

The Implementation of the Navajo Language and Culture Mandates  
of the Title X Education Amendment, Navajo Sovereignty  
in Education Act of 2005, in Navajo Schools

by

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## ABSTRACT

Title X is the education section of the Navajo Nation Tribal Code, which was amended in 2005 by the 20th Navajo Nation Council, which, among other mandates, stipulates that Navajo language and culture be taught to students at all predominantly Navajo student-populated schools. The focal points of Title X were the amendments outlining the enactment of Navajo language and culture into the Navajo school curricula. The purpose of this study was to determine to what extent the educational mandate of the Navajo Sovereignty in Education Act of 2005, also known as the Title 10 Amendment, has been accepted and implemented in the predominantly Navajo schools.

One contract/grant/partial (7th through 8th grade charter school) and two Bureau of Indian Education contract/grant schools (K through 6 and K through 8) were chosen because the Title X education amendment is at the phase where the focus is on contract/grant schools only. Forty-seven educators within these schools responded to the Navajo Nation Education Standards with Navajo Specifics survey, published by the Division of Education, Office of Diné Culture, Language and Community Service, asking how they implemented the Navajo language and culture segments of the Title X amendment. Of the 15 standards, nine questions had to do with the teaching of the culture and language. The data were then entered into Survey Monkey for compilation and presentation of the results.

The survey of educators in these three schools showed that after a decade since the mandates had become law, most educators felt that they were not fully implemented, nor had they even been slightly implemented.

To three dear and wonderful people.

First, my parents, Mr. Norman Cody and Mrs. Leona Margaret Cody,  
who have always insisted that we, their children, “Learn the white man’s ways.”

My father used to say, “Learn their language.  
It is embarrassing to not know what they are saying.  
They say something and laugh, and you just laugh along with them.  
Who knows? They could be laughing at you.”  
My mother modeled tenacity and patience.

Both instilled in me my language and my culture, which is the real me,  
no matter how high I climb the mainstream western educational ladder.  
These attributes may have helped me in my endeavor.

To my eldest sister Betty Cody Ray,  
who would ask each time we saw one another  
how I was doing on my doctoral studies.

I am only sorry none of these immensely supportive and important people  
who molded and supported me lived to see me graduate.

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## CHAPTER 1

### INTRODUCTION

I am 4/4 Diné, born and raised on the Navajo reservation in northern Arizona. My parents never had formal schooling, and thus I came to school not knowing a word of English. My mother was a homemaker and my father was a native practitioner. I attended federal boarding schools from the very day I enrolled as a student at age five-and-one-half to the day I graduated from high school. I never attended a state public school where I went home on a daily basis. I started school fluent in my language to the extent that a young child can possess, but rich in my culture and traditions.

Even though they never had a western education, my parents always emphasized “learning of the White man’s ways.” Through the years I never forgot what they wanted for me, and I worked through the various rites of passage on the journey of western education. After graduating from high school and military service, I obtained my Associate of Arts, Bachelors, and Master’s degrees. I also visited other countries such as Mexico and England, studying their educational systems, and finally arrived here finishing my doctoral program.

I still feel more needs to be said and done in the genre of Indian education, specifically the education of Diné students. For this reason, I chose to pursue a career in education because I have witnessed the same struggles our Navajo youth are going through today that I experienced, which I describe as a lop-sided education. I feel a need to be a part of a process where I might make a difference,

not only through motivations, but also through innovations as to how Navajo children are educated.

It was six years after I had graduated from high school when I made the decision to pursue education as a career. After my return from military service I was hired as a teacher's assistant in a junior high language arts class.

Immediately, I saw that the status quo still existed, the European style of teaching still in place as I remember in all the years I had attended school. I strongly feel that to the greatest extent possible, Diné students should have Diné or bilingual teachers and school administrators, who should also be educated to some degree in Diné language and culture to assure that Navajo traditions are interwoven into their lessons and infused within those of regular academics.

### **Background of the Study**

Since early American history, the formal education of the Native Americans has been in the hands of non-natives. After the American Civil War, the focus of the American settler was to expand by going west, bringing about the eventual assimilation of the Navajo and other Indian tribes through formal education. The introduction of formal European education in the southwest occurred before the Civil War and can be traced back to the Catholics and Franciscans. Beck, Walters, and Francisco (1996) tell us that

Western education and formal schooling were introduced to the Indians by Roman Catholic priests who were the earliest missionaries to America.

The Franciscans, mainly of Spanish descent, entered the south with

Coronado, influencing the peoples of Arizona, New Mexico, Texas and California. (p. 146)

At that time, “No consistent attempts to incorporate Indian languages, culture, or history were made in the curriculum offered” (Beck et al., 1996, p. 147). This is evident because “Indian education was influenced by the great religious awakening which took place in the new nation in the early 1800s” (p. 148).

An act was passed in 1819 at the request of President Monroe (Indian Civilization Fund Act), “which apportioned funds among those societies and individuals that had been influential in the effort to ‘civilize’ the Indians. In this way, Indian education was turned over to the missionary societies” (Beck et al., 1996, p. 148). Even though the Bureau of Indian Affairs had already been established as part of the War Department in 1836, it was not until 1849 that it was moved to the then newly established Department of the Interior.

Meanwhile, with regard to assimilation to western society, Native American and non-Native American researchers have drawn several valid and reliable conclusions. Cultural resiliency is drawn from these spheres, which sustain Navajo individuals in mainstream America. HeavyRunner and Marshall (2003) identified Native American cultural resiliency as “spirituality, family strengths, elders, ceremonial rituals, oral traditions, tribal identity and support networks, which influence a positive and proactive way,” a “human capacity to navigate life well” (p. 15).

Despite the obvious violations of the constitutional mandate for separation of church and state, this assimilation through western education continued into the late 19th century where funds were distributed to various religious denominations by the federal government to maintain mission schools. However, public protest to federal aid to sectarian schools and the unconstitutional nature of the practice led the U.S. government to discontinue the practice (Beck et al., 1996, pp. 148-149).

A noted educator observed,

Education on the Navajo Reservation was the weapon used by non-Navajos to teach young people to become Anglos—to reject their own heritage and culture and accept the identity and culture of the dominant society. Certainly during the 50s and most of the 1960s, this was the thrust of many, if not most, schools enrolling Navajo students. (Roessel, 1979, p. 17)

Thousands of Navajo children were schooled in parochial and boarding schools. Many faced loneliness and depression. School officials inhumanely treated the Navajo children for holding on to their heritage and speaking their own language. Scholars and researchers across the nation have revealed that forcing Indian students into only European-style education caused them to lose their Indian identity and culture. It is this past history of intentional forced assimilation that compelled Navajo legislatures to initiate this amendment to Title X.

Public Law 101-477, Title-1 Native American Languages Act, passed on October 30, 1990, was another impetus in the quest for language recognition by the federal government. By now, enough research had been done. Under findings, Section 102, Number 6 states, “There is convincing evidence that student achievement and performance, community and school pride, and educational opportunity is clearly and directly tied to respect for, and support of, the first language of the child or student.” Furthermore, Number 8 states, “Acts of suppression and extermination directed against Native American languages and cultures are in conflict with the United States policy of self-determination for Native Americans.” It adds more strength as it goes along. Under Declaration of Policy, Section 5, recognizes the right of Indian tribes and other Native American governing bodies to use the Native American languages as a medium of instruction in all schools funded by the Secretary of the Interior (Cantoni, 1996).

In particular, Leonard (2008) conducted research on Navajo students attending two border-town high schools, revealing that on average close to 50% of the students lacked knowledge about their Navajo culture. According to Leonard (2008), Navajo culture equates with familiarity with K’*e* (family relationship) and Keyah (Navajo Environment, and Navajo Spirituality). Leonard conducted research sampling Navajo students’ attitudes in gaining this cultural knowledge and determined that on average over 80% responded they had a strong desire to gain this cultural knowledge.

Leonard's (2008) research study affirmed the need for the implementation of the Title X amendment, strongly recommending cooperation from all in improving the Navajo Nation government's support through adherence. Leonard also stressed in today's society the optimism that Navajo Nation schools can succeed in educating students in the *Western* approach to learning and still maintain their Navajo culture.

Consequently, the focus of this quantitative research is on Navajo education with regard to the Navajo Nation Title X Amendment and its effectiveness and problems in enforcement of the mandates. Title X is the education section of the Navajo Nation Tribal Code, which was amended in 2005 by the 20th Navajo Nation Council (20th Navajo Nation Council, 2005).

### **Purpose of the Study**

The purpose of this study was to determine to what extent the educational mandate of the Navajo Sovereignty in Education Act of 2005, also known as the Title 10 Amendment, has been accepted and implemented in our predominantly Navajo schools (2000 Navajo Nation Council, 2005). The focal points of Title X were the amendments outlining the enactment of Navajo language and culture into our school curricula. The parts of the Navajo Sovereignty in Education Act of 2005, Title X Amendment (20th Navajo Nation Council, 2005, pp. 6-19, 43, 61) that are included in the study are as follows:

A. Subsection§53. Establishment

Instruction in the Navajo (Diné) language shall include to the greatest extent practicable, thinking, speaking, comprehending, reading, writing and the study of formal grammar of Navajo (Diné) language.

(p. 6)

B. Subsection§53. Purpose

The Navajo (Diné) language shall be the instrument of reinforcing the importance of Navajo (Diné) language with the Navajo Nation. The purpose of having the Navajo (Diné) language as an instrument of instruction was to enable children to communicate Navajo freely and effectively. The Navajo Nation is committed to ensuring the Navajo (Diné) language will survive and prosper. The Navajo (Diné) language must be used to ensure the survival of the Navajo (Diné) people to maintain the Navajo (Diné) way of life, and to preserve and perpetuate the Navajo Nation as a sovereign nation. (p. 6).

C. Subsection§109 Education Standards and Accreditation (added as amendment).

The Navajo Nation Board of Education shall coordinate with other governmental and educational entities in developing and implementing appropriate educational standards for school systems serving the Navajo Nation, including the teaching of Navajo language and culture.

(p. 14)



D. Subsection§110. Curriculum (Added Section 110)

The instruction program shall foster competence in both the English and Navajo language with knowledge of both American and Navajo culture. The instruction programs shall address character development based upon the concept of Diné K'é and shall be implemented at appropriate grade levels at all schools serving the Navajo Nation.

(p. 15)

E. Subsection§111. Education in Navajo Language

Instruction in the Navajo language shall be made available for all grade levels in all schools serving the Navajo Nation. (p. 16)

F. Subsection§112. Education in Navajo culture and social studies

(Generally Amended)

The courses or course content that develops knowledge, understanding and respect for Navajo culture, history, civics and social studies shall be included in the curriculum of every school serving the Navajo Nation. (pp. 16-17)

G. Subsection§113. Professional training for educators (Generally

Amended)

All schools and school districts serving the Navajo Nation shall develop appropriate Navajo culture awareness and sensitivity programs as an integral part of their in-service training programs for all personnel. (p. 17)

H. Subsection§116. School counseling services (generally amended)

Counseling staff shall have an awareness of Navajo culture and tradition, particularly as these relate to the individual needs and life circumstances of the students and their families. The cultural program shall be concerned with the physical, cultural, intellectual, vocational and emotional growth of each student. (p. 19)

I. Subsection§910. Post-Secondary Education

The Navajo Nation Teacher Education Consortium “NNTEC” project is established within the Office of Navajo Nation Scholarship and Financial Assistance:

This program was established to assist Navajo educators and scholars, Diné College and/or other higher education institutions to facilitate the integration of Navajo (Diné) language, culture, history, and government. (p. 43)

J. Subsection§2002. Purposes

Diné College was created by the Navajo Nation Council for the purpose of providing Navajo and Native American Studies Programs where students learn to develop a clear sense of identity, learn the Navajo language and develop unique skills useful to Navajo and Native American Communities. (p. 61)

The Navajo Sovereignty in Education Act of 2005, Title 10 Amendment (20th National Nation Council, 2005) was a step toward the Navajo Nation’s

educational accountability, both in the teaching of Navajo and English. The purpose of this study was to ascertain as to the extent, magnitude, or lack thereof, of the amendment's feasibility, implementation, and enforcement of the Navajo studies portion. The pros and cons have been and are still being discussed at the roundtable of school administrators. One positive view is that it will make the schools more accountable, especially in the area of teaching Navajo language and culture to the Diné children, just as mainstream society teaches English and American history. Valid reasons to conduct this study include the implementation of the Ten-Year Blueprint of the Title X Education Amendment.

#### K. The Ten-Year Blueprint of the Title X Education Amendment

Phase I of this blueprint was supposed to be implemented within six months from approval. It was approved on July 22, 2005 and it includes four major agendas. Those having to do with the teaching of the Navajo language and culture are listed as relevant to this study.

1. Implement Phase I Plan of Operation for Office of School Program
  - a. Research and Statistics;
  - b. Dine' Educational Standards (curriculum, content, & program) –  
This plan is now in the works and will be expounded on further in Phase III;
  - c. Monitoring and Evaluation to Implement the Department of Education – This plan has been realized.
2. Phase II, to be implemented in 2005-2007, included:

- a. Implement a Navajo definition of Adequate Yearly Progress (not implemented as of yet).
- b. Develop and implement a Navajo education accountability system based on a Navajo AYP

Navajo Nation's problem with the No Child Left Behind Act (NCLB) as mandated by No Child Left Behind Act of 2001 (NCLB, 2001) is the assessment of adequate yearly progress in regards to reading, math, and science, the worse-case scenario being that a school can be labeled a *non performing school*.

Native American education organizations have stated time and again that they disagree with the adequate yearly progress concept for its one-size-fits-all mentality. At its 2007 Native American Grant Schools Association (NAGSA) Conference, it was stated (Dewey, 2007, position paper of the Native American Grant Schools Association),

NAGSA believes that the definition of Adequate Yearly Progress is fundamentally flawed in that it is currently determined upon one annual test of a discrete group of students. (It) does not measure or track student achievement as students progress through different grade levels at an institution.

As mandated by the Navajo Nation Code, the Department of Diné Education Department was charged with the responsibility of implementing the Navajo Sovereignty in Education Act of 2005 (20th Navajo Nation Council, 2005). There were 10 areas of the implementation process that addressed a

working blueprint. As outlined previously, these topics are addressed in the same order:

A. Navajo Language and Culture

This concerns incorporating the teaching of Diné language, culture, history, and government with state education standards. According to the 10 Year Blueprint of Title X, this incorporation should now be in Phase III, 2007-2011, which includes the following:

1. Researching and developing educational standards that are Navajo specific. Currently education specialists from the Navajo Nation Diné Language, Culture and Community Services, along with selected Navajo Studies educators are visiting schools to work with staff and administrators on the educational standards that are Navajo specific. (Done and currently being reviewed/ revised/edited by a group known as the Committee of Experts).
2. Training of administrators and teachers on Navajo education standards.
3. Assisting schools with implementations of Navajo standards

B. English Language Learners

Though supportive as mentioned previously, NCLB requirements are vague and in most respects short-change our Navajo students and other English Language Learners (ELL). Research has shown that if tests are administered in a language not understood by the student he or she will

do not do well. Section 9101(37) of NCLB mandates that it does not matter if one is insufficient in the English language, he/she must take the test. Articles abound that describe the dilemma of these ELL test-takers. There are similarities between ELL students of other ethnic groups and our own Navajo students in terms of high stakes testing. Some of the similarities include students' lack of understanding of test questions, leaving entire sections of the test blank and randomly bubbling in answers without reading test questions. Even the accommodation of taking the test in one's own language is a problem. It is known that ELL students of most ethnic groups, including certain Asian and Native American students, are not literate enough in their own language. The fact is no tests exist in their language. What hinders Navajo children when taking high stakes tests also hinders those of other ethnic groups who are still in the process of learning the English language. Wright draws a valid conclusion. "It takes meaningful education away from these students who must focus on being tutored, and not really learning linguistic skills, which takes away from academic and cultural needs. (W. Wright, 2007)."

Since the Merriam Report of 1928 (*Indigenous voices of the Colorado Plateau: The Merriam Report of 1928*, 2005), the Bureau of Indian Affairs, the federal agency responsible for implementing policy, built 66 boarding schools throughout the Navajo reservation. As a result of the Public Law 93-638, also

known as the Indian Self-Determination Act passed by Congress in 1975 (Office of the Special Trustee for American Indians, n.d.), today, half of the 66 still exist and the other half has been contracted by the local communities (Leonard, 2008). P.L. 93-638 gives the authority to Indian tribes to contract services from the federal government. In addition, there are over 170 other schools on the Navajo Nation serving Navajo and non-Navajo students, including public, charter, parochial, and private schools. Accordingly, Navajo schools fall under the jurisdiction of three states (Arizona, New Mexico, and Utah) and the Bureau of Indian Affairs. Because of the multiple jurisdiction issues and lack of educational progress in accordance with the No Child Left Behind Act (NCLB, 2002), the Navajo Nation recently passed a law to regulate schools serving Navajo children. However, Navajo children are still faced with many problems related to education.

Certainly, the environmental factor of poverty is related to the psychological, social, and economical problems experienced by Navajos. Navajos have the highest poverty rate of any ethnic or Native American tribe. Apache County in Arizona and McKinley County in New Mexico are two of the poorest counties in America with populations of over 50,000. The Navajo Nation has more than 50% of its children under four years of age living in poverty (Choudhary, 2006). This state of poverty can be attributed in large part to forced acculturation, something that the Title X Amendment is trying to address and remedy. Other attributions are ineffective federal policies and laws and

confinement to Indian reservations, which compound the hardship among the majority of the Navajos. According to Choudhary (2006), federal policies may have influenced a “third world” condition for the Navajo Nation. The process coupled with the force of assimilation has created a “learned helplessness state and mentality” (Joe Shirley, personal communications, 2006). With regard to the statement made by President Shirley, he was alluding to Navajos being dependent on the tribal, state, and federal systems. He prefers his people to become independent once again.

One of the objectives of the Title X Amendment is to empower the youth through the teachings of self-identity leading to positive self-concept and image. The Navajo youth are severely impacted by a variety of psychological, sociological, and educational related problems. According to researchers, Duran, Duran, Brave Heart, and Yellow Horse (1998) and Whitbeck, Hoyt, Stubben, and LaFrombosie (2001), these conditions may be caused by historical and intergeneration traumas. Native American youth have the highest suicide rate of all ethnicities or races (Choudhary, 2006). They are twice as likely to die from alcohol or substance abuse as any other race in the United States. Male native youth are three times more likely to die from vehicle crashes or other intentional injuries as any racial, other ethnic, or age group in the U.S. They also have some of the highest rates of obesity and juvenile diabetes (Center for Disease Control and Prevention, 2007). Statistics related to teen pregnancy, school drop-out, alcohol, and drug abuse are also high (Choudhary, 2006). With the inclusion of



Navajo cultural studies and teachings, the Navajo Nation hopes that most of the problems could be alleviated.

Some of the areas of immediate concern with regard to Navajo education include education test scores that are well below the national average, high dropout rates, low percentage of high school and college graduation, lack of culturally appropriate content and teaching methods, and lack of access to higher education. According to tribal leaders, one of the major reasons why Native American students are failing in public schools is tied to the huge difference between them and U.S. non-Native public students as to culture, traditions, world views, and learning styles (Deloria & Wildcat, 2001). Another factor possibly contributing to lower than expected rates of academic achievement among Navajo was reported by Golightly (2007) in his study of Navajo high schools was low level of academic self-efficacy. It is paramount to conduct this study to determine to what extent the educational mandate of the Navajo Sovereignty in Education Act of 2005 has been accepted in Navajo schools.

### **The Impact of Arizona Laws on Title 10**

#### **Arizona Learns**

The state of Arizona has its own accountability system borne out of Public Law 107-110 (NCLB, 2002). This purpose is “accountability founded on the principles of accuracy and fairness” (Arizona Department of Education, 2007). It started with Education 2000, Proposition 301 which authorized putting aside six-tenths of sales tax revenue related to education, mandating additional funding, and

the creation of new accountability measures. In 2002, Arizona Learns was passed within the contents of Proposition 301, which mandated research-based methods of evaluation in measuring academic school performance. This current law applies only to elementary grades (K-8). Subsequently, two of the prominent measurements developed were the Arizona Instrument to Measure Standards (AIMS) and Arizona Measure of Academic Progress (MAP).

Arizona Instrument to Measure Standards (AIMS) is a standards-based test, which provides educators and the public with valuable information regarding Arizona students' mastery of reading, writing, and mathematics standards. The Arizona Measure of Academic Progress (HB 2353) is a legislation of school accountability (State of Arizona, House of Representatives, 2004). It is a report card of Arizona schools.

### **Arizona Reads**

The objective with this legislation is to have every child reading with proficiency by third grade. Thus the primary focus of Arizona Reads is for grades kindergarten through third grade. The program requires that

each school district that provides instruction for pupils in kindergarten programs and grades one through three shall conduct a curriculum evaluation and adopt a scientifically based reading curriculum that includes the essential components of reading instruction. (A.R.S. §15-704)

The Reading First program has been adopted by most reservation schools. This legislation adheres to the mandates of the No Child Left Behind Act (NCLB,

2002) in the realm of making adequate yearly progress (AYP).

### **Proposition 203 English for Children**

In the Supplemental Report on Indian Education, December 1, 1889, Commissioner Thomas F. Morgan wrote,

Especial attention should be directed toward giving them a ready command of the English language. To this end, only English should be allowed to be spoken, and only English-speaking teachers should be employed in schools supported wholly or in part by the Government.

(Prucha, 2000, p. 178)

The English for Children was voted into law primarily by the southern portion of the Arizona population though vehemently opposed by the Navajo Nation. It was passed by only 63% of the state's populace. As written, its purpose was not clear and it created confusion and a number of minorities misunderstood it and thus assisted it to become law. The legislation was aimed at English Language Learners (ELLs). This proposition is also known as the Unz Initiative, and in the case of the Navajo Nation, the English Only law.

The purpose of this law was to initiate English immersion programs for English language learners. Some school districts who adopted the initiative were baffled by the ambiguous language. Some thought this approach was a plan to eliminate bilingual programs and because of loopholes, such as waivers for bilingual students, this law has never been fully implemented. Aguilera and LeCompte (2007) quoting from earlier research (Crawford, 1999; Linn et al.,

1999: McCarty, 1998) tell us that “English-only legislation has been implemented in 24 states and territories and 74% of states have participated in legislation that undermines both heritage-language maintenance (immigrant languages) and Indigenous languages” (p. 13).

Federal schools are exempted from Proposition 203 with the understanding that the Navajo Nation is a sovereign state within a state. Since the inception of the Title 10 Amendment, some public schools have stated that they are not subjected to the Navajo language and culture mandates of the amendment through the Department of Diné Education (DODE) because they are primarily funded by the state and must therefore adhere to Proposition 203, English Only Law.

Mr. Rueben McCabe, senior education specialist for DODE stated that currently his department’s focus is primarily on BIE contract and grant schools only, which make up close to a third of total reservation schools. Once the grant/contract schools are in line with the policies and procedures, DODE plans to move on to bringing public schools “up to speed” (R. McCabe, personal communications, 2008, fall). This in no way implies that reservation and border town public schools do not have Navajo studies programs. Most public school districts have Navajo studies programs. One of the best Diné studies programs is located in public schools within the Window Rock Unified School District that houses an Office of Diné Culture and has a Navajo language immersion program.

The Title X Amendment addresses the issue of dual language with regard

to the following areas: (a) grounding the Navajo students in their belief and value systems; (b) adoption of approaches that value both Navajo and western knowledge; (c) a culturally based program that will respect students' cultural knowledge, allowing them to connect the Navajo perspective to issues beyond their own communities. Title X amendments strongly recommend the schools, communities, tribal leaders, and parents work together in achieving the goal of maximizing the balance of teachings, integrating both the Navajo and English languages. In its efforts to maintain the survival of their language, the Navajo Nation contracted with Rosetta Stone to produce Levels I, II, III, and IV in teaching the Navajo Language. Rosetta Stone finalized Levels I and II October 2010 (Yurth, 2011).

### **Significance of the Study**

The conclusion, results, and recommendations of this study provides information to Navajo Nation officials, education departments, schools, and parents concerning to what extent the educational mandate of the Navajo Sovereignty in Education Act of 2005 has been implemented in predominately Navajo schools. This study was conducted because the Navajo Nation Title 10 Education Code's amendment is relatively new, though educators and administrators at K-12 levels are cognizant of its existence. Another significance of this study was to determine the effectiveness and efficiency of the new Navajo education law, Title 10 amendment.

### **Limitations of the Study**

The study is limited to the educational mandate of the Navajo Sovereignty in Education Act of 2005. All data are exclusive to the Navajo Nation in the state of Arizona, and to only educators in three schools. Additionally, it only deals with the Navajo studies mandates of the amendment.

### **Delimitations**

The study involves only federally funded contract/grant schools exclusive to three schools within the Fort Defiance Agency and does not include public state-funded schools within the same school district.

### **Glossary/Definition of Acronyms**

*AIMS*: Arizona Instrument to Measure Standards, a standardized test administered by the state of Arizona, aligned with the Arizona Academic Content Standards.

*AYP*: Adequate Yearly Progress, a measurement defined by the United States Federal No Child Left Behind Act that allows the U.S. Department of Education to determine how every public school and school district in the country is performing academically according to the results on standardized tests.

*DBA*: Diné Bi'ólta' Association, which is comprised of the local community school boards of the Navajo Nation.

*DODE*: Department of Diné Education of the Navajo Nation, originally created in 1970 as the Division of Navajo Education under the Office of

Operations of the Navajo Tribe, which in 1973 was renamed the Navajo Division of Education when Dillon Platero became its director (Roessel, 1979, p. 292).

*EC*: Education Committee of the Navajo Nation.

*ELL*: English Language Learners are children for whom English is a new or a limited language.

*ODCLCS*: Office of Diné Culture/Language and Community Services of the Navajo Nation.

*NAGSA*: Native American Grant School Association.

*NCLB*: No Child Left Behind, Public Law 107-110.

*Title X Amendment*: An amendment to the Navajo Nation Code Title 10 Education Law passed in 2005, which among other mandates, stipulates that Navajo language and culture be taught to students at all predominantly Navajo student-populated schools.

### **Schools for Navajo Students**

The following are descriptions of schools that primarily serve Navajo Students:

*BIA*: Bureau of Indian Affairs. The first boarding school was built at Fort Defiance, Arizona, in 1883 (Roessel, 1979, p. 141). The Snyder Act of 1921 restructured the BIA with regard to education of Indians. These are federally funded schools identified as *day schools* and *boarding schools*. BIA boarding school dormitories, under the Peripheral Town Dormitory Program was 'launched by the Bureau of Indian Affairs in 1995. These were agreements with public

school boards in communities located in the area adjacent to the Navajo reservation” (p. 23). Flagstaff and Holbrook dormitories are leftovers from the Peripheral Town Dormitory Programs.

*BIE:* Formerly known as the Office of Indian Education Programs and a part of the BIA; BIE was renamed and established on August 9, 2006. This came about as a result of legislative actions that restructured the BIA. The purpose was to “reflect the parallel purpose and organizational structure BIE has in relation to other programs within the office of the Assistant Secretary of Indian Affairs” (U.S. Department of the Interior, Indian Affairs, 2012, para. 1).

*Day schools:* Day schools are forerunners of BIA schools. They are under BIE and are much like public schools where children go home every day. Three such schools of today are the Low Mountain Elementary School in Low Mountain, Arizona; Kin Dahlichí’i Olta’, five miles east of Ganado, Arizona; and Cove Day School in northwestern New Mexico. Most BIE schools are boarding schools where children who do not live close enough to the school stay in residential halls during the school week and go home over the weekends and holidays. The students who live near the schools have the option of staying in the residential halls for various reasons including issues that arise from fractional families and poverty. Other reasons may be that their parents are employed out of the immediate area; they belong to a sports team; there are no utilities at home such as running water and electricity; and, of course, there are those students who prefer staying in the residential hall as opposed to going home daily. All federally



funded schools are within designated education line offices, depending on their location. The line offices are Western Navajo, Fort Defiance, Chinle, Crownpoint, and Northern Navajo. The BIE claims that it also is recognized as a state education agency, though it does not document by what authority it acts as such.

*Contract/Grant:* In 1966 the first contract school came into existence in Rough Rock, Arizona and was aptly named the Rough Rock Demonstration School. It was the first community-controlled school (Roessel, 1979, p. 49). These are former BIE schools that have converted to community schools but are still funded by the federal government. They are community schools contracted with the federal government, which are not totally federally controlled, and are more at liberty to conduct education that caters to the parents of the students and to the wishes of the local community. Most of these schools also still have residential halls for students who need or desire to stay on campus and still belong to the BIE state agency. Depending on location, the contract/grant schools have to adhere to most of the same policies and procedures set forth by the federal government.

They are named *grant* because their money is not funneled through various offices and agencies but rather received in a lump sum from the federal government. Currently 24 schools are tribally operated under BIE contracts or grants. They are “Tribally controlled grant schools under P.L. 98 638 Indian Self Determination contracts or P.L 100-297 Tribally Control Grants Schools Act” (Bureau of Indian Education, 2010, June). These schools are granted leeway to set most of the local school policies and procedures, as an example, in terms of

financial protocols for the school. The local school board of directors have more power and say-so than a non-contract/grant school. The contract/grant schools can be K-5, K-6, K-8, or K-12 with a principal, and an education line officer at each **line office** to overlook the seven to nine schools.

A grant/contract school comes up for reauthorization every few years and meets with the Navajo Tribal Education Committee who authorizes whether or not it continues as a grant/contract school based on adherence to EC mandates, procedures, and policies, which includes the Navajo Studies portion of the Title X Amendment. Nationwide, there are 184 elementary and secondary schools in 23 states and 63 reservations. Sixty schools are operated by the BIE and 124 are contract/grant schools. There were 47,551 K-12 students enrolled in the 2006-2007 school year and 47,789 enrolled in 2007-2008. According to Zehr (2008), “The Department of the Interior’s Bureau of Indian Education, or BIE, operates 174 schools in 23 states, with a total enrollment of 48,000.”

*Charter:* Charter Schools are state-funded schools created through legislation in 1994. Charter schools are funded by the state and receive money based on student enrollment and attendance. They are also allowed to solicit and receive contributions and grants, and most operational decisions are made on-site. The one charter school in this study is a middle school which has contracted with a BIE grant school for joint use of the facility and educational services. On the Navajo Nation a number of charter schools started up during the first year of the

legislation, yet within the ensuing few years most were disallowed due to what the state considered double-dipping, since most schools were federally-funded.

*Public:* Public education on the Navajo Reservation was not a widely available resource until well after the conclusion of World War II. The few public schools were primarily for non-Navajo children who were ineligible to attend federal schools. These accommodation schools “were located where there were numerous non-Navajo Indian service employees” (Kluckhohn & Leighton, 1974, p. 152). They are funded by the state and have to adhere more to the mandates of the state, with some exceptions, in accordance with Navajo Nation sovereignty. In contrast to federal schools, public schools are divided into districts instead of line offices. For each district there is a superintendent, and all are K-12. Within the public schools there is a constant struggle as to which statutes apply. The state has the upper hand in these struggles as they are the funding source.

*Parochial:* In 1958 there were approximately 25 mission schools (Kluckhohn & Leighton, 1974, p. 143). These were schools for predominantly Navajo students though they may or may not have been located on the Navajo reservation. Parochial, or mission schools, are run by certain religious factions. Two of the better known parochial schools are St. Michaels Catholic School in St. Michaels, Arizona, and Sun Valley Christian School near Holbrook, Arizona. The latter is located outside the Navajo reservation, yet the majority of its students are Navajo. Students who attend these schools do so at their own accord or the wishes of their parents. Most of these schools are funded and run by the religious

denominations, and a fee or tuition is usually required. However, these schools are not immune from state laws. They must apply for and be accredited. There is no mention of these schools in the Title X education amendment.

### **Federal Support for Indians Maintaining Their Language and Culture**

Title 10 Education Amendments may have had an easier realization because of policy and legislation put in place by the United States in the 1970s. Two prominent endeavors are the 1972 Indian Education Act and the Education Assistance and Indian Self-Determination Act of 1975. These acts served to help us sustain our “right to control the education of [our] children and maintain [our] languages and cultures” (Reyhner, 1996, p. 10). In that regard, “Congress thus declared it is the policy of the United States to preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages” (Reyhner, 1996, p. 10). What is known is that if Navajo children are taught using methods within their culture, studies show they will be more apt to learn and acquire knowledge and language no matter what the discipline. What may not be known is to what extent this pedagogy should be used, before switching to linear learning which mainstream society largely exploits.

Books on Navajo education point out that there were isolated attempts to include Navajo culture in education beginning at about the 1930s. Hildegard Thompson (1975), in her book, *The Navajos' Long Walk for Education*, describes a teacher who had no teaching materials to work with. “Simple reading, arithmetic

and science materials were prepared using Hogan living, sheep herding, trading post activities, sings (ceremonies), weaving” (p. 57). Roessel (1979) related,

During the 1930s and through World War II there was an interest on the part of top leadership in Indian service to develop and use printed material dealing with the culture and tradition of individual Indian tribes and often written in both English and the particular Indian tribes. (p. 44)

He further stated,

During the Collier-Beatty period of Indian education of the 1930s and early 1940s the emphasis was on respect for Indian culture. By the late 1940s this Indian emphasis was replaced with a strong trend toward “what is white is right”—acculturation and elimination of Indian characteristics. (p. 45)

### **Organization of the Study**

This study includes five chapters. Chapter 1 includes the introduction, background, purpose, and statement of the problem. Chapter 2 consists of the literature review, including history of the inception of the Navajo Nation Education Department and the political ramifications that hindered its progress. Chapter 3 describes the research methodology, and Chapter 4 presents the findings. The conclusions and recommendations for further study are presented in Chapter 5.

In conclusion of the literature reviews, valid arguments exist concerning Native American English Language Learners in that historical and

intergenerational traumas among Native Americans still exist. This is evident by increased mental health problems and poor academic performance on part of the Native American students. Researchers also concluded that one of the major reasons why Native American students are failing in public schools is partly due to the vast difference in culture, traditions, world views, and learning styles when compared to the U.S. non-native public schools (Deloria & Wildcat, 2001; Russell, 2004). The literature reviews gathered information herein as to what is known about ELLs. An extensive literature review gathered much-needed information about English Language Learners.

## CHAPTER 2

### REVIEW OF LITERATURE

This study was conducted to explore the impact of Navajo Sovereignty in Education Act of 2005 (20th Navajo Nation Council, 2005) with regard to the Navajo Nation's educational accountability, specifically in the teaching of the Navajo language and culture as an impetus. The study also ascertained the extent, magnitude, enforcement, and feasibility of the Navajo studies portion as well shortfalls of its implementation.

Exploration of the Navajo children's exposure to mainstream American education is often constrained by ambiguous influences of politics. After many wars with foreigners in the late 1800s and after the signing of the Treaty of 1868, Navajo children were forcefully taken from their parents and placed in parochial and boarding schools against the wishes of their parents. Ultimately, these harsh circumstances were never widely accepted as reported in the Merriam Report of 1928. Nonetheless, over years Navajos became more acculturated in the western culture, and the central strength of their powerful teachings diminished (Yazzie & Speas, 2007). According to an education scholar, the goal of educating Native American children was to convert and civilize them into mainstream America (Webb, 2005, p. 291).

A result of this assimilation was the Treaty of 1868 with the United States of America (Leonard, 2008). Therefore to understand the problem and concern for Navajo education requires an overview of this political assimilation as it affected

education (Leonard, 2008, p. 1). Eventually, the Navajo Nation took responsibility for Navajo education. Chapter 2 includes the following areas of literature review covering the History of Navajo Education in the following areas:

1. Treaty of 1868 with United States of America
2. Education acts and resolutions leading up to the Title X Amendment
3. The Merriam Report 1926-1928

The Merriam Report emphasized the need for education in Indian affairs but it was felt that this education should stress the assimilation of Indians into civilization rather than separation from White culture as previous education policies have stressed. The Merriam Report formed the basis for the Indian Reorganization Act of 1934. John Collier, United States Bureau of Indian Affairs commissioner from 1933 to 1945, used this report to preserve indigenous culture along with advocating for more monies to help solve the “Indian Problem” that the U.S. Government had created for itself. One relevant point to this study out of five included the recognition and the aiding of tribes in maintaining and developing their cultures, especially their language, religion, and crafts.

4. The Navajo Nation Title X Education Amendment
5. Support for the Title X Amendment and Indigenous Languages
6. Department of Diné Education
7. Federal Government Support for Creation of Tribal Education Departments
8. No Child Left Behind Act (Act (20 USC §7455))



9. History of the Title X Amendment.

The history of Navajo education begins with the treaty signed in 1868 at Bosque Redondo, New Mexico that resulted in the Navajos being released from captivity. Article VI of that treaty refers to the various education acts in reference to Native American and Navajo education leading up to the subsequent realization of the Title X amendment titled *Navajo Sovereignty in Education Act of 2005*.

10. National organizations as allies to the Navajo Nation.

### **History of Navajo Education**

#### **Treaty of 1868 With the United States of America**

The focus on formal education for Navajo children began after the signing of the Treaty of 1868 with the return of the Navajo people from a four-year imprisonment at Bosque Redondo, New Mexico. The treaty included a section, Article 6, on education. It does not indicate anything on education of the young using their language, traditions, and culture. Today this event is known as the Treaty of 1868 in Navajo and American History. Yazzie and Speas (2007) informed us,

For Navajo children, it was Article VI of the Navajo-US Treaty in 1868 that mandated formal education. Article VI declares that all [children] between the ages of 6 and 16 were to be educated. However, the [Treaty] did not specify how children were to be educated. Military personnel, missionaries and federal representatives were the ones who decided how Indians were to be educated, not the Treaty. (p. 402)

Proclaimed August 12, 1868, Article VI, Compulsory Education for Children, of the treaty states in part, “A teacher competent to teach the elementary branches of an English education shall be furnished . . .” (*Treaty Between the United States of America and the Navajo Tribe of Indians*, n.d, Article VI section). At this early juncture, there was no mention of including cultural teachings, training and hiring of native teachers, or bilingual education.

When the federal government became primarily responsible for the education of the Navajo people after the Treaty of 1868, some European religious factions also took on this responsibility by funding provided by the wealthy among the fold. One religious school of significance was St. Michaels Indian School in St. Michaels, Arizona. This school originated as a Franciscan mission, founded in 1898, and in 1902 became a boarding school. It is no longer a boarding school but exists as a mission school to this day (Lapahie, n.d.).

The word *formal* is used here to describe the European style of academic education, despite the fact that Lomawaima and McCarty (2006) asserted that “the label *informal* is another dimensional strategy to denigrate and marginalize native education” (p. 27). *Formal* education is defined as the linear and pre-planned, with timelines as to what, and when tasks will be accomplished exceeding structure, and sometimes a scripted style of teaching. Informal education, specifically the way traditional Navajo style of teaching is understood, is when circumstances bring up the lessons to be learned, is structured seasonally, such as care for animals during the birth of lambs in the spring or hunting in the fall and

the learning of traditional games and stories of The (Diné) People during the long winter nights. The informal Navajo style of education has sometimes been referred to as “circular,” where topics taught followed the seasons in a clock-wise continuum. As Deloria puts it, “Education in the traditional setting occurs by example and not as a process of indoctrination. That is to say, elders are the best living examples of what the end product of education and life experiences should be” (Deloria, 2001, p. 45).

### **Education Acts and Resolutions Leading up to the Title X Amendment**

It was the Indian Reorganization Act of 1934, that introduced the teaching of Indian history and culture in BIA schools. Until then it had been federal policy to acculturate and assimilate Indian people by eradicating their tribal cultures through a boarding school system. The 1934 Indian Reorganization Act passed by the U.S. Congress resulted in 50 new day schools being opened. On May 14, 1946, a delegation from various sections of the Navajo Reservation testified in Washington advocating for the education of their children. (Schlam, 2012; Thompson, 1975, p. 20)

In 1947 the Navajo Tribal Council passed a resolution declaring compulsive education for Navajo children ages 6-16 years old. It was finally at this time that there may have been some contemplation to include traditions and culture whereby day schools were “constructed in the style of a typical hogan” (Thompson, 1975, p. 53).

The first noticeable support for the notion of tribes administering their own education was the passage of the Indian Self-Determination and Education Assistance Act in 1975 in which “Congress directed that the quality of reservation life was to be improved by taking into account the tribal government as well as the customs and practices of the reservation” (Hale, 2002, p. 71). The Indian Self-Determination and Education Assistance Act is a policy of self-determination that committed the federal government to encourage maximum Indian participation in the government and education of the Indian people. The 1975 legislation contained two provisions. Title I, the Indian Self-Determination Act, established procedures by which tribes could negotiate contracts with the Bureau of Indian Affairs to administer their own education and social service programs. It also provided direct grants to help tribes develop plans to assume responsibility for federal programs. Title II, the Indian Education Assistance Act, attempted to increase parental input in Indian education by guaranteeing Indian parents' involvement on school boards (Gale Encyclopedia of U.S. History, 2006, para. 2).

### **The Merriam Report**

Supporting this concept further was the famous Merriam Report. This nationwide report, a survey conducted by the Institute of Government Research (Brookings Institution) in 1926 under the direction of Lewis Merriam catalogued the discrepancies in Indian education in 1926, which at that time made egregious recommendations. One was to “Do away with ‘the uniform course of study’ which stressed the cultural values of whites only” (McNickle, 1975, p. 245).

Author McNickle summarized Indian education of that time: “Schooling, where it was available, was conducted as an exercise in animal training” (p. 235).

### **The Navajo Nation Title X Education Amendment**

The contents of the Navajo Nation Title X Education Amendment are now a part of the Title X Education Tribal Code, a 14-chapter volume which spells out the education law of the Navajo Nation. The inter-workings of the Navajo Nation Title 10 education amendment may have its beginnings back in 1868 when the United States government made promises to the Navajo tribe of Indians about the education of their children (Dr. Florinda Jackson, personal communication, 2007).

A close working protocol is Title II, which in 2005 amended Title X of the Navajo Nation Code. The contents of Title II include the Navajo Nation Election Code of the Navajo School board members and the amendments to the Navajo Tribal Code, which is the government reform package created by Albert Hale and his former law partner Louis Denetsosie, a former Navajo Nation Attorney General. The reform package sets the conditions by requiring all Head Start schools to use the Diné language to teach Navajo students. This fact is an important link to and an impetus for the contents of the education amendment of Title X.

Title X, Education §1 Responsibility of the Navajo Nation, states in Section D,

The Navajo Nation specifically claims for its people and holds the government of the United States responsible for the education of the

Navajo People, based upon the Treaty of 1868 and the trust responsibility of the federal government toward Indian tribes. (20th Navajo Nation Council, 2005, p. 2)

The focus in this dissertation is the Navajo Nation Council's Title X's education amendment mandates having to do with the teaching of Navajo language and culture in primarily Navajo schools and the degree of its implementation.

In 1961 an education policy hailed as most comprehensive was adopted into the Navajo Tribal Code. It was on the premise of this legislation that Holm wrote (with optimism) in later years, "With Tribal Education Policy requiring the use of Navajo in Navajo schools, and the Arizona state, 'foreign/native language,' it is to be hoped that elementary schools will become more willing to try to build upon the Navajo language abilities of entering kindergartners" (Holm, 2007, 37). Holm's statement coincided with the passage of the "The Indian Education Act of 1969, which was to provide cultural based instruction for Indian students" (p. 37). So it was that in 1971, the Navajo Nation Council established the Navajo Division of Education.

Roessel (1979) informed us that in the mid-1970s the Navajo Division of Education undertook the task of developing certification and accreditation standards for schools located on the Navajo Reservation. Drafts of teacher certification requirements were circulated to educators and others. By 1978 it still was too early to tell what the exact nature of such standards might be. (p. 311)

Mr. Roessel (1979) an astute educator observed at that time that “the frequently-heard analogy of the division’s role being one like a State Department of Public Instruction is true in theory only” (p. 316). He did, however, state also that “this kind of a system, like a Navajo State Department of Public Instruction, is absolutely necessary” (p. 317).

On November 16, 1984, the Navajo Tribal Council approved the Navajo Nation Education Policies. Another tribal education service known as the Office of Diné Culture, Language, and Community Services was instrumental in the approval of the resolution.

### **Support for the Title 10 Amendment and Indigenous Languages**

The Bilingual Education Act of 1968 is noted as the first official federal recognition of the needs of students with limited English speaking ability (LESA). Since 1968, the Act has undergone four reauthorizations with amendments, reflecting the changing needs of these students and of society as a whole. (Stewner-Manzanares, 1988, para 1)

From 1987 through 1990, the Navajo Education Standards Committee developed the education standards. Nationally, on October 30, 1990, the Native American Languages Act (Cantoni, 1966; Wikipedia, n.d, para 1) came into being. A strong support for the use of indigenous languages can be found in Declaration of Policy, Sec. 104 which states, “It is the policy of the United States to recognize the right of Indian tribes and other Native Americans governing

bodies to use the Native American languages as medium of instruction in all schools funded by the Secretary of the Interior” (Cantoni, 1996, p. 71). The Navajo Nation Education Standards (NNES) came into being with the 1991 Resolution ECJA-06-91.

In 1994, the Improving America’s Schools Act reauthorized the above mentioned Acts under Title VII, “but only a few states have indigenous language rights through legislation. Further, federal monies to fund the legislative mandates have been insufficient to reverse language loss” (Dewey, 2007, p. 14).

In 1995, the Navajo Division of Education, which the Navajo Nation Council had established in 1976, became the Division of Diné Education. In 2003, the Navajo Task Force was established by the Navajo Tribal Council Education Committee. The group consisted of representatives from the Division of Diné Education, school board members from contract, grant, and BIE schools. Three goals were to develop school improvement plans, integrate Diné language and culture standards, and establish procedures and criteria for licensing administrators (Tribal Education Department, 2006, September, p. 1).

Policies passed by the Navajo Tribal Council in 1994 and the Diné Education Guidelines, were added on July 31, 1995 by Executive Order (Appendix A) where it was also ordered that the language of instruction at all pre-kindergarten (Headstart) facilities will be the Navajo language. On September 21, 1998, the 1991 Resolution was included with the proposed amendments of the Navajo-Specific Standards Relative to Navajo Language and Culture.



At the 20th Navajo Nation Council, an amendment was made to Title 10 Navajo Nation Code, signed into law by the President of the Navajo Nation, the Honorable Joe Shirley Jr. on July 22, 2005, three years after President George Bush signed into law Public Law 107-110, The No Child Left Behind Act of 2002. On September 8, 2001, at a duly called meeting of the Navajo Nation Council in Shiprock, New Mexico, the proposed amendments became reality and passed with six in favor, none opposed. The action brought about the realization of the education amendments to Title X, the Navajo Sovereignty in Education Act of 2005.

### **Department of Diné Education**

The Title 10 Amendment brought about the formulation of the Department of Diné Education (DODE) of the Navajo Nation. It was primarily established “for the specialized purpose of overseeing the operation of all schools serving the Navajo Nation” (20th Navajo Nation Council, CJY-37-05, 2005, p. 7).

At this juncture DODE was conceptualized to operate like a state department of education. The premise of this legislation was that the tribe was capable of running its own education department, developing its own curriculum, constructing its own standards, conducting its own data processing, and determining adequate yearly progress (AYP), benchmarks, and assessments.

Presently the tribe has an 11-member Navajo Nation Board of Education (sometimes referred to as “Board”) which oversees and carries out the duties and supervision of subordinate departments. It will be reiterated again here that this

includes teaching Navajo children to be fluent in their Navajo language in order to be biliterate and bilingual.

The Navajo Nation's Navajo Sovereignty in Education Act is the Title X Education Amendment, just as the No Child Left Behind Act is also known as Public Law 107-110. The NSEA was to establish and make revisions to the Navajo Nation Code's Titles II and X, under which the Department of Diné Education was given the authority and responsibility of enforcing and implementing the education laws of the Navajo Nation.

It should be noted that one of the first attempts by the Navajo Tribe at having Navajo students conceptualize the importance of knowing their language and culture came from the Office of the Navajo Nation Scholarship and Financial Assistance (ONNSFA). One of the funding sources is the ONNSFA's Chief Manuelito Scholarship that stipulates that Navajo language and government courses be completed prior to high school graduation date. This stipulation is enforced albeit the scholarship is not necessarily tied to the Navajo tribe since it pulls monies from the Federal BIA 638 funds, private donations, and general Navajo Nation funds (Office of the Navajo Nation Scholarship and Financial Assistance, 2007, April).

### **Federal Government Support for Creation of Tribal Education Departments**

Through federal government authorizations, there is support for the revitalization and teaching of indigenous languages (and other languages) through the following statutes: No Child Left Behind Act, the Indian Self-Determination

Act, Improving America's Schools Act of 1994, Indian Self-Determination and Education Assistance Act (25 USC§ 2010, Improving America's Schools Act of 1994 (20 USC§7835), and the Stafford Elementary and Secondary School Act of 1988 (25 USC §2024). One example of how the federal government is supportive is through NCLB, as explained below.

**No Child Left Behind Act (20 USC §7455)**

Interestingly, under Public Law 107-110 115 STAT. 1453 (6), under Language Assessments, it states,

Each state plan shall identify the language[s] other than English that are present in the participating student population and indicate the languages for which yearly student academic assessments are not available and are needed. The state shall make every effort to develop such assessments and may request assistance from the Secretary, if linguistically accessible academic assessment measures are needed. Upon request the Secretary shall assist with the identification of appropriate academic assessment measures in the needed languages” (No Child Left Behind Act of 2001, Public Law 107-110, 2002).

But as Cindy La Marr, president of the National Indian Education Association, asserted even though there were authorizations for funding programs, the federal government had never appropriated any funds, a serious failure on the part of the federal government (La Mar, 2005).

## **History of the Title X Amendment**

Since the inception of the Title X education amendment, a select group from the Diné Bi'ólta' Association, an entity which was established in the amendment, was selected to overlook the grant schools on the Navajo Nation to ensure pertinent mandates are being followed. The Diné Bi'ólta' Association (DBA) is “comprised of the local community school boards at the Navajo Nation” (20th Navajo Nation Council, CJY-37-05, 2005, p. 23). The DBA then turned around and handed that specific task to the Office of Diné Culture, Language and Community Services (ODCL&CS). The rationale for this action is that the Diné Bi'ólta' Association and the Office of Diné Culture, Language and Community Services have education specialists on board who have teaching credentials and are experienced classroom teachers. According to Rueben McCabe, a senior education specialist within ODCLC&S (personal communications, 2008, fall), some educators were not very receptive to visitations that were meant to facilitate adherence.

As this research began on the Navajo Nation Title X Education Amendment, the researcher found no serious research that has been done and thus no landmarks to compare against. His intended study may well be the first of its kind, since there is no evidence of scholars who have achieved prominence for their work in this genre. Thus, it can be said with certainty that this research is unique (see Bryant, 2004). Most of what he has discovered about this amendment is through journals and periodicals, attending conferences where topics related to

Indian and Navajo education were presented; and in some cases, culture, tradition and language, were presented.

### **National Organizations as Allies to the Navajo Nation**

Organizations from the different Native American communities and tribes are resources to enhance the objectives of the Title X Education Amendment. One of these organizations is the National Indian Education Association with a nationwide membership that includes Alaska and Hawaii. In summary, it is acutely evident that laws, policies, procedures, and protocols were established to look good on paper to the Navajo people and other Native Americans and the American public. They were not implemented as no funding accompanied them.

## CHAPTER 3

### METHODS

This study examined the current level of satisfaction teachers hold towards their jobs, as well as the factors that would directly increase their level of satisfaction. In addition, this study included the opinions of participants towards the administration of their school. To accomplish this task, the data were analyzed from two perspectives: a collective sample of all teachers who participated in this study, as well as disaggregated by subgroups based on the characteristics the individual teachers indicated through their participation.

The data for this quantitative study were acquired through the administration of a survey, which was filled out and completed by teachers, paraprofessionals, and those who work with students in an instructional setting in three schools on the Navajo Nation. The schools are identified as School A, B, and C. This chapter describes the research methodology used in this study, including descriptions of the sample, assessment instruments, procedures, research design, and statistical analysis.

#### **Research Methods**

The types of schools on the Navajo reservation studied was one contract/grant/partial charter school (School A) and two Bureau of Indian Education contract/grant schools (B and C). The rationale for choosing these particular schools is that currently the Title X education amendment is at the phase where the focus is on contract/grant schools only. Surveys were

administered to educators in these schools to see how they implement the Navajo language and culture segments of the Title X amendment. The questions used in the survey were taken from The Navajo Nation Education Standards with Navajo Specifics, published by the Division of Education, Office of Diné Culture, Language and Community Service. Of the 15 standards, nine questions were chosen that have to do with the teaching of the culture and language. Some of the wording was slightly adjusted to conform to the purpose of the survey.

The definition for educators is those teachers, counselors, and paraprofessionals who work directly with the students daily in an educational setting. Two schools are K-8 and one is a K-6 school. The total number of surveys sent was 57. The return rate was 47. The rationale for surveying only the staff identified is that they are at the actual implementation level of the standards.

This quantitative study is focused on determining to what extent the educational mandate of the Navajo Sovereignty in Education Act of 2005, the Title X Amendments have been implemented by Navajo schools. The specific survey questions asked were the following:

1. Could you tell me about your history teaching in Navajo schools?
  - A. Teaching background
  - B. Motivation(s) for going into teaching
  - C. Motivation(s) for staying).

The educators surveyed had the following choices to choose from in terms of answering Questions 2 through 10:

Fully      To some extent      Slightly      None      Don't know

2. Standard 1 under School Philosophy states in part, “The mission statement shall include aspects of Diné language and culture in its goals and objective” To what extent has this been done at your school?
3. Standard II states in part; “The school . . . shall foster the on-going participation of parents, elders, and community members in the decision-making of the whole schooling process.” To what extent has this been done at your school?
4. Standard III states, “Provision shall be made for all students to learn the Diné language and culture.” To what extent has it been implemented?
5. Standard IV, under 4.02 states, “The school shall implement and utilize locally develop[ed] Diné cultural and Language Curricula.” To what extent has this been done?
6. Standard VI states, “The school is encouraged to use the Diné language in place names, giving directions and instruction in areas of communication.” To what extent has this been done?
7. Standard VII states, “In-service programs shall be developed to enable Navajo speakers to continue to improve their oral and written Diné language abilities.” To what extent has that been accomplished?



8. Standard X under 10.03 states, “The instructional library/media center shall have a balanced collection of books; the collection shall provide Navajo language and culturally relevant materials for the community. . . . It shall accommodate interest levels of the students, staff, and community.” To what extent has this been done at your school?
9. Standard XI under 11.01 states, “The counseling staff shall know and understand Diné cultural values as well as the social and economic conditions of the community.” To what extent is this true?
10. Standard XII under 12.13 states, “The school academic plans shall include cultural activities, culture camps and host community events that provide an opportunity for children to actively participate in, and learn appropriate cultural values and acceptable behavior.” To what extent has this been planned for?

### **Demographics**

The area that the Navajo reservation encompasses has been compared to the state of West Virginia. The reserve extends into Arizona, New Mexico, and Utah. The adults are bilingual speakers at various levels, and the younger ones do not readily understand or speak the Navajo language. The gap is widening every year. There are those that can understand the language but cannot speak it. In 1974 students spoke primarily Navajo at boarding schools. By 1990 there was a

noticeable reversal. All reservation schools consist of Navajo students and most border town schools consist of at least a third Navajo student population.

### **Study Design**

Data for this quantitative study were gained from a survey administered to educators in three Navajo schools and included three open-ended questions as well as nine closed-ended questions. The data were then entered into Survey Monkey by the researcher for compilation and presentation of the results.

### **Population and Sample**

The Navajo reservation covers 27,000 square miles of northeastern Arizona extending into the states of Utah and New Mexico. The population is 210,000. In Arizona alone, there are 24 BIE and 31 Contract/Grant schools. There are eight school districts that serve the Navajo Nation, some from off the reservation that have facilities located on the reservation, three examples being Flagstaff and Holbrook school districts and the Gallup-McKinley County Schools. One prominent parochial school is the Saint Michaels Mission located on private land surrounded by the reservation in St. Michaels, Arizona. As is typical of schools with predominantly English language learning students, the schools on the Navajo reservation have been recognized on state assessment tests as *underperforming*.

Three schools were selected because of the administrative focus on these types of schools. Surveys were administered to educators in these schools to ascertain implementation of Navajo language and culture segments of Title X

amendment standards. The schools were K- 6, K-8 and one is a K-6 with a 7-8 charter school. The nine questions on the survey pertained to selected standards “passed by the Council in 1984” (20th Navajo Nation Council, 2005, pp. 3-26) organized and selected from the excerpts of Navajo Nation Education Policies. Respondents were asked a series of questions about their knowledge of the Navajo language and cultural portions of the Title X amendment standards as applied to teaching students. The total number of surveys sent was 57, to which 47 responded.

### **Data Collection Procedures**

Data collection was as follows: Surveys were taken by teachers, paraprofessionals, counselors, and other staff members who worked directly with students in a classroom setting. They were collected by the researcher and entered into Survey Monkey.

### **Data Analysis**

The number and percentage of responses to each of the questions were calculated using the Survey Monkey program. Comparisons were made between the respondents in the three schools.

## CHAPTER 4

### FINDINGS/RESULTS OF THE STUDY

The purpose of this study was to find the extent to which educators in three BIE Navajo Nation schools believed they had implemented the mandates of Title X Amendments within the Navajo Sovereignty in Education Act of 2005. Data were gained from a survey administered to 47 educators who responded to each of the mandates by indicating to the extent to which they had been implemented in their school. The results of the survey are reported in this chapter.

Table 1 presents demographic characteristics and the response rates of the three participating schools, including student enrollment, the number of educators, the response rates, and the number of years of experience of the educators in each school. As shown in Table 1, School A was the largest of the three schools ( $n = 298$ ), while School B ( $n = 189$ ) and C ( $n = 198$ ) had small and similar-sized enrollments. There was a high response rate for Schools A (100%) and B (90%), and a lower rate for School C (50%) with a total response rate of 84%. Although all educators did not respond to the question asking about their years of experience, of those who did, a majority had 6 to 15 years of experience and nine had over 16 to 30 years of experience.

Table 1

*Characteristics of Three Navajo Nation Schools*

	School A	School B	School C	Total
Student population	295	189	198	
Educators	23	20	14	
Number of respondents	23 (100%)	18 (90%)	7 (50%)	
Response Rate	100%	90%	50%	
Years of Experience				
1-5	3	0	1	4
6-15	9	3	0	12
16-30	2	6	1	9
31-plus	1	1	0	2

When asked about their motivation to become educators, typical responses were that they wanted to work with young people, or more specifically, that they wanted to work with Navajo students, as seen in the following quotes.

- Being able to assist young children learn to the best of their abilities is essential.
- I love working with students and being off in the summer. It has been a great learning experience in return too.
- My goal is to develop life-long learners and for students to love school.
- I felt I am able to connect with our Navajo students.
- I am very determined to do my best to educate Native children. It has been a life-long dream/goal to be a teacher.

## Diné Language and Culture in School's Goals and Objectives

Table 2 shows the extent to which educators across all three schools felt their school had implemented Standard 1. About half thought the standard had been implemented *to some extent* and another half were divided between *fully* and *slightly* implemented. Nearly one fourth thought it had been implemented *slightly*, and another one fourth thought it had not been implemented or that they did not know if it had been implemented.

Table 2

### *Responses to Question 2, Standard 1*

---

“The mission statement shall include aspects of Diné language and culture in goals and objectives. To what extent has this been done at your school?”

---

Extent of Implementation	Respondents					
	School A		School B		School C	
	N	Percent	N	Percent	N	Percent
Fully	2	9.1%	8	44.4%	1	14.3%
To some extent	11	50%	4	22.2%	3	42.9%
Slightly	8	36.4%	3	16.7%	0	0.0%
None	0	0.0%	2	11.1%	2	28.6%
Don't know	1	4.5%	1	5.6%	1	14.3%

---

### Parent, Elder and Community Member Participation in Decision-Making

Table 3 shows that nearly half of the educators in School A (41%) and C (43%) felt there was only slight outside stakeholder participation in the decision-making in their school process; whereas, in School B (39%) thought there was input into decision-making *to some extent*. However, nearly one fifth (18.2%) of those in School A thought that there was no implementation of the extent to which the school fostered the ongoing participation of parents, elders, and community members in the decision-making, whole school process.

Table 3

#### *Responses to Question 3, Standard 2*

---

“The school . . . shall foster the on-going participation of parents, elders, and community members in the decision-making of the whole schooling process.” To what extent has this been done?

---

Extent of Implementation	Respondents					
	School A		School B		School C	
	N	Percent	N	Percent	N	Percent
Fully	3	13.6%	3	16.7%	0	0.0%
To some extent	6	27.3%	7	38.9%	2	28.6%
Slightly	9	40.9%	6	33.3%	3	42.9%
None	4	18.2%	2	11.1%	1	14.3%
Don't know	0	0.0%	0	0.0%	1	14.3%

---

## Student Learning of Diné Language and Culture

Table 4 shows that most educators thought that the student learning of the language and culture was implemented either *to some extent* or *slightly* in School A (90%), in School B (66.7%), and less than half (43%) in School C.

Table 4

*Responses to Question 4, Standard 3*

---

“Provisions shall be made for all students to learn the Diné language and culture.”  
To what extent has this been done?

---

Extent of Implementation	Respondents					
	School A		School B		School C	
	N	Percent	N	Percent	N	Percent
Fully	1	4.5%	3	16.7%	3	42.9%
To some extent	8	36.4%	6	33.3%	3	42.9%
Slightly	12	54.5%	6	33.3%	0	0.0%
None	1	4.5%	3	16.7%	1	14.3%
Don't know	0	0.0%	0	0.0%	0	0.0%

---



## Use of Locally Developed Instructional Materials

Over three fourths of educators in School A and about half of School B reported that that their schools use locally developed curricula materials *to some extent* (Table 5). However, educators in School C had mixed responses with nearly one third responding *to some extent* and about one third responded *none*.

Table 5

*Responses to Question 5, Standard 4*

---

“The school shall implement and utilize locally develop(ed) Diné cultural and language curricula.” To what extent has this been done at your school?

---

Extent of Implementation	Respondents					
	School A		School B		School C	
	N	Percent	N	Percent	N	Percent
Fully	2	9.1%	3	16.7%	2	28.6%
To some extent	8	36.4%	4	22.2%	2	28.6%
Slightly	9	40.9%	6	33.3%	1	14.3%
None	3	13.6%	4	22.2%	2	28.6%
Don't know	0	0.0%	1	5.6%	0	0.0%

---

## Diné Language Place Names Throughout the School

Table 6 shows the extent to which the Diné language is used in the school for place names, giving directions, and instruction in areas of communication. Responses for Schools A and B showed that nearly three fourths thought this was true *to some extent* or *slightly*; whereas, less than half of School C thought this was the case and another 29% did not know.

Table 6

*Responses to Question 6, Standard 5*

---

“The school is encouraged to use the Diné language in place names, giving directions and instruction in areas of communication.” To what extent has this been done at your school?

---

Extent of Implementation	Respondents					
	School A		School B		School C	
	N	Percent	N	Percent	N	Percent
Fully	0	0.0%	3	16.7%	1	14.3%
To some extent	11	50.0%	3	16.7%	1	14.3%
Slightly	5	22.7%	10	55.6%	2	28.6%
None	6	27.3%	2	11.1%	1	14.3%
Don't know	0	0.0%	0	0.0%	2	28.6%

---

### In-Service Offered to School Staff

Table 7 shows that almost half (41% to 56%) of the educators in all three schools reported that there were no in-services provided that would enable Navajo speakers to improve their oral and written Diné language skills.

Table 7

*Responses to Question 7, Standard 6*

---

“In-service programs shall be developed to enable Navajo speakers to improve their oral and written Diné language abilities.” To what extent has this been accomplished?

---

Extent of Implementation	Respondents					
	School A		School B		School C	
	N	Percent	N	Percent	N	Percent
Fully	0	0.0%	2	11.1%	1	14.3%
To some extent	4	18.2%	3	16.7%	0	0.0%
Slightly	7	31.8%	3	16.7%	2	28.6%
None	9	40.9%	10	55.6%	3	42.9%
Don't know	2	9.1%	0	0.0%	1	14.3%

### Library/Instructional Media Center Collection

As seen in Table 8, about two thirds of the educators in School A (63%) and over three fourths of those in School B (77%) believed that there are only *slightly* or no implementation of the standard regarding the extent to which culturally relevant materials were available in their schools. However, School C educators' responses were split between those who thought the materials were available in the schools *to some extent* and those who reported *none*.

Table 8

*Responses to Question 8, Standard 10*

---

“The instructional library/media center shall have a balanced collection of books. The collection shall provide Navajo language and culturally relevant materials for the community...it shall accommodate the interest levels of the students, staff and community.” To what extent has this been done at your school?

---

Extent of Implementation	Respondents					
	School A		School B		School C	
	N	Percent	N	Percent	N	Percent
Fully	0	0.0%	1	5.6%	1	14.3%
To some extent	7	31.8%	3	16.7%	2	28.6%
Slightly	10	45.5%	8	44.4%	1	14.3%
None	4	18.29%	6	33.3%	2	28.6%
Don't know	1	4.5%	0	0.0%	1	14.3%

---

### Counseling Staff's Knowledge of the Community

Educators in Schools A and B believed that their counselors/counseling staff possessed knowledge of the community either *slightly* or to *some extent* (86% and 72% respectively), although School C showed differences across all response choices (see Table 9).

Table 9

*Responses to Question 9, Standard 11*

---

“The counseling staff should know and understand Diné cultural values as well as the social and economic conditions of the community.” To what extent is this true?

---

Extent of Implementation	Respondents					
	School A		School B		School C	
	N	Percent	N	Percent	N	Percent
Fully	1	4.5%	0	0.0%	2	28.6%
To some extent	10	45.5%	4	22.2%	1	14.3%
Slightly	9	40.9%	9	50.0%	1	14.3%
None	1	4.5%	3	16.7%	2	28.6%
Don't know	1	4.5%	2	11.1%	1	14.3%

---

### School Has Cultural Activities for Children

As seen in Table 10, half of the educators in School A indicated that their school plans included cultural activities, culture camps, and host community events that provide opportunities for children to participate in and learn cultural values and acceptable behavior. For Schools B and C, educators reported only *slightly* to *none* in regard to their schools' plans including these activities and events (60% and 56% respectively).

Table 10

*Responses to Question 10, Standard 12*

---

“The school academic plans shall include cultural activities, culture camps and host community events that provide an opportunity for children to participate in, and learn cultural values and acceptable behavior.” To what extent has this been planned for?

---

Extent of Implementation	Respondents					
	School A		School B		School C	
	N	Percent	N	Percent	N	Percent
Fully	2	9.1%	3	16.7%	2	28.6%
To some extent	11	50.0%	4	22.2%	1	14.3%
Slightly	7	31.8%	5	27.8%	3	42.9%
None	2	9.1%	6	33.3%	1	14.3%
Don't know	0	0.0%	0	0.0%	0	0.0%

---

## Summary

When all the survey responses were combined, the data showed that when the nine selected standards are combined, 32.4% felt they were only *slightly* implemented, followed by 28.4% who felt the selected standards were only implemented *to some extent* (see Table 11).

Table 11

### *Results of Standards Being Combined*

---

Extent of Implementation	Number	Percent
Fully	50	13.4%
To Some Extent	129	28.4%
Slightly	145	32.4%
None	83	19.4%
Don't Know	16	6.4%
Total:	423	100%

---

## CHAPTER 5

### SUMMARY, CONCLUSIONS, AND RECOMMENDATIONS

This chapter contains a summary of the question investigated, the literature that was reviewed, a survey to convey perceptions of the educators who work with students in an academic setting, and the research design procedures that were used. Conclusions and recommendations are presented.

#### **Restatement of the Problem**

The purpose of this research was to investigate the extent that the mandates of the Navajo Nation Title X Education Amendment, Education Act of 2005, have been implemented in Navajo schools. Data were gained through a survey administered to educators in three schools and analyzed via the Survey Monkey. Questions were asked about educators' knowledge of and their rating of how the study of the Navajo language and culture has been implemented in their schools located within the Navajo Nation.

#### **Results of the Study**

The results of the study were based on the findings limited to three Bureau of Indian Education schools. The survey of educators in these three schools showed that after a decade since the mandates had become law, most educators felt that they were not fully implemented, nor had they even been slightly implemented.



### **Recommendations for Further Research.**

It is recommended that further research be conducted to obtain a larger sample size within other Navajo Nation schools, as well as border schools, to determine the extent to which the findings of this study are representative. To gain a broader perspective, students and parents in the schools should be surveyed about their understanding and opinions about the mandates, using the same methodology and principles. Further studies of the mandate's implementation at public and parochial schools would be tremendously invaluable to determine how those schools are adhering to the mandates and provide the foundation for needed reform.

Another recommendation would be to conduct further research to ascertain whether the NCLB law, with all its time-consuming mandates and requirements, has hindered the implementation of the Title X Amendment, the Navajo Sovereignty in Education Act of 2005. The No Child Left Behind law had funds tied to the legislation, although inadequate for implementing the universal changes that were expected. There are *no* funds for the Navajo Nation's implementation of its education amendment to Title X. Despite the lack of funds, materials, and training, teachers were expected to add the Navajo language and culture "class" to their normal teaching day. This dilemma needs to be examined and remedied by the Navajo Department of Diné Education.

## **Conclusions**

In conclusion, this study would be beneficial to all educators who have Navajo student populations in their schools. This study will enable them to take another look at their Navajo studies programs. What this research brought out was the lack of training for teachers in the Navajo language and culture. New and younger Navajo teachers are joining the educational ranks with limited or no knowledge of their language and culture. It is imperative that schools implement programs for them to better serve their people, as well as provide better professional development opportunities on Navajo language and culture for non-Navajo teachers.

As a full-blooded Navajo whose assimilation into an English-only school environment from his first day of school, without knowing a word of English, I advocate the revitalization of my heritage language for the upcoming generation. Of course, the study of one's language, culture, and traditions starts at home, but most elders who possess the knowledge of these teachings are no longer with us. The Title X Amendment has opened up the opportunity for schools to hire teachers who still have the knowledge, and it would be mindful of the schools to utilize the expertise of these educators to carry out the mandates of the amendment.

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APPENDIX A  
EXECUTIVE ORDER



**APPENDIX A**

**Executive Order, July 31, 1995**

**EXECUTIVE ORDER**

**RELATING TO THE USAGE OF THE NAVAJO LANGUAGE AS THE LANGUAGE OF INSTRUCTION AT ALL NAVAJO NATION HEAD START FACILITIES**

**WHEREAS:**

1. The President of the Navajo Nation, as the Chief Executive Officer of the Navajo Nation, has the authority to exercise fiduciary responsibility for the operation of the Executive Branch and to faithfully execute and enforce the laws of the Navajo Nation, 2 N.T.C. § 1005; and

2. The Navajo Nation Education Policies adopted by the Navajo Nation Council, Resolution CN-61-84 on November 14, 1984, and codified at 10 N.T.C. § 111, specifically states:

The Navajo Language is an essential element of the life, culture and identity of the Navajo people . . . Instruction on the Navajo language shall be made available for all grade levels in all schools serving the Navajo Nation . . .";

and

3. For the Navajo people to strive as a distinct people, a system must be developed to implement and perpetuate the use of Navajo language and culture in the education system within the Navajo Nation; and

4. The Navajo Nation Department of Head Start has completed a survey of pre-schoolers served by the Head Start program and found a general decline in Navajo tradition, culture, language and values; and

5. The Navajo Nation is committed to ensure that the Navajo language will survive and prosper. The Navajo language was used in times of war. Now, in time of peace, the Navajo language must be used to ensure the survival of the Navajo people, to maintain the Navajo way of life and to preserve and perpetuate the Navajo Nation as a sovereign nation; and


**NOW THEREFORE BE IT ORDERED THAT:**

1. Navajo language shall be the medium of instruction of Navajo children, the Nation's future, at all Head Start facilities.

2. The Department of Head Start, Division of Education, shall herewith implement, beginning with the Fall Semester 1995, the purpose and intent of this order in the curriculum, teacher education, facilities, extra curricular activities and all other relevant facets of the Navajo Head Start program.

3. Every program, department, division and entity of the Navajo Nation government shall ensure through development and implementation of the Navajo language and culture programs that the Navajo language and culture continue into perpetuity.

In witness hereof, I hereby proclaim the Executive Order that the Navajo language be the language of instruction at all Navajo Nation Head Start facilities, this 31st day of July, 1995.



Albert Hale, President  
The Navajo Nation

APPENDIX B  
SCHOOLS AND STAFFING SURVEY

### Research Questions

Questions 2-10 As selected/modified from the 15 *Navajo Nation Education Standards with Navajo Specifics*\* Please circle answers 2-10 most appropriate to you.

1. Could you tell me about your history in teaching in Navajo Schools (teaching background, motivation(s) for going into teaching, motivation(s) for staying)?  


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2. Standard I states in part, "The mission statement shall include aspects of Diné language and culture in its goals and objectives..." To what extent has this been done at your school? Fully to some extent slightly none don't know
3. Standard II states in part, "The school shall foster the on-going participation of parents, elders, and community members in the decision-making of the whole schooling process. To what extent has this been done at your school?  
Fully to some extent slightly none don't know
4. Standard III states, "Provisions shall be made for all students to learn the Diné language and culture." To what extent has this been done at your school?  
Fully to some extent slightly none don't know
5. Standard IV, under 4.02 states, "The school shall implement and utilize locally develop[ed] Diné cultural and language curricula." To what extent has this been done at your school?  
Fully to some extent slightly none don't know
6. Standard VI states, "The school is encouraged to use the Diné language in place names, giving directions and instruction in areas of communication." To what extent has this been done at your school?  
Fully to some extent slightly none don't know
7. Standard VI states, "In-service programs shall be developed to enable Navajo speakers to improve their oral and written Diné language abilities." To what extent has that been done?  
Fully to some extent slightly none don't know
8. Standard X under 10.03 states, "The instructional library/media center shall have a balanced collection of books. The collection shall provide Navajo language and culturally relevant materials for the community... It shall accommodate the interest levels of the students, staff, and community. To what extent has this been done at your school?  
Fully to some extent slightly none don't know
9. Standard XI under 11.01 states, "The counseling staff should know an understand Diné cultural values as well as the social and economic conditions of the community." To what extent is this true? Fully to some extent slightly none don't know
10. Standard XII under 12.13 states, "The school academic plans shall include cultural activities, culture camps and host community events that provide an opportunity for children to participate in, and learn cultural values and acceptable behavior." To what extent has this been planned for?  
Fully to some extent slightly none don't know

\*Published by the Division of Diné Education , Office of Diné Culture, language and Community Services.

APPENDIX C  
EMAIL TO PARTICIPANTS

## Informed Consent Form

You are invited to participate in a study of the implementation of the Title X Navajo Nation Education Amendment in Navajo schools. We hope to learn as to what extent the legislation has been implemented. You are selected as a possible participant in this study because you work with students in a classroom situation.

If you decide to participate, I will furnish you survey questions at a set time and place. I will make sure to notify you well ahead of time. There will only be ten 10 questions and it will take approximately seven to ten minutes. You are assured of no personal discomforts, inconveniences, nor risks of any kind.

No information obtained in connection with this study will personally identify you. The information obtained will be released to my dissertation chairperson and committee, and the Arizona State University hopefully resulting in the granting of my doctoral degree. The information will also be released to the Navajo Nation Institutional Review Board as that is a requirement for the protection of our Navajo people.

Your decision whether or not to participate will not prejudice your future relation with any entity named above to whom the information will be released. If you decide to participate, you are free to discontinue participation at any time without prejudice.

If you have any additional questions, please contact me, Herman Cody, in the following ways:

Mobile phone: (928) 221-8454 ( has "no service" in certain areas)  
Home phone: (928) 736-2550 Address: P.O. Box 989, Ganado, AZ 86505  
Electronic mail: [darkwood@starspath.com](mailto:darkwood@starspath.com)

The contact person for the Navajo IRB Office is:  
Beverly Becenti-Pigman, Board Chair, Navajo IRB Office  
Navajo Division of Health P.O. Box 1390, Window Rock, AZ 86515  
Phone: (928) 871-6650 Fax: (928) 871-6259

You will be offered a copy of this form to keep.

You are making a decision whether or not to participate. Your signature indicates that you have read the information provided above and have decided to participate. You may withdraw at any time after signing this form should you choose to discontinue participation in this study.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Investigator

\_\_\_\_\_  
Date

APPENDIX D

IRB LETTER

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To: Dee Spencer  
Herman Cody  
College of Education

*fo* From: Mark Roosa, Chair *sm*  
Soc Beh IRB

Committee Action: Exemption Granted-Limited Approval-Not Open to Data Collection

IRB Action Date: 8/24/09

IRB Protocol #: 0908004243

Study Title: The Implementation of the Title X Education Amendment in Navajo Schools

The above-referenced protocol is considered exempt after review by the Institutional Review Board pursuant to Federal Regulations 45CFR46.101(b)(2). This approval is limited. Data collection cannot begin until the following stipulation has been fulfilled: You must receive approval from the Navajo Nation IRB, submit a copy of the documentation of approval to our office and receive confirmation that no further ASU review is required before research can take place.

If NN IRB required additional changes, the ASU IRB must review them in case further changes are needed on our end. Please confirm that you will not begin work on this study until the terms of the stipulation are met.

You should retain a copy of the letter for your records.

