

106TH CONGRESS
2D SESSION

S. 2688

To amend the Native American Languages Act to provide for the support of Native American Language Survival Schools, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 7 (legislative day, JUNE 6), 2000

Mr. INOUE (for himself, Mr. AKAKA, Mr. COCHRAN, Mr. DODD, Mr. KENNEDY, Mrs. MURRAY, and Mr. SCHUMER) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

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.**

4 This Act may be cited as the “Native American Lan-
5 guages Act Amendments Act of 2000”.

6 **SEC. 2. PURPOSE.**

7 The purposes of this Act are to—

8 (1) encourage and support the development of
9 Native American Language Survival Schools as in-

novative means of addressing the effects of past discrimination against Native American language speakers and to support the revitalization of such languages through education in Native American languages and through instruction in other academic subjects using Native American languages as an instructional medium, consistent with United States' policy as expressed in the Native American Languages Act (25 U.S.C. 2901 et seq.);

(2) encourage and support the involvement of families in the educational and cultural survival efforts of Native American Language Survival Schools;

(3) encourage communication, cooperation, and educational exchange among Native American Language Survival Schools and their administrators;

(4) provide support for Native American Language Survival School facilities and endowments;

(5) provide support for Native American Language Nests either as part of Native American Language Survival Schools or as separate programs that will be developed into more comprehensive Native American Language Survival Schools;

(6) support the development of local and national models that can be disseminated to the public

1 and made available to other schools as exemplary
 2 methods of teaching Native American students; and
 3 (7) develop a support center system for Native
 4 American Survival Schools at the university level.

5 **SEC. 3. DEFINITIONS.**

6 Section 103 of Public Law 101–477 (25 U.S.C.
 7 2902) is amended to read as follows:

8 “DEFINITIONS

9 “In this Act:

10 “(1) INDIAN.—The term ‘Indian’ has the mean-
 11 ing given that term in section 9161 of the Elemen-
 12 tary and Secondary Education Act of 1965 (20
 13 U.S.C. 7881).

14 “(2) INDIAN TRIBAL GOVERNMENT.—The term
 15 ‘Indian tribal government’ has the meaning given
 16 that term in section 502 of Public Law 95–134 (42
 17 U.S.C. 4368b).

18 “(3) INDIAN TRIBE.—The term ‘Indian tribe’
 19 has the meaning given that term in section 4 of the
 20 Indian Self-Determination and Education Assistance
 21 Act (25 U.S.C. 450b).

22 “(4) INDIAN RESERVATION.—The term ‘Indian
 23 reservation’ has the meaning given the term ‘res-
 24 ervation’ in section 3 of the Indian Financing Act of
 25 1974 (25 U.S.C. 1452).

1 “(5) NATIVE AMERICAN.—The term ‘Native
2 American’ means an Indian, Native Hawaiian, or
3 Native American Pacific Islander.

4 “(6) NATIVE AMERICAN LANGUAGE.—The term
5 ‘Native American language’ means the historical,
6 traditional languages spoken by Native Americans.

7 “(7) NATIVE AMERICAN LANGUAGE COLLEGE.—
8 The term ‘Native American Language College’
9 means—

10 “(A) a tribally-controlled community col-
11 lege or university (as defined in section 2 of the
12 Tribally-Controlled Community College or Uni-
13 versity Assistance Act of 1978 (25 U.S.C.
14 1801));

15 “(B) Ka Haka ‘Ula O Ke’elikolani College;
16 or

17 “(C) a college applying for a Native Amer-
18 ican Language Survival School in a Native
19 American language which that college regularly
20 offers as part of its curriculum and which has
21 the support of an Indian tribal government tra-
22 ditionally affiliated with that Native American
23 language.

24 “(8) NATIVE AMERICAN LANGUAGE EDU-
25 CATIONAL ORGANIZATION.—The term ‘Native Amer-

1 ican Language Educational Organization’ means an
2 organization that—

3 “(A) is governed by a board consisting of
4 speakers of 1 or more Native American lan-
5 guages;

6 “(B) is currently providing instruction
7 through the use of a Native American language
8 for not less than 10 students for at least 700
9 hours of instruction per year; and

10 “(C) has provided such instruction for at
11 least 10 students annually through a Native
12 American language for at least 700 hours per
13 year for not less than 3 years prior to applying
14 for a grant under this Act.

15 “(9) NATIVE AMERICAN LANGUAGE NEST.—The
16 term ‘Native American Language Nest’ means a
17 site-based educational program enrolling families
18 with children aged 6 and under which is conducted
19 through a Native American language for not less
20 than 20 hours per week and not less than 35 weeks
21 per year with the specific goal of strengthening, revi-
22 talizing, or re-establishing a Native American lan-
23 guage and culture as a living language and culture
24 of daily life.

1 “(10) NATIVE AMERICAN LANGUAGE SURVIVAL
 2 SCHOOL.—The term ‘Native American Language
 3 Survival School’ means a Native American language
 4 dominant site-based educational program which ex-
 5 pands from a Native American Language Nest, ei-
 6 ther as a separate entity or inclusive of a Native
 7 American Language Nest, to enroll families with
 8 children eligible for elementary or secondary edu-
 9 cation and which provides a complete education
 10 through a Native American language with the spe-
 11 cific goal of strengthening, revitalizing, or reestab-
 12 lishing a Native American language and culture as
 13 a living language and culture of daily life.

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

19 “(12) NATIVE HAWAIIAN.—The term ‘Native
 20 Hawaiian’ has the meaning given that term in sec-
 21 tion 9212 of the Elementary and Secondary Edu-
 22 cation Act of 1965 (20 U.S.C. 7912).

23 “(13) SECRETARY.—The term ‘Secretary’
 24 means the Secretary of the Department of Edu-
 25 cation.

1 “(14) TRADITIONAL LEADERS.—The term ‘tra-
2 ditional leaders’ includes Native Americans who have
3 special expertise in Native American culture and Na-
4 tive American languages.

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

9 **SEC. 4. NATIVE AMERICAN LANGUAGE SURVIVAL SCHOOLS.**

10 Title I of Public Law 101–477 (25 U.S.C. 2901 et
11 seq.) is amended by adding at the end the following new
12 sections:

13 “GENERAL AUTHORITY

14 “SEC. 108. (a) IN GENERAL.—The Secretary is au-
15 thorized to provide funds, through grant or contract, to
16 Native American Language Educational Organizations,
17 Native American Language Colleges, Indian tribal govern-
18 ments, or a consortia of such organizations, colleges, or
19 tribal governments to operate, expand, and increase Na-
20 tive American Language Survival Schools throughout the
21 United States and its territories for Native American chil-
22 dren and Native American language-speaking children.

23 “(b) ELIGIBILITY.—As a condition of receiving funds
24 under subsection (a), a Native American Language Edu-
25 cational Organization, a Native American Language Col-

1 lege, an Indian tribal government, or a consortia of such
 2 organizations, colleges, or tribal governments—

3 “(1) shall—

4 “(A) have at least 3 years experience in
 5 operating and administering a Native American
 6 Language Survival School, a Native American
 7 Language Nest, or other educational programs
 8 in which instruction is conducted in a Native
 9 American language; and

10 “(B) include students who are subject to
 11 State compulsory education laws; and

12 “(2) may include students from infancy through
 13 grade 12, as well as their families.

14 “(c) USE OF FUNDS.—

15 “(1) REQUIRED USES.—A Native American
 16 Language Survival School receiving funds under this
 17 section shall—

18 “(A) consist of not less than 700 hours of
 19 instruction conducted annually through a Na-
 20 tive American language or languages for at
 21 least 15 students who do not regularly attend
 22 another school;

23 “(B) provide direct educational services
 24 and school support services that may also
 25 include—

1 “(i) support services for children with
2 special needs;

3 “(ii) transportation;

4 “(iii) boarding;

5 “(iv) food service;

6 “(v) teacher and staff housing;

7 “(vi) purchase of basic materials;

8 “(vii) adaptation of teaching mate-
9 rials;

10 “(viii) translation and development; or

11 “(ix) other appropriate services;

12 “(C) provide direct or indirect educational
13 and support services for the families of enrolled
14 students on site, through colleges, or through
15 other means to increase their knowledge and
16 use of the Native American language and cul-
17 ture, and may impose a requirement of family
18 participation as a condition of student enroll-
19 ment; and

20 “(D) ensure that students who are not Na-
21 tive American language speakers achieve flu-
22 ency in a Native American language within 3
23 years of enrollment.

1 “(2) PERMISSIBLE USES.—A Native American
2 Language Survival School receiving funds under this
3 section may—

4 “(A) include Native American Language
5 Nests and other educational programs for stu-
6 dents who are not Native American language
7 speakers but who seek to establish fluency
8 through instruction in a Native American lan-
9 guage or to re-establish fluency as descendants
10 of Native American language speakers;

11 “(B) include a program of concurrent and
12 summer college or university education course
13 enrollment for secondary school students en-
14 rolled in Native American Language Survival
15 Schools, as appropriate; and

16 “(C) provide special support for Native
17 American languages for which there are very
18 few or no remaining Native American language
19 speakers.

20 “(d) CURRICULUM DEVELOPMENT AND COMMUNITY
21 LANGUAGE USE DEVELOPMENT.—The Secretary is au-
22 thorized to provide funds, through grant or contract, to
23 Native American Language Educational Organizations,
24 Native American Language Colleges, Indian tribal govern-

1 ments, or a consortia of such organizations, colleges, or
2 tribal governments, for the purpose of developing—

3 “(1) comprehensive curricula in Native Amer-
4 ican language instruction and instruction through
5 Native American languages; and

6 “(2) community Native American language use
7 in communities served by Native American Lan-
8 guage Survival Schools.

9 “(e) TEACHER, STAFF, AND COMMUNITY RESOURCE
10 DEVELOPMENT.—

11 “(1) IN GENERAL.—The Secretary is authorized
12 to provide funds, through grant or contract, to Na-
13 tive American Language Educational Organizations,
14 Native American Language Colleges, Indian tribal
15 governments, or a consortia of such organizations,
16 colleges, or tribal governments for the purpose of
17 providing programs in pre-service and in-service
18 teacher training, staff training, personnel develop-
19 ment programs, programs to upgrade teacher and
20 staff skills, and community resource development
21 training, that shall include a program component
22 which has as its objective increased Native American
23 language speaking proficiency for teachers and staff
24 employed in Native American Language Survival
25 Schools and Native American Language Nests.

1 “(2) PROGRAM SCOPE.—Programs funded
2 under this subsection may include—

3 “(A) visits or exchanges among Native
4 American Language Survival Schools and Na-
5 tive American Language Nests of school or nest
6 teachers, staff, students, or families of students;

7 “(B) participation in conference or special
8 non-degree programs focusing on the use of a
9 Native American language or languages for the
10 education of students, teachers, staff, students,
11 or families of students;

12 “(C) full or partial scholarships and fellow-
13 ships to colleges or universities for the profes-
14 sional development of faculty and staff, and to
15 meet requirements for the involvement of the
16 family or the community of Native American
17 Language Survival School students in Native
18 American Language Survival Schools;

19 “(D) training in the language and culture
20 associated with a Native American Language
21 Survival School either under community or aca-
22 demic experts in programs which may include
23 credit courses;

1 “(E) structuring of personnel operations to
2 support Native American language and cultural
3 fluency and program effectiveness;

4 “(F) Native American language planning,
5 documentation, reference material and archives
6 development; and

7 “(G) recruitment for participation in
8 teacher, staff, student, and community develop-
9 ment.

10 “(3) CONDITIONS OF FELLOWSHIPS OR SCHOL-
11 ARSHIPS.—A recipient of a fellowship or scholarship
12 awarded under the authority of this subsection who
13 is enrolled in a program leading to a degree or cer-
14 tificate shall—

15 “(A) be trained in the Native American
16 language of the Native American Language
17 Survival School, if such program is available
18 through that Native American language;

19 “(B) complete a minimum annual number
20 of hours in Native American language study or
21 training during the period of the fellowship or
22 scholarship; and

23 “(C) enter into a contract which obligates
24 the recipient to provide his or her professional
25 services, either during the fellowship or scholar-

1 ship period or upon completion of a degree or
2 certificate, in Native American language in-
3 struction in the Native American language as-
4 sociated with the Native American Language
5 Survival School in which the service obligation
6 is to be fulfilled.

7 “(f) ENDOWMENT AND FACILITIES.—The Secretary
8 is authorized to provide funds, through grant or contract,
9 for endowment funds and the rental, lease, purchase, con-
10 struction, maintenance, or repair of facilities for Native
11 American Language Survival Schools, to Native American
12 Language Educational Organizations, Native American
13 Language Colleges, and Indian tribal governments, or a
14 consortia of such organizations, colleges, or tribal govern-
15 ments that have demonstrated excellence in the capacity
16 to operate and administer a Native American Language
17 Survival School and to ensure the academic achievement
18 of Native American Language Survival School students.

19 “NATIVE AMERICAN LANGUAGE NESTS

20 “SEC. 109. (a) IN GENERAL.—The Secretary is au-
21 thorized to provide funds, through grant or contract, to
22 Native American Language Educational Organizations,
23 Native American Language Colleges, Indian tribal govern-
24 ments, and nonprofit organizations that demonstrate the
25 potential to become Native American Language Edu-
26 cational Organizations, for the purpose of establishing Na-

1 tive American Language Nest programs for students from
2 infancy to age 6 and their families.

3 “(b) REQUIREMENTS.—A Native American Lan-
4 guage Nest program receiving funds under this section
5 shall—

6 “(1) provide instruction and child care through
7 the use of a Native American language or a com-
8 bination of the English language and a Native
9 American language for at least 10 children for at
10 least 700 hours per year;

11 “(2) provide compulsory classes for parents of
12 students enrolled in a Native American Language
13 Nest in a Native American language, including Na-
14 tive American language-speaking parents;

15 “(3) provide compulsory monthly meetings for
16 parents and other family members of students en-
17 rolled in a Native American Language Nest;

18 “(4) provide a preference in enrollment for stu-
19 dents and families who are fluent in a Native Amer-
20 ican language; and

21 “(5) receive at least 5 percent of its funding
22 from another source, which may included Federally-
23 funded programs, such as a Head Start program
24 funded under the Head Start Act (42 U.S.C. 9801
25 et seq.).

1 “DEMONSTRATION PROGRAMS REGARDING LINGUISTICS
2 ASSISTANCE

3 “SEC. 110. (a) DEMONSTRATION PROGRAMS.—The
4 Secretary shall provide funds, through grant or contract,
5 for the establishment of 2 demonstration programs that
6 will provide assistance to Native American Language Sur-
7 vival Schools and Native American Language Nests. Such
8 demonstration programs shall be established at—

9 “(1) Ka Haka ‘Ula O Ke‘elikolani College of
10 the University of Hawaii at Hilo, in consortium with
11 the ‘Aha Punana Leo, Inc., and with other entities
12 if deemed appropriate by such College, to—

13 “(A) conduct a demonstration program in
14 the development of the various components of a
15 Native American Language Survival School
16 program, including the early childhood edu-
17 cation features of a Native American Nest com-
18 ponent; and

19 “(B) provide assistance in the establish-
20 ment, operation, and administration of Native
21 American Language Nests and Native Amer-
22 ican Language Survival Schools by such means
23 as training, hosting informational visits to dem-
24 onstration sites, and providing relevant infor-

1 mation, outreach courses, conferences, and
2 other means; and

3 “(2) the Alaska Native Language Center of the
4 University of Alaska at Fairbanks, in consortium
5 with other entities as deemed appropriate by such
6 Center, to conduct a demonstration program, train-
7 ing, outreach, conferences, visitation programs, and
8 other assistance in developing orthographies, re-
9 source materials, language documentation, language
10 preservation, material archiving, and community
11 support development.

12 “(b) USE OF TECHNOLOGY.—The demonstration
13 programs authorized to be established under this section
14 may employ synchronic and asynchronic telecommuni-
15 cations and other appropriate means to maintain coordi-
16 nation and cooperation with one another and with partici-
17 pating Native American Language Survival Schools and
18 Native American Language Nests.

19 “(c) DIRECTION TO THE SECRETARY.—The dem-
20 onstration programs authorized to be established under
21 this section shall provide direction to the Secretary in de-
22 veloping a site visit evaluation of Native American Lan-
23 guage Survival Schools and Native American Language
24 Nests.

1 “(d) ENDOWMENTS AND FACILITIES.—The dem-
2 onstration programs authorized to be established under
3 this section may establish endowments for the purpose of
4 furthering their activities relative to the study and preser-
5 vation of Native American languages, and may use funds
6 to provide for the rental, lease, purchase, construction,
7 maintenance, and repair of facilities.

8 “AUTHORIZATION OF APPROPRIATIONS

9 “SEC. 111. There are authorized to be appropriated
10 such sums as may be necessary to carry out the activities
11 authorized by this Act for fiscal years 2001 through
12 2006.”.

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