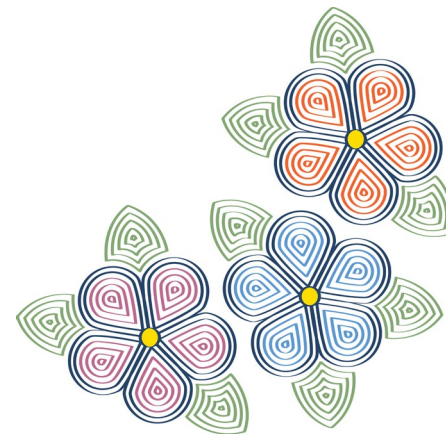


STATE TRIBAL EDUCATION COMPACT UPDATE

Department of Education and Early Development

Łiq'a yes, Joel Isaak, Deputy Commissioner

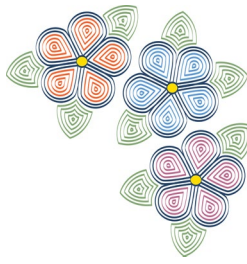
February 12, 2024



MISSION, VISION, AND PURPOSE

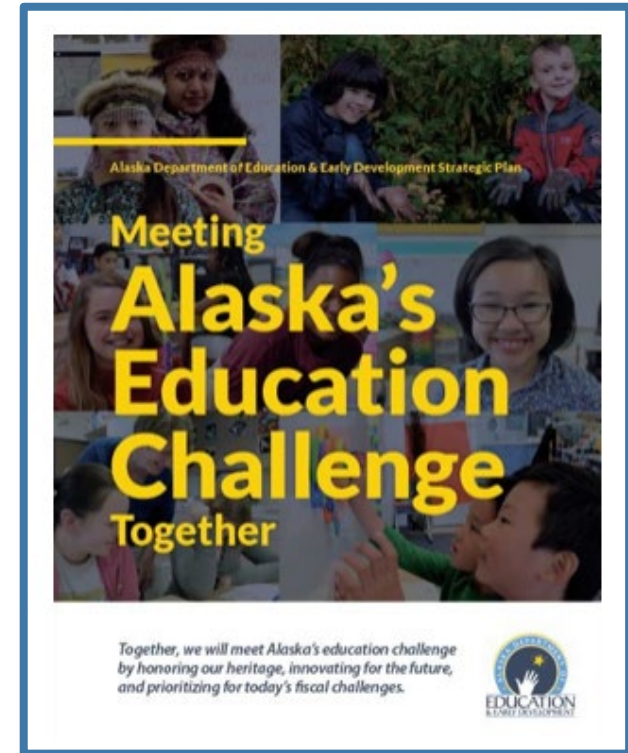
Mission	Vision	Purpose
An excellent education for every student every day.	All students will succeed in their education and work, shape worthwhile and satisfying lives for themselves, exemplify the best values of society, and be effective in improving the character and quality of the world about them. - Alaska Statute 14.03.015	DEED exists to provide information, resources, and leadership to support an excellent education for every student every day.

STRATEGIC PRIORITIES: ALASKA'S EDUCATION CHALLENGE



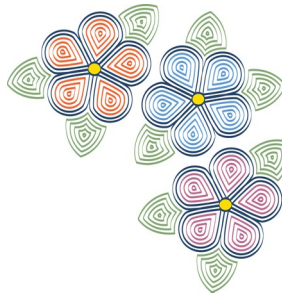
Five Shared Priorities:

1. Support all students to read at grade level by the end of third grade.
2. Increase career, technical, and culturally relevant education to meet student and workforce needs.
3. Close the achievement gap by ensuring equitable educational rigor and resources.
4. Prepare, attract, and retain effective education professionals.
5. Improve the safety and well-being of students through school partnerships with families, communities, and tribes.



education.alaska.gov/akedchallenge

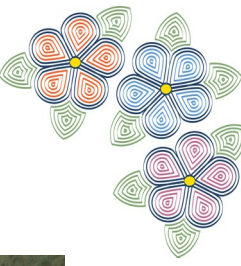
Agenda



- Senate Bill (SB) 34
- Timeline
- Legislative Report Overview
- Findings
- State Tribal Education Compact (STEC) Agreement Outline
- Transformation in Action: Statutory Framework
- Conclusion
- Alaska Federation of Natives (AFN) Resources
- Cook Inlet Tribal Council (CITC) Resources

Senate Bill 34

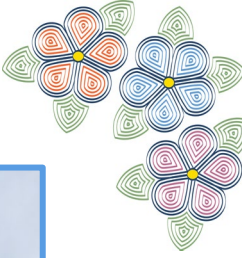
- State Tribe Negotiation
- State Board
- District Consultation
- Teacher Union Consultation
- Report to the Legislature



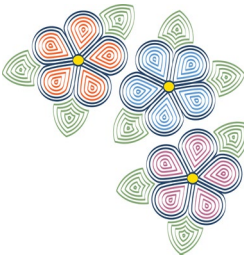
SB 34: Compacting in Education

What is Compacting?

- Government to Government Agreement
- Tribes as Political Subdivision
- Self-Determination
 - Indian Self Determination and Education Assistance Act



SB 34: Compacting in Education

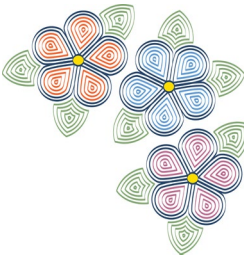


How is compacting different in Education than Indian Health Service Federal-Tribal or Child Welfare Service State-Tribal Compact?

Whole System Approach, Not Selected Services

Funding Mechanism as a Formula, Not a Block of Funding

SB 34: Compacting in Education



What does compacting look like in education?

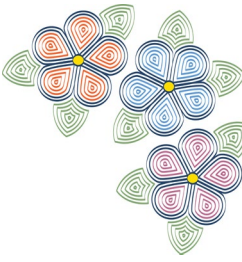
State Role:

Funding
Accountable to the Legislature
Due process
State Board

Tribe Role:

Operation of STEC schools
Employing Staff
Curriculum
Local Governance
Training Staff

SB 34: Tribal Partners



Request for Applications Selection Criteria

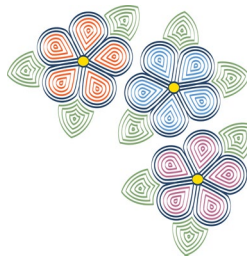
Centering Tribal Voice

Tribal Community and Tribal Administrative Support

Transformational Design

Demonstrates Capacity to Carry out the Work

SB 34: Tribal Partners



Request for Applications Selection Criteria

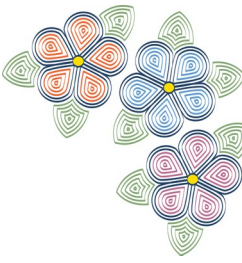
Presents strong expertise and understanding of what is necessary to carry out educational services within the Prekindergarten-12 arena, including:

1. Program design
2. Leaderships/governance
3. Administration

Diverse Representation Priority

1. Geographic diversity
2. Methodology
3. School size
4. Community size

SB 34: Tribal Partners



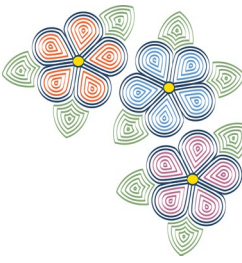
Five Tribal Partners



King Island Native Community



SB 34: Tribal Partners Mission

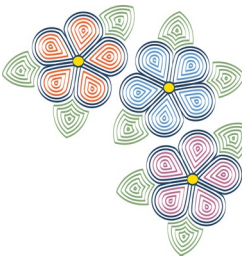


Central Council Tlingit & Haida Tribes of Alaska

Tlingit & Haida seeks to protect and further the Lingít language and way of life through a comprehensive Early Education program that incorporates the Tribe's Lingít immersion language nest Haa Yoo X'atángi Kúdi (HYXK), Little Eagles and Ravens Nest (LEARN), and the Tribe's Juneau Head Start Program. The mission for the proposed Early Education program is to provide integrated language and culture education to tribal children of all ages so that they may carry forward their heritage in their lives and for future generations.

* https://education.alaska.gov/tribalcompacting/Central%20Council%20Tlingit%20Haida_STEC_Application.pdf

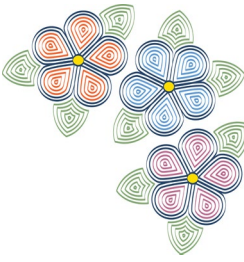
SB 34: Tribal Partners Mission



Inupiat Community of the Arctic Slope

To provide access to quality education based in the Inupiaq language and culture that prepares students to lead, thrive, and influence their local communities, the North Slope and broader society.

SB 34: Tribal Partners Mission



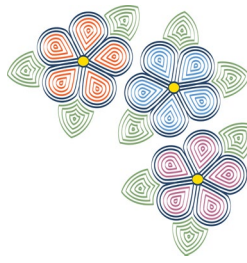
Ketchikan
INDIAN COMMUNITY

Ketchikan Indian Community

We empower, enhance, and inspire our children's academic success, while honoring our cultural heritage and traditions.

* https://education.alaska.gov/tribalcompacting/Ketchikan%20Indian%20Community_STEC_Application.pdf

SB 34: Tribal Partners Mission



King Island Native Community and the Village of Solomon

Revive and restore our Inuit language and culture for the strength of our people.

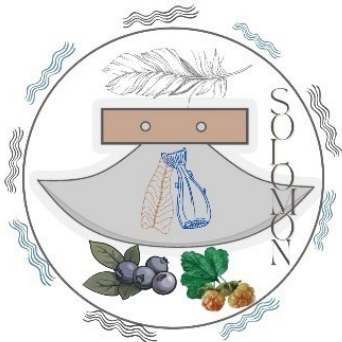
*https://education.alaska.gov/tribalcompacting/King%20Island%20Native%20Community_STEC_Application.pdf

King Island Native Community Mission Statement:

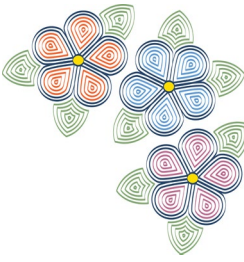
Ugiuvanmiut shall encourage positive change while preserving our cultural heritage, language, and values for future generations with perseverance and self-governance.

Village of Solomon Mission Statement:

To increase cultural awareness and promote the wellbeing of our tribal members while protecting our environment.



SB 34: Tribal Partners



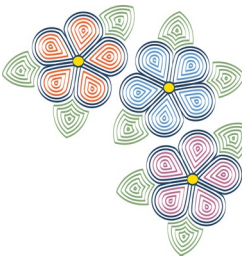
Knik Tribe

Our children and youth receive a world-class education through exceptional Alaska Native culture and values-based learning opportunities preparing them for success in their future endeavors.

*https://education.alaska.gov/tribalcompacting/Knik%20STEC%20demonstation_STEC_Application.pdf

Tribal Mission Statement:

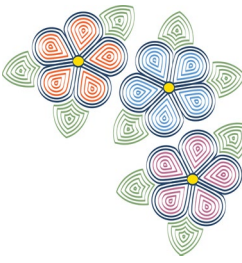
To promote successful self-determination and cultural awareness for our members our community through better living conditions, education, wellness, and hard work.



Negotiation Schedule

- **April 28 *Virtual Kick off Zoom**
- **May 1**
- **June 23**
- **August 2**
- **September 12**
- **October 13**
- **November 17**
- **December 5**





DISTRICT AND TEACHER UNION CONSULTATION SCHEDULE

October 6 and 9 **DEED – District Superintendent and Business Manager Meetings**

October - November **Tribal Partner – DEED – School Districts**

November **Tribal Partner – DEED – National Education Association Alaska**

***November 10** **Association of Alaska School Boards Conference**

***December 6** **Alaska Association of School Business Officials**

Transforming Education:



To Inspire Tribal and Community Ownership of Educational Excellence

Legislative Report Overview

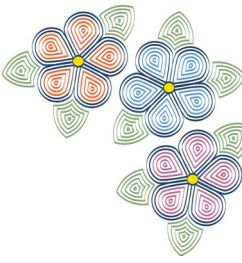


Table of Contents

Foreword

Section 1: Introduction

Section 2: Findings

Section 3: Draft Compact Agreement

Section 4: Statutory Framework

Section 5: Conclusion

Appendix

[*education.alaska.gov/state board/january-2024/5.1 Final STEC Report for SBOE Jan Meeting.pdf](https://education.alaska.gov/state_board/january-2024/5.1%20Final%20STEC%20Report%20for%20SBOE%20Jan%20Meeting.pdf)

Cover Art: Z. J. Williams Memorial School

Section 1: Introduction

Tribal and Community Ownership of Educational Excellence



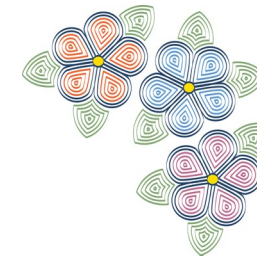
*Kiminaq's Kindergarten Class making seal oil,
Ilisazaqta Inupiaqtun - Nome Elementary
School, 2021*

“We have educated our children for millennia. This is not something new to us. We have taught them to not know the fundamentals of how to make a living, but we also instill them with the spirit to be Inuit. Our children should succeed not in spite of the system, but because of it.”

Melanie Bahnke

President Kawerak Inc.

Report Section 1: Introduction



Transformation

This legislative report aims to provide a practical plan that positions the Tribally Compacted Public Schools (TCPS) for success. This report has five sections: the introduction, findings, a draft compact agreement, proposed statutory framework changes, and a conclusion.



Weaving by students of
Jennie Thlunaut and Clarissa
Rizal

Section 2: Findings

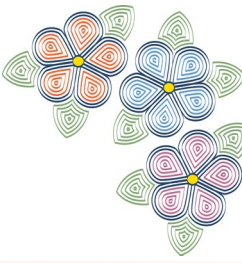
Considerations for Establishing Pilot Tribally Compacted Public Schools in Alaska



Qagnuzikut Savignatitkaattiut
Our Language is Our Strength

***Qat'aq Teague Nenneman, 3rd Grade,
Ayaprun Elitnarurvik,
Lower Kuskokwim School District***

Report Section 2: Findings

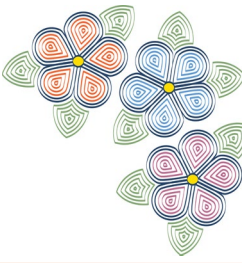


Findings: Governance

Policy Summary:

Tribal Compacted Public Schools (TCPS) would be established through the creation of a Tribal Compacted Public School District (TCPS district). This would allow Tribes a level of local control and self-determination needed to operate TCPS while interfacing within the parameters of Alaska Statute Title 14.

Report Section 2: Findings

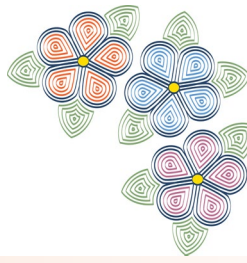


Findings: Funding

Policy Summary:

To start the initial pilot Tribal Compacted Public School (TCPS), the Tribes need to have start-up funds. The TCPS would be funded per the foundation formula under AS 14.17.410, using the same student count period, formula multipliers, and considerations as other school districts that do not have a local contribution.

Report Section 2: Findings



Finding: Teachers and School Personnel

Policy Summary:

Tribes may not employ teachers in a Tribal Compacted Public School (TCPS) unless the teacher holds a valid Tribal Compact (TC) teacher certificate. TCPS Tribes are responsible for establishing their own system of training, certifying, and evaluating the staff employed in a TCPS. Tribes are responsible for putting their TC teacher certification credentialing process on file with DEED. DEED will issue licenses to a teacher who demonstrates that they have completed a TC teacher certification program, met the background check requirements under AS 14.20.020(f), and paid the department the required fee. TCPS staff licensed by DEED shall be under the Professional Teaching Practices Commission (PTPC). For these reasons, DEED is requesting updates to PTPC to incorporate TCPS. TCPS staff are not state employees but are subject to the hiring and employment process established by the TCPS district. Certificated TCPS professionals are eligible to join the Teacher Retirement System (TRS) and Public Employees' Retirement System (PERS) retirement systems but are not required to join.

Section 3: Draft Compact Agreement

Demonstration of Tribal Compacted Public Schools



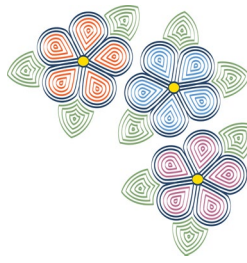
*First Alaskans Elders and Youth Conference 2022,
Canoe Building*

"The educational process must be the root for creating a culture, society, and technology that not only feeds a person, but also keeps him/her caring and belonging. The system must reflect, re-enforce, and further the cultures of the students that attend. The educational system must belong to them; there must be a sense of ownership... At minimum, the culture of the community and its people must be compatible with the culture of the educational system and its students."

William Demmert Kaagoowu

Southeastern Conference on Native Education, 1983

Report Section 3: STEC Agreement Outline



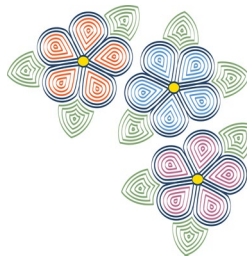
RECITALS

- I. Title**
- II. Authority**
- III. Appendices**
- IV. Term of Compact**
- V. School's Roles and Responsibilities**
 - A. Educational Program**
 - 1. Content Standards**
 - 2. Curriculum**
 - 3. Graduation Requirements for High Schools**
 - 4. Staff Qualifications**
 - 5. Staff Training**
 - 6. Student Assessment**
 - 7. Second Language Learners**
 - 8. Students with Disabilities**
 - 9. Supplemental Programs**
 - 10. Student Conduct and Discipline**
 - 11. Alaska Native Language**

B. School Operations

- 1. Public School Status**
- 2. Student Data and Enrollment Reporting**
- 3. Evaluation and Effectiveness Review**
- 4. Nonsectarian Status**
- 5. Non-discrimination**
- 6. Recordkeeping and Auditing**
- 7. Right of inspection**
- 8. Student Welfare and Safety**
- 9. Transportation**
- 10. Cooperation**
- 11. School Calendar**
- 12. Admission and Enrollment**
- 13. School Facilities**
- 14. Accountability for School Performance**
- 15. Ethics**

Report Section 3: STEC Agreement Outline



C. School Finance

- 1. Legal and Accounting Compliance**
- 2. Financial Audits**
- 3. Non-Commingling**
- 4. Assets**
- 5. School Funds**
- 6. Location and Access**

VII. Compliance

- A. Compliance**
- B. Breach by the School**
 - 1. Violations**
 - 2. Corrective Action Plan**
- C. Breach by DEED**

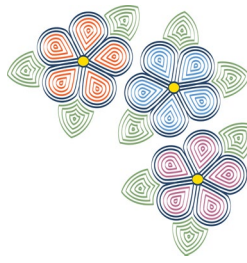
VI. DEED's Rights And Responsibilities

A. Funding

B. Compact Administration

- 1. Consultation**
- 2. Administration and Application of Compact**
- 3. Inquiries and Investigations**
- 4. Notification of Perceived Concerns**
- 5. Other Legal Obligations**

Report Section 3: STEC Agreement Outline



VIII. Nonrenewal and Termination

A. Nonrenewal

- 1. Notice**
- 2. Timing of Notice**

B. Termination

- 1. Notice**
- 2. Response**

C. Effect of Nonrenewal or Termination

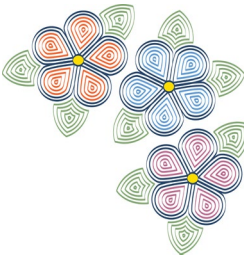
IX. Dispute Resolution

- A. Direct Discussions**
- B. Unsuccessful Direct Discussions**
- C. Choice of Law**

X. Waivers and Liability

- A. Limitation of Liability**
- B. Sovereign Immunity of the State**
- C. Confidentiality Remedy**
- D. IDEA and ADA**
- E. Liability Under Compact**
 - 1. Insurance**
 - 2. Limited Waiver**
 - 3. Cooperation and Counterclaims**
 - 4. Interpretation**
 - 5. Legal Costs and Fees**
 - 6. Third – Party Rights**
 - 7. Non – Assignment**
 - 8. Order of Precedence**

Report Section 3: STEC Agreement Outline



XI. General

- A. Merger**
- B. Amendments**
- C. Governing Law and Enforceability**
- D. Severability**
- E. Waiver**
- F. No Employee or Agency Relationship**

XII. Definitions

XIII. Notices

Signatures

Section 4: Statutory Framework

Considerations for Establishing Pilot Tribally Compacted Public Schools in Alaska



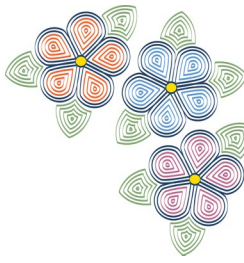
*Carly Lehnhart's Kindergarten Class, Sít' Eetí
Shaanáx - Glacier Valley School, 2021*

“Decisions about education are made within our educational institutions, and if we want change and constructive development of education, we need to focus on our educational institutions.”

Dennis Demmert Gunkasíxht

Southeastern Conference on Native Education, 1983

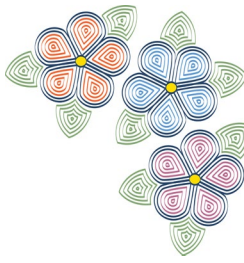
Report Section 4: Statutory Framework Topics



Statutory Framework: Governance

- Establishing a STEC school
- Term of STEC agreement
- A parent's right to direct the education of the parent's child
- School term
- Annual progress reports
- Education and planning reports
- School and district accountability
- Correspondence study program
- Duties and powers of the department
- Transfer or sale of assets to tribes
- State Board of Education (SBOE)
- Education tribal advisory commission
- Districts of state public school system
- Districts - support management and control in general
- Establishing a TCPS district governing body
- Powers of a STEC Tribe as related to STEC agreement and TCPS district governing body powers

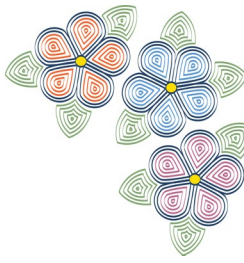
Report Section 4: Statutory Framework Topics



Statutory Framework: Governance

- Duties of the TCPS district governing body
- School governing body indemnification
- Regional resource center
- Cooperation with other school districts
- TCPS governing body association
- Compulsory Education
- Native Language Education
- Alaska Performance Scholarship
- Deposit of publication of research data
- Definitions
- Insurance tax education credit and Income tax credit

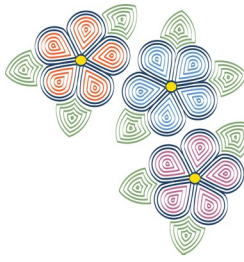
Report Section 4: Statutory Framework Topics



Statutory Framework: Funding

- **Withholding state funds**
- **Transportation of students**
- **Construction, rehabilitation, and improvement of schools and education-related facilities**
- **Bond Reimbursement and Grant Review Committee**
- **Regional educational attendance area and small municipal school district school fund**
- **General provisions construction chapter**
- **Annual audit**
- **Pilot TCPS development funding**
- **TCPS pilot fund balance in school operating fund**
- **District cost factors**

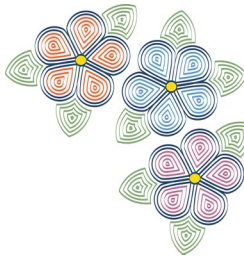
Report Section 4: Statutory Framework Topics



Statutory Framework: Teachers and School Personnel

- **Teacher Certification Requirement**
- **Recognition of Certification of TC Teachers**
- **Requirements for Issuance of Certificate**
- **Statement of Teacher Preparation Program Certification**
- **Evaluation of Training and Experience**
- **Employee Contract**
- **Professional Teaching Practices Commission (PTPC)**
- **Duties of the Professional Teaching Practices Commission (PTPC)**
- **Required Training**
- **Retirement Plan**
- **Participation by special education services agency employees**

Report Section 4: Statutory Framework Topics



Statutory Framework: Teachers and School Personnel

- **General provisions construction chapter**
- **Annual audit**
- **Pilot TCPS development funding**
- **TCPS pilot fund balance in school operating fund**
- **District cost factors**

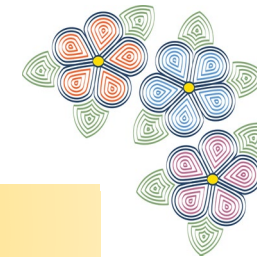
Section 5: Conclusion



“The State of AK supports local control in many ways, including in education. I think Tribal compacting is the epitome of local control; Tribal compacting has the potential to enhance education delivery.”

***President Richard Peterson Chalyee Éesh
Public Testimony, SB 34, 2022 Central Council
of Tlingit and Haida Indian Tribes of Alaska***

Report Section 5: Conclusion



Pilot: Transformation in Action

Premise: Public schools that are open to all students and funded through public dollars.

Mechanism: Government-to-Government agreement (State-Tribe) to establish Tribally Compacted Public School Districts for the purposes of Tribal self-governance and a funding mechanism that integrates with the Department of Education and Early Development.

Operation: Teachers that are certified through a Tribal training process that the Department of Education and Early Development verifies to issue state licenses for Tribally Compacted Public School Teachers.

Accountability: Background checks, audits, and assessments are required. Under the State Board of Education for the purposes of state-wide regulation.

Evaluation: Tribes provide annual progress reports, and DEED provides a summary alongside the Tribal progress report to the legislature.

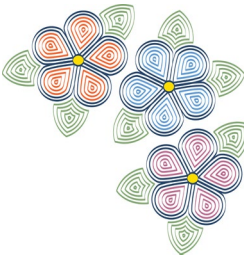
Appendix



“It is important to remember the lessons of the past.....and that our school system reflect Inupiat ideas.”

Eben Hopson Sr.

Report: Example Resources



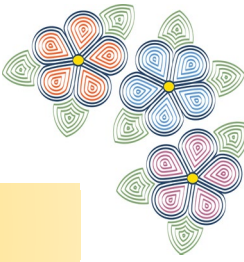
<https://www.nativefederation.org/education/>

- ➔ Alaska Native Education
- ➔ The Value
- ➔ Legal Foundation
- ➔ Future of Tribal Compacting
- ➔ Funding
- ➔ Videos

Resources

- ▶ Webinars + Podcasts
- ▶ Reports + White Papers
- ▶ Legislation
- ▶ Testimony
- ▶ Tools
- ▶ Press

Pilot Evaluation



Cook Inlet Tribal Council Visioning Tribal Education

What if our learning systems were reflective of Our community and culture?

<https://ourfutureancestors.com/>

“Our Future Ancestors: A Story of Education in Alaska”

https://www.youtube.com/watch?si=1fQCo6Njtc8S6_zt&v=9ngN3Sm2FmE&feature=youtu.be

Contact Information:

Newsletter sign up <https://education.alaska.gov/compacting>

Joel Isaak, Deputy Commissioner

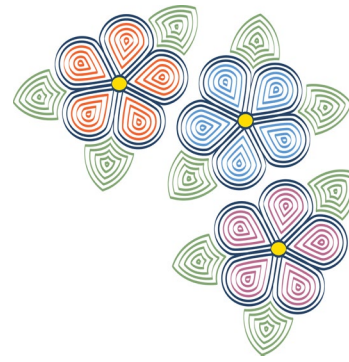
Joel.Isaak@alaska.gov

(907) 465-6776

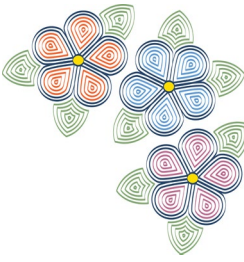
Laurel Shoop, Legislative Liaison

Laurel.Shoop@alaska.gov

(907) 465-8703



Tribal Partners Contact Information



Central Council Tlingit & Haida Indian Tribes of Alaska:

mjackson@tingitandhaida.gov

Inupiat Community of the Arctic Slope:

mark.roseberry@icas-nsn.gov

Ketchikan Indian Community:

sskan@kictribe.org

King Island Native Community:

malvanna@nomeschools.org

Knik Tribe:

cchamblee@kniktribe.org

Stay Connected



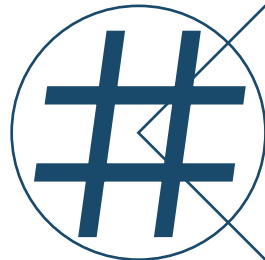
Website

- education.alaska.gov



Phone

- Main Line: (907) 465-2800
- Teacher Certification: (907) 465-2831



Social Media

- @AlaskaDEED

