

## ADDENDUM

Learn more at [www.nativefederation.org/education](http://www.nativefederation.org/education).

### Alaska State-Tribal Schools Compacting Timeline 2016-2023

#### 2016

- In the fall of 2016, Commissioner Michael Johnson and the Alaska State Board of Education & Early Development recognizing the critical need to improve Alaska students' educational outcomes and overall well-being, established new strategic priorities aimed at improving public education for all students in Alaska. The Board identified five measurable goals:
  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

The effort to address these goals would become known as the Alaska Education Challenge and would span several years.

#### 2017

- Governor Walker, in his January State of the State address, spoke of the need to improve public education in Alaska. The Governor's comments launched an 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.
- As part of the ongoing Alaska Education Challenge, the Department of Education and Early Development (DEED) released a public survey in February asking Alaskans to share their priorities for public education reform. Nearly 1,400 Alaskans in 109 communities submitted over 18,000 ideas for topics to be considered.
- The State Board invited 100 Alaskans representing diverse backgrounds and interests to the Dena'ina Center in Anchorage. Participants, including students, teachers, administrators, parents, employers, tribal and tribal organization representatives, legislators, university representatives, and healthcare providers, volunteered to serve on the following committees:
  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

These committees began a six-month effort to examine Alaska's public education system. The committees were asked to develop up to three recommendations for each of the five strategic priorities set by the state Board.

The committee charged with exploring ways to “inspire tribal and community ownership of educational excellence” proposed a single recommendation 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.” This recommendation was reviewed and accepted by the Board of Education.

- During the fall, DEED (Joel Isaak, DEED Director of Tribal Affairs, Office of the Commissioner and Niki Tshibaka, then-Assistant Commissioner) continued to hold in person and telephonic sessions with parents, students, legislators, school boards, districts, and tribal leaders as well as attend other meetings in Alaska and around the country related to Native education and the Board of Education recommendations. The Board designated a subcommittee on tribal compacting.

### 2018

- At the beginning of the year, the Alaska State Board, DEED Commissioner Johnson, then-Governor Walker, then-Lt. Governor Mallott, legislators, and representatives from the five committees and partner organizations held a press availability event and provided an overview of the work completed to date and shared next steps. Since then, DEED has continued collaborating with partner organizations to focus its work on the five measurable goals that are most likely to improve student outcomes.

### 2019

- Alaska House Resolution Number 17 was introduced in April by Representative Kopp, Lincoln and Zulkosky “Urging the Alaska delegation in Congress to repeal the federal law that prohibits funds under the Indian Self-Determination and Education Assistance Act from being used for education by tribes in the state.” The bill was referred to the House Special Committee on Tribal Affairs and the Education Committee.
- Governor Dunleavy, at the October 2019 AFN Convention in Fairbanks, announced his support of tribal compacting of education and his intent to introduce legislation to make that a reality. In his remarks, the Governor stated, “I asked the Commissioner of Education and the State Board of Education to work with the tribes to facilitate the creation of tribal compacting between the State School Board, tribes and school districts.”

### 2020

- Governor Dunleavy, in his State of the State address, highlighted teacher retention and recruitment and the importance of reading at grade level by the end of third grade – both priorities align with the Alaska's Education Challenge measurable goals. He charged Commissioner Johnson with assembling a working group to review the root causes of teacher retention and recruitment issues in order to attract and retain great teachers. He also introduced the Alaska Reads Act during the 2020 Legislative Session – an approach to reading that would reallocate resources with a focus on statewide teacher training,

reading specialists, early literacy interventions. The Governor did not introduce legislation related to state-tribal school compacting.

## 2021

- Senator Gary Stevens presented SB 34 in January, which provided for the establishment of public schools through state-tribal compacts. Testimony was offered in support of the bill during Education Committee meetings by the University of Alaska, Tanana Chiefs Conference, Central Council Tlingit Haida Indian Tribes of Alaska, First Alaskans Institute, and Alaska Department of Education and Early Development (DEED) Commissioner Michael Johnson. While there were no objections to the concept, there was oft repeated statements that compacting was a complicated process that required a good deal of work. The bill did not make it out of the Education Committee.
- Commissioner Johnson and AFN President Julie Kitka discussed the role AFN might have to in advancing the compacting effort. Those discussions resulted in a grant from DEED to scope out a potential path toward the negotiation and execution of a K-12 state-tribal education compact. AFN's work would include identifying relevant state and federal laws that provide the legal foundation for state-tribal education compacts, exploring the federal government's role in Alaska Native education and options to support state compacting efforts and working with the State of Alaska and legislative bodies as needed.
- Legal analysis completed by AFN on tribal governments, self-determination and compacts and a potential plan to move forward on State-Tribal school compacts made a clear and positive case for the legal foundation of state-tribal school compacts in Alaska. The analyses were presented to AFN membership, Commissioner Johnson and DEED staff, Senator Murkowski, the Secretary of Education, Department of Interior and SB34 sponsor Sen. Gary Stevens.
- AFN proposed to the Commissioner that it made more sense in this initial stage to have a demonstration project or projects as a first step toward compacting. The Commissioner agreed and this became DEED's promoted plan. Senator Gary Stevens was equally supportive and planned to introduce an amendment to SB34.
- AFN submitted a request to Senator Murkowski, that the U.S. Senate Committee on Indian Affairs (of which Senator Murkowski is Vice Chairman) hold a field hearing in on Alaska Native education issues. Following discussions with Committee staff, a hearing was scheduled for February 24, 2022, in Anchorage.
- During the 2021 AFN Convention in December, AFN President Julie Kitka introduced the tribal compacting initiative to the AFN membership. Invited guests U.S. Secretary of Education Miguel Cardona, DEED Commissioner Michael Johnson and Governor Mike Dunleavy spoke of the importance utilizing all potential approaches to promote tribal involvement and administrative and academic reforms to better the education experience and outcomes for Native K-12 school students. They spoke wholeheartedly in support of the concept of compacting as a means to accomplish these goals.

## 2022

- AFN requested assistance from Bob Anderson, Solicitor at the Department of Interior in securing a legal review of the authority of the Department to serve as a partner, or conduit, in an innovative approach to compacting.

- A webinar for AFN membership and others provided an overview and update of the status of the project, legal analysis completed to date and a discussion of the plan.
- At the end of January, AFN provided Senator Gary Stevens information on approaches to education compacting. Senator Stevens subsequently offered a substitute bill entitled “An Act providing for a post-pandemic demonstration project to support innovation in education through state-tribal education compacts.”
- First Alaskans Institute, at AFN’s request, live-streamed “virtual coffee time” sessions on education, self-determination and compacting with Māori and Alaska Native education scholars and leaders.
- The Senate Committee on Indian Affairs held a field hearing on February 24th in Alaska on “Transformative and Innovative Strategies for Better Educational Outcomes for Alaska Native Students.” Witnesses included Commissioner Johnson, Julie Kitka, Sandy Kowalski (as a NANA shareholder though she is also on the Board of Education), Aaron Leggett, President Native Village of Eklutna, and William Naneng, Sea Lion Corporation. Written statements were submitted by Cook Inlet Tribal Council, Iñupiat Community of the North Slope, and the Department of Education.
- The legislative session work began in earnest with Senator Stevens staff and other legislators. Between March and May there were a dozen hearings; with AFN, DEED and others testifying, as requested, to the various Senate and House committees. The language in the bill changed as well. A much-modified version was passed close to the end of the legislative session. It included authorization for up to five demonstration project proposals that would include model compacts, proposed statutory and regulatory language changes, and would require Legislative approval. The deadline for the models and report would be at the beginning of the 2024 Legislative session.
- On May 18, the Alaska Legislature approved, by unanimous consent, SB34: “An Act relating to the demonstration state-tribal education compact; relating to demonstration State-tribal compact schools; and providing for an effective date.”
- Governor Dunleavy signed the compacting bill on July 29 at a well-attended signing ceremony at the Alaska Native Heritage Center that was in person and live streamed. The compacting bill and the tribal recognition bill were both signed during the celebratory event.
- With the Governor’s signature, DEED and the Alaska Board of Education and Early Development were able to officially begin implementation. DEED requested interested Alaska Tribes and Tribal Organizations to submit applications and a tentative timeline. The goal was to identify tribal partners ready to work with the State towards development of the demonstration state-tribal schools. The Request for Applications became available throughout the state in the fall. DEED held a series of technical assistance webinars for tribes and tribal organizations interested in applying.

Five applications were submitted by the December 30, 2022, due date.

- A zoom meeting with the Solicitor’s Office, U.S. Department of the Interior (DOI) discussed Alaska state tribal school compacts, the impacts of US Code 25 292b on Alaska Native students and possible legal remedies. Marie Bledsoe Downes, the Principal Deputy Solicitor and Joel West Williams, Deputy Solicitor for Indian Affairs represented DOI at the meeting.
- Legal research and analysis related to federal engagement in Alaska Native education and follow up to AFN meeting with the Department of Interior Solicitor continued. Principles for consideration by DOI of federal obligations for Native education and school funding in Alaska were drafted along with language for repeal of the section in federal law that prohibits Alaska Native education funding.

- The October 2022 AFN Convention included a main agenda panel discussion on education and compacting along with focused sessions for Native educator and DEED’s Demonstration Project grants.
- A post-Convention Tribal Education Opportunities Podcast presented by AFN’s Alice “Qannik” Glenn explored Native education and compacting with Alaska Pacific University (APU) President Janelle Vanasse, APU research professor Dr. Beth Leonard, Indigenous-focused educator, student, and PhD candidate Lolly Carpluk, and University of Alaska Southeast Language professor Lance X’unei Twitchell. The Podcast can be found at [www.nativefederation.org/education](http://www.nativefederation.org/education).

## 2023

- The Alaska Board of Education and Early Development reviewed the five tribal applicants and determined that all the applicants were ready to have a tribal school. The selected State Tribal Education Compact Demonstration Tribal Partnerships grantees were:
  - Central Council Tlingit Haida Indian Tribes of Alaska
  - Iñupiat Community of the Arctic Slope
  - Ketchikan Indian Community
  - King Island Native Community
  - Knik Tribe

Negotiations with those tribes to create models for compacts and a report to the Legislature are underway.

The five approved tribal applications can be found at [www.nativefederation.org/education](http://www.nativefederation.org/education).

DEED’s Director of Tribal Affairs and lead on the compacting effort, Joel Isaac, spent the spring and early summer months working with the newly approved tribal partners and implementing the plan for negotiations and drafting the report to the Legislature.

AFN continued to explore options for federal funding and any legislative changes and would strengthen Alaska Native K-12 education. While there was some support, and acknowledgement of the federal trust responsibility regarding Alaska Native education, the political climate proved to be resistant to change at this time.

In December 2023 the Alaska Board of Education and Early Development is scheduled to review the state-tribal compacting report drafted by DEED and the tribal partners. If approved, the report will be submitted to the Alaska Legislature by January 31, 2024.

Two white papers and three videos on education compacting were produced by AFN during this period:

### White Papers:

- Advantages of Compact Schools v. Charter Schools
- Stevens Rider Effect on Funding for Alaska Schools
- Overview of Indian Preference in Hiring, TERO, and State-Tribal Education Compacting
- Covid-19 and Education in the North
- COVID-19 Impact on Education

- Impacts of Artificial Intelligence Across Societies
- Holography

**Report Videos:**

- Reimagining Education in Alaska
- The Future of Tribal Compacting
- Compacting 101

AFN concluded its part in the Education Compacting project on September 30, 2023.

## **Attachments**

### **White Papers**

- [The Origins, Meaning and Future of Indian Self Determination](#)
- [Transformational Education Post Pandemic: A Path Forward](#)
- [Stevens Rider Effect on Funding for Alaska Schools](#)
- [Advantages of Compact Schools v. Charter Schools](#)
- [Overview of Indian Preference in Hiring, TERO, and State-Tribal Education Compacting](#)
- [Covid-19 and Education in the North](#)
- [COVID-19 Impact on Education](#)
- [Holography Report](#)
- [Impacts of Artificial Intelligence Across Societies](#)

### **2021 AFN Convention Education Presentations Transcripts**

- [Julie Kitka, President of AFN, and Secretary Michael Miguel Cardona, U.S. Department of Education](#)
- [Julie Kitka, President of AFN; Governor Mike Dunleavy; Commissioner Michael Johnson, Department of Education and Early Development](#)

### **2022 AFN Convention Panels Transcripts**

- [Alaska Native Boarding Schools](#)
- [Reimagining the Future of Education](#)
- [Future of Alaska Native Tribal Education Compacting](#)

### **[Letter to Department of Interior Solicitor](#)**

### **[Committee on Indian Affairs United States Senate Field Hearing, February 24, 2022 in Anchorage, Alaska](#)**

### **[25 U.S. Code 292b](#)**

### **[Alaska Senate Bill 34](#)**

## 2023 State Tribal Education Compact Demonstration Tribal Partnerships Grant Applications (approved)

- [Central Council Tlingit Haida STEC Application](#)
- [Iñupiat Community of the Arctic Slope \(ICAS\) STEC Application](#)
- [Ketchikan Indian Community STEC Application](#)
- [King Island Native Community STEC Application](#)
- [Knik STEC demonstration STEC Application](#)

### Videos

- [Reimagining Education in Alaska](#)
- [The Future of Tribal Compacting](#)
- [Compacting 101](#)

### Podcasts

- [AFN Tribal Education Opportunities Podcast](#)
- First Alaskans Institute Webinar on Tribal Compacting in Education:
  - [Part 1](#)
  - [Part 2](#)
  - [Part 3](#)