “(2) families of the students.

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

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

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

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

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

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

23 “(6) ensure that a Native American language
24 becomes the dominant medium of instruction in the
25 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 **“SEC. 109. NATIVE AMERICAN LANGUAGE SURVIVAL**
4 **SCHOOLS.**

5 “(a) IN GENERAL.—The Secretary may make grants
6 to, or enter into contracts with, Native American language
7 educational organizations, Native American language col-
8 leges or universities where such languages are taught, In-
9 dian tribal governments, or consortia of such entities, to
10 operate, expand, and increase the number of Native Amer-
11 ican language survival schools throughout the United
12 States and the territories of the United States for Native
13 American children and Native American language-speak-
14 ing children.

15 “(b) ELIGIBILITY.—As a condition of receiving funds
16 under subsection (a), a Native American language edu-
17 cational organization, a Native American language college
18 or universities where such languages are taught, an Indian
19 tribal government, or a consortium of such entities—

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

22 “(A) a Native American language survival
23 school;

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

1 “(C) any other educational program in
2 which instruction is conducted in a Native
3 American language;

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

6 “(3) may include—

7 “(A) students from infancy through grade
8 12; and

9 “(B) the families of the students.

10 “(c) PRIORITY.—In making grants or entering into
11 contracts under this section, the Secretary shall give pri-
12 ority to—

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

14 “(2) applicants that have the support of each
15 appropriate tribal government;

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

19 “(4) applicants that are geographically placed
20 amongst a high density of potential Native American
21 and other students.

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 4 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 col-
8 leges or universities—

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 PROGRAM.**

13 “(a) ESTABLISHMENT.—The Secretary shall make
14 grants, or enter into contracts, to establish 1 demonstra-
15 tion program that will provide assistance to Native Amer-
16 ican language survival schools and Native American lan-
17 guage nests.

18 “(b) LOCATION.—The demonstration program shall
19 be established at a Carnegie Research-Extensive Univer-
20 sity (as defined under the Carnegie Classification of Insti-
21 tutions of Higher Education) that—

22 “(1) has substantial Native American enroll-
23 ment;

24 “(2) has a Native American language program;

1 “(3) is located in a State in which at least 7
2 Native American languages are spoken; and

3 “(4) is located near Native American commu-
4 nities that have Native American language speakers.

5 “(c) PURPOSE.—The purpose of the demonstration
6 program shall be the following:

7 “(1) Assisting in establishing, conducting, and
8 administering community-based Native American
9 language nests or Native American language survival
10 schools by—

11 “(A) developing community leadership for
12 Native American language programs;

13 “(B) training Native American language
14 mentors; and

15 “(C) conducting community education and
16 outreach on Native American language issues.

17 “(2) Assisting in developing training programs
18 for Native American language speakers and teachers
19 through—

20 “(A) on-site training and university or col-
21 lege courses;

22 “(B) summer training institutes;

23 “(C) materials-development workshops;

24 and

1 “(D) regional seminars on Native Amer-
2 ican language issues.

3 “(3) Examining the affects of local, State and
4 Federal education policies on the long-term survival
5 of Native American languages.

6 “(4) Examining the impact of culturally-respon-
7 sive curricula on Native American languages.

8 “(d) USE OF TECHNOLOGY.—The demonstration
9 program established under this section may employ syn-
10 chronic and asynchronous telecommunications and other ap-
11 propriate means to maintain coordination and cooperation
12 with participating Native American language survival
13 schools and Native American language nests.

14 “(e) SITE VISIT EVALUATIONS.—The demonstration
15 program established under this section shall provide direc-
16 tion to the Secretary in developing a site visit evaluation
17 of Native American language survival schools and Native
18 American language nests.

19 “(f) FOLLOW-UP AND DATA COLLECTION.—The
20 demonstration program established under this section may
21 conduct follow-up data collection and analysis on students
22 while the students are in school—

23 “(1) to assess how Native American language
24 survival school students are performing in compari-
25 son with other students; and

1 “(2) to identify instructional methods that are
2 working and instructional methods that are not
3 working.

4 “(g) ENDOWMENTS AND FACILITIES.—The dem-
5 onstration program established under this section may—

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

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

13 **“SEC. 111. AUTHORIZATION OF APPROPRIATIONS.**

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

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