

The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

A Resolution Establishing Reform to the National Johnson-O'Malley Student Count

Resolution No. 16-01



WHEREAS, the Inter-Tribal Council of the Five Civilized Tribes (ITC) is an organization that unites the Tribal Governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing over 500,000 Indian people throughout the United States; and



WHEREAS, the National Johnson-O'Malley Association (NJOMA) is the elected advocate representing the nation's eligible Indian students, ages 3 to grade 12, from Federally-recognized tribes, not attending or served by Bureau of Indian Education (BIE) schools, and currently being served from respective tribal jurisdiction boundaries; and



WHEREAS, the NJOMA established consensus that the academic, social and economic well-being of our Johnson-O'Malley (JOM) students are our highest priority; and



WHEREAS, the BIE is required to perform an annual count of eligible students for the JOM program; has failed to do so thorough an update and count of eligible students since 1995; and has released the results of their misdirected 2012 and 2014 student count updates as mandated from the FY 2012 Congressional Interior Appropriations Act (H. Rpt. 112-151) and the FY 2014 Congressional Interior Appropriations Act (P.L. 113-76).



WHEREAS, Based on 2010 data from the U.S. Census Bureau, **there are 798,877 enrolled American Indian and Alaska Natives, ages 3-18, who are eligible for JOM services.** In addition, a 2012 Senate Indian Affairs Committee report accompanying S. 1262 (Sen. Rpt. 113-262), indicated that 93% of Native students attend public schools.

WHEREAS, per a request from Congressman Tom Cole (R-OK), the Census Bureau produced census information regarding Native American population, ages 3 – 18 years, as well as projections through the year 2020. Based on that information, we know that there are over 400,000 JOM-eligible students not being counted and thus not being served.

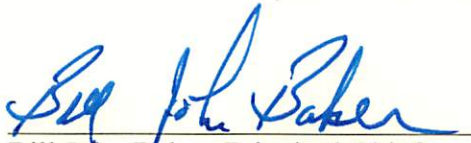
NOW THEREFORE BE IT RESOLVED, the Inter-Tribal Council of the Five Civilized Tribes establishes:

Based upon review of the provided census data, it is the view of Inter-Tribal Council that the following policy changes be made:

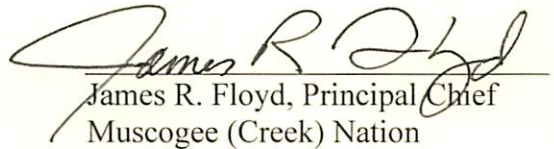
- i. Reform or terminate the BIE's student count responsibility;
- ii. Obtain Congressional authorization to use U.S. Census Bureau data for both funding and grant allocation purposes;
- iii. Task the Bureau of Indian Affairs (BIA) with reconciling the census data with the tribal enrollment data in establishing an official JOM eligible student count;
- iv. Authorization of the Johnson-O'Malley Supplemental Indian Education Program Modernization Act of 2015 to formally codify the JOM program and its operations.

CERTIFICATION

The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Tulsa, Oklahoma on this 8th day of January, 2016, by a vote of All for 0 against and 0 abstentions.



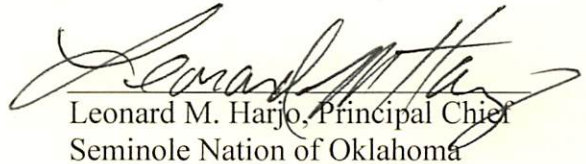
Bill John Baker, Principal Chief
Cherokee Nation



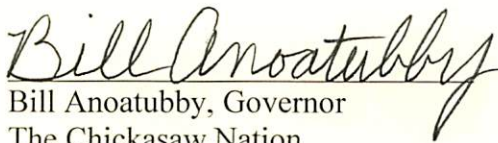
James R. Floyd, Principal Chief
Muscogee (Creek) Nation



Gary Patton, Chief
Choctaw Nation of Oklahoma



Leonard M. Harjo, Principal Chief
Seminole Nation of Oklahoma



Bill Anoatubby, Governor
The Chickasaw Nation