

AMENDMENT NO. VII / 1

Calendar No. _____

Purpose: To amend title VII regarding Native American language schools and programs.

IN THE SENATE OF THE UNITED STATES—114th Cong., 1st Sess.

S. _____

To reauthorize the Elementary and Secondary Education Act of 1965 to ensure that every child achieves.

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT intended to be proposed by Mr. FRANKEN

Viz:

1 After section 7003, insert the following:

2 **SEC. 7004. NATIVE AMERICAN LANGUAGE IMMERSION**
3 **SCHOOLS AND PROGRAMS.**

4 At the end of title VII, add the following:

5 **“PART D—NATIVE AMERICAN AND ALASKA NA-**
6 **TIVE LANGUAGE IMMERSION SCHOOLS AND**
7 **PROGRAMS**

8 **“SEC. 7401. NATIVE AMERICAN AND ALASKA NATIVE LAN-**
9 **GUAGE IMMERSION SCHOOLS.**

10 **“(a) PURPOSES.—The purposes of this section are—**

1 “(1) to establish a grant program to support
2 schools that use Native American and Alaska Native
3 languages as the primary language of instruction;

4 “(2) to maintain, protect, and promote the
5 rights and freedom of Native Americans and Alaska
6 Natives to use, practice, maintain, and revitalize
7 their languages, as envisioned in the Native Amer-
8 ican Languages Act (25 U.S.C. 2901 et seq.); and

9 “(3) to support the Nation’s First Peoples’ ef-
10 ferts to maintain and revitalize their languages and
11 cultures, and to improve student outcomes within
12 Native American and Alaska Native communities.

13 “(b) DEFINITION.—In this part, the term ‘Native
14 American’ has the meaning given the term in section 103
15 of the Native American Languages Act (25 U.S.C. 2902).

16 “(c) PROGRAM AUTHORIZED.—

17 “(1) IN GENERAL.—From the amounts made
18 available to carry out this part, the Secretary may
19 award grants to eligible entities to develop and
20 maintain, or to improve and expand, programs that
21 support schools, including prekindergarten through
22 postsecondary education sites and streams, using
23 Native American and Alaska Native languages as
24 the primary language of instruction.

1 “(2) ELIGIBLE ENTITIES.—In this section, the
2 term ‘eligible entity’ means any of the following enti-
3 ties that has a plan to develop and maintain, or to
4 improve and expand, programs that support the en-
5 tity’s use of Native American or Alaska Native lan-
6 guages as the primary language of instruction:

7 “(A) An Indian tribe.

8 “(B) A Tribal College or University (as de-
9 fined in section 316 of the Higher Education
10 Act of 1965).

11 “(C) A tribal education agency.

12 “(D) A public elementary school or sec-
13 ondary school (including a public charter
14 school).

15 “(E) A school operated by the Bureau of
16 Indian Education.

17 “(F) An Alaska Native Regional Corpora-
18 tion (as defined in section 3 of the Alaska Na-
19 tive Claims Settlement Act (43 U.S.C. 1602)).

20 “(G) A private, tribal, or Alaska Native
21 nonprofit organization.

22 “(d) APPLICATION.—

23 “(1) IN GENERAL.—An eligible entity that de-
24 sires to receive a grant under this section shall sub-
25 mit an application to the Secretary at such time, in

1 such manner, and containing such information as
2 the Secretary may require, including the following:

3 “(A) The name of the Native American or
4 Alaska Native language to be used for instruc-
5 tion at the school supported by the eligible enti-
6 ty.

7 “(B) The number of students attending
8 such school.

9 “(C) The number of present hours of in-
10 struction in or through 1 or more Native Amer-
11 ican or Alaska Native languages being provided
12 to targeted students at such school, if any.

13 “(D) A description of how the applicant
14 will—

15 “(i) use the funds provided to meet
16 the purposes of this part;

17 “(ii) implement the activities de-
18 scribed in subsection (f);

19 “(iii) ensure the implementation of
20 rigorous academic content; and

21 “(iv) ensure that students progress to-
22 wards high-level fluency goals.

23 “(E) Information regarding the school’s
24 organizational governance or affiliations, includ-
25 ing information about—

1 “(i) the school governing entity (such
2 as a local educational agency, tribal edu-
3 cation agency or department, charter orga-
4 nization, private organization, or other
5 governing entity);

6 “(ii) the school’s accreditation status;

7 “(iii) any partnerships with institu-
8 tions of higher education; and

9 “(iv) any indigenous language school-
10 ing and research cooperatives.

11 “(F) An assurance that—

12 “(i) the school is engaged in meeting
13 State or tribally-designated proficiency lev-
14 els for students, as may be required by ap-
15 plicable Federal, State, or tribal law;

16 “(ii) the school provides assessments
17 of students using the Native American or
18 Alaska Native language of instruction,
19 where possible;

20 “(iii) the qualifications of all instruc-
21 tional and leadership personnel at such
22 school is sufficient to deliver high quality
23 education through the Native American or
24 Alaska Native language used in the school;
25 and

1 “(iv) the school will collect and report
2 to the public data relative to student
3 achievement and, if appropriate, rates of
4 high school graduation, career readiness,
5 and enrollment in postsecondary education
6 or job training programs, of students who
7 are enrolled in the school’s programs.

8 “(2) LIMITATION.—The Secretary shall not give
9 a priority in awarding grants under this part based
10 on the information described in paragraph (1)(E).

11 “(3) SUBMISSION OF CERTIFICATION.—

12 “(A) IN GENERAL.—An eligible entity that
13 is a public elementary school or secondary
14 school (including a public charter school) or a
15 non-tribal for-profit or nonprofit organization
16 shall submit, along with the application require-
17 ments described in paragraph (1), a certifi-
18 cation described in subparagraph (B) indicating
19 that the school has the capacity to provide edu-
20 cation primarily through a Native American or
21 Alaska Native language and that there are suf-
22 ficient speakers of the target language at the
23 school or available to be hired by the school.

24 “(B) CERTIFICATION.—The certification
25 described in subparagraph (A) shall be from

1 one of the following entities, on whose land the
2 school is located, that is an entity served by
3 such school, or that is an entity whose members
4 (as defined by that entity) are served by the
5 school:

6 “(i) A Tribal College or University.

7 “(ii) A Federally recognized Indian
8 tribe or tribal organization.

9 “(iii) An Alaska Native Regional Cor-
10 poration or an Alaska Native nonprofit or-
11 ganization.

12 “(iv) A Native Hawaiian organization.

13 “(e) AWARDING OF GRANTS.—In awarding grants
14 under this section, the Secretary shall—

15 “(1) determine the amount of each grant and
16 the duration of each grant, which shall not exceed
17 3 years; and

18 “(2) ensure, to the maximum extent feasible,
19 that diversity in languages is represented.

20 “(f) ACTIVITIES AUTHORIZED.—

21 “(1) REQUIRED ACTIVITIES.—An eligible entity
22 that receives a grant under this section shall use
23 such funds to carry out the following activities:

24 “(A) Supporting Native American or Alas-
25 ka Native language education and development.

1 “(B) Providing professional development
2 for teachers and, as appropriate, staff and ad-
3 ministrators to strengthen the overall language
4 and academic goals of the school that will be
5 served by the grant program.

6 “(C) Carrying out other activities that pro-
7 mote the maintenance and revitalization of the
8 Native American or Alaska Native language rel-
9 evant to the grant program.

10 “(2) ALLOWABLE ACTIVITIES.—An eligible enti-
11 ty that receives a grant under this section may use
12 such funds to carry out the following activities:

13 “(A) Developing or refining curriculum, in-
14 cluding teaching materials and activities, as ap-
15 propriate.

16 “(B) Creating or refining assessments
17 written in the Native American or Alaska Na-
18 tive language of instruction that measure stu-
19 dent proficiency and that are aligned with State
20 or tribal academic standards.

21 “(g) REPORT TO SECRETARY.—Each eligible entity
22 that receives a grant under this part shall provide an an-
23 nual report to the Secretary in such form and manner as
24 the Secretary may require.

1 “(h) AUTHORIZATION OF APPROPRIATIONS.—There
2 are authorized to be appropriated to carry out this section
3 such sums as may be necessary for fiscal years 2016
4 through 2021.”.