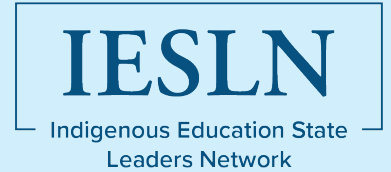


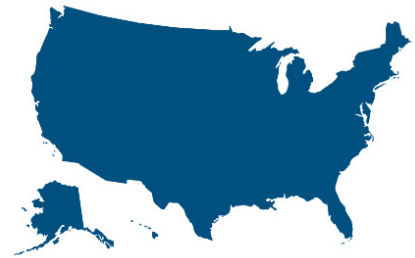
A Scan of State Education Agency Staffing for Indigenous Education



October 2024 | Marissa Spang, Mandy Smoker-Broaddus, Nara Nayar, and Emily Agopian

This scan was compiled by the [American Institutes for Research \(AIR\)](#) and [Education Northwest \(EDNW\)](#) for the [Indigenous Education State Leaders Network \(IESLN\)](#) and supported through funding from [AIR's Equity Initiative](#).

Indigenous education staffing and supports at the state education agency (SEA) level vary widely across states. This creates inequities that have implications for fulfilling the federal trust responsibility, specifically as it relates to providing public education to K–12 American Indian/Alaska Native (AI/AN) students and state compliance with Sections 1111a and 8538 of the Every Student Succeeds Act (ESSA). These sections, respectively, require SEAs and “affected” local education agencies (LEAs) to engage in meaningful and timely Tribal consultation with representatives of Indian tribes located in the state.



To examine how all 50 states manage their obligation to AI/AN students, AIR and EDNW conducted a survey of SEAs in 2023. This scan illuminates key findings from the 22 SEAs that responded to the survey, which asked about SEA’s Indigenous education staffing, funding sources for these positions, and internal collaboration of Indigenous education staff within their SEA. Although these elements cannot capture all efforts and capacities of SEAs, they nonetheless provide insight into how states are fulfilling their responsibilities to public K–12 AI/AN students.

SEA Scan: Sources and Scope

Data presented in this scan include responses by SEAs to a 2023 IESLN survey collected by AIR and EDNW; follow-up interviews and conversations with SEA staff throughout 2024; legislative database searches; and data from the National Center for Education Statistics (NCES). The scope of the scan is also specific to AI/AN public K–12 students and does not present information on the state of Native Hawaiian, Pacific Islander, and other Indigenous education in the United States.

Key Findings

- **Of the 22 states that responded to the survey, 21 have SEA staff** whose duties specifically include Indigenous education.¹
- **Of the 21 states with Indigenous education staff,**
 - **more than a third (38%)** had state legislative mandates for an Indigenous education director or office;
 - **nearly half (48%)** funded their Indigenous education staff through state appropriations alone, and the rest braided together a combination of state appropriations, federal funding, and grant-based funding streams;
 - **nearly one third (29%)** used Elementary and Secondary School Emergency Relief funding, allocated under the American Rescue Plan, for these positions. The end of this funding was September 30, 2024 (with an option to extend through March 30, 2025),² which will result in the elimination or relocation of these positions in the SEA, leading to gaps in resources or services specific to Indigenous education.
 - **all** reported having regular opportunities to collaborate with other divisions or departments within their SEA; and
 - **more than a third (43%)** had regular opportunities (bimonthly or more) to meet with their Chief State School Officer (CSSO) to specifically discuss Indigenous education topics.

SEA Indigenous Education Staff Roles

The 22 responses to the 2023 survey indicate that the following are common responsibilities for Indigenous education SEA staff:

- provide supports to districts, families, or communities to identify students as Indigenous for various data collection requirements
- provide supports to districts, families, or communities to determine eligibility for Indigenous education programs or services
- sponsor annual or recurring conferences or professional development events
- support and provide curriculum development and other teaching resources
- provide synchronous and asynchronous opportunities for professional development to teachers, administrators, trustees, etc.

¹ Although staff in states such as Maine, Illinois, and Kansas engage with IESLN, they do not have Indigenous education as part of their formal scope of work and are not considered to have formal FTE staff for Indigenous education (for these states, Indigenous education responsibilities fall under “other duties as assigned” or similar catch-all clauses).

² <https://oese.ed.gov/files/2024/01/Updated-Technical-FAQs-for-Liquidation-Extensions-1.9.24-v-2-for-posting.pdf>

- engage in communication with district Title VI Indian Education Formula Grant coordinators and offer technical assistance to districts to apply for or implement Title VI programming
- provide consultation guidance and technical assistance to LEAs, Tribes, Urban Indian organizations, and Indigenous families and communities, per Sections 1111a and 8538 of ESSA
- maintain or support memorandums of understanding (MOUs) or data-sharing agreements (DSAs) developed between the state and/or districts and Tribes/Tribal organizations
- provide guidance, assistance, or support for one or more of the following:
 - partnership with federal centers or initiatives
 - computer science initiatives for Indigenous students
 - early learning programs or initiatives for Indigenous students
 - Indigenous family and community engagement
 - dual enrollment, college readiness, or workforce development initiatives focused on Indigenous students
 - Indigenous language programs
 - special education supports for Indigenous students
 - indigenous student attendance
 - wellness initiatives for Indigenous students (e.g., Tribal foods and nutrition, suicide prevention, substance use prevention)

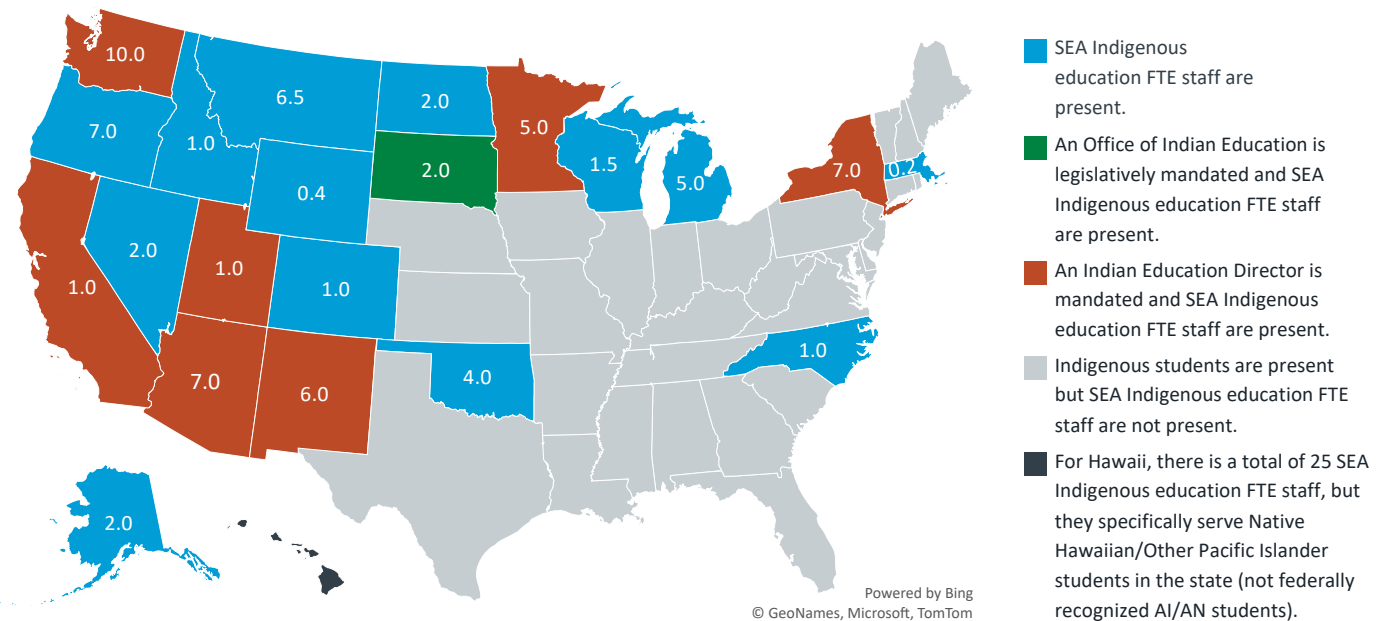
SEA Indigenous Education Staff Numbers and Ratios

In addition to obvious inequities created by the lack of Indigenous education staff in more than half of all states—including many that have state- or federally recognized Tribes—surveys and interviews found vast discrepancies in staffing among states that *did* fund positions. Figure 1 shows updated 2024 numbers of SEA Indigenous education staff (expressed as percentages of full-time equivalent [FTE] hours) for each state. The number in each state represents the total Indigenous education FTE within their SEA; states with no numbers did not have Indigenous education FTE staff.

The number of Indigenous education FTE staff varied greatly, from 10 in Washington to .20 in Massachusetts.

The following 8 states led the way in **legislatively mandating an Indian Education Director or office** within their SEA: **Arizona, California, New Mexico, New York, North Dakota, South Dakota, Utah, and Washington**. These legislative mandates codify SEA Indigenous education infrastructure in state law, demonstrating essential state commitment to public K–12 AI/AN education.

Figure 1. SEA Indigenous Education FTE Staff, by State: 2024



Note. If applicable, the number appearing inside the state represents the FTE amount.

More telling than legislative mandates of Indigenous education infrastructure and total number of Indigenous education FTE staff is the **wide variance in the ratio of FTE staff to the number of public K–12 AI/AN students in the state** (Figure 2). This is where the more striking disparities become evident.

Oregon ranked number one, with 1 Indigenous education FTE staff member for every 929 public K–12 AI/AN students in the state, followed closely by **Washington** with a ratio of 1 to 1,216. Based on these ratios, Oregon and Washington led the way in providing more equitable staffing levels in Indigenous education, serving a total of 6,505 and 12,156 AI/AN students, respectively.

On the other end, **California** ranked the worst, with 1 Indigenous education FTE staff member for all 26,971 public K–12 AI/AN students in the state, followed by **Oklahoma** with a ratio of 1 to 19,642, **North Carolina** with a ratio of 1 to 16,214, and **Alaska** with a ratio of 1 to 14,130.

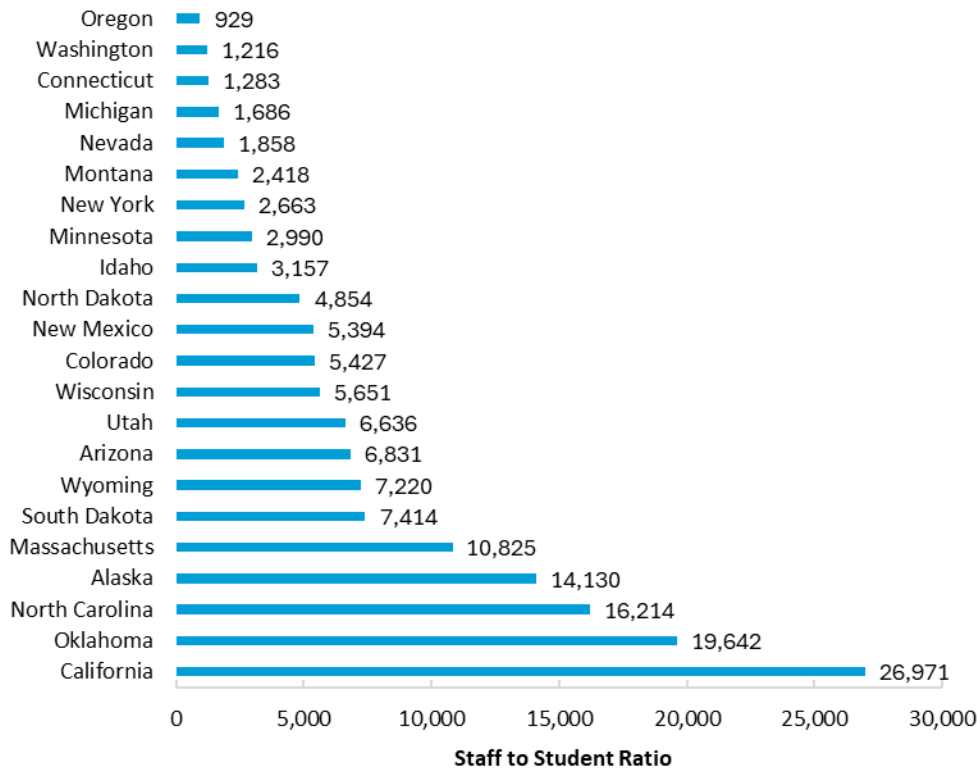
The ratios of SEA Indigenous education FTE staff to public K–12 AI/AN students make clear what standalone FTE staff counts do not: even among states with Indigenous education staff, many are wildly understaffed to support Indigenous student populations and Tribal consultation in their states.

A few key points about Figure 2:

- States with no Indigenous education staff cannot be represented in this figure.
- **Up to 70% of K–12 Indigenous students were not counted in the student numbers used above.** The limitations of the counting method used by NCES are discussed in our [Indigenous Students Count report and map](#).
- The Office of Native Hawaiian Education within the Hawaii Department of Education (HI DOE) is focused on the education of Native Hawaiian/Pacific Islander (NH/PI) students. Hawaii had 1 SEA Indigenous education FTE staff member for every 1,740 NH/PI students, but it is not included in Figure 2 to ensure that the NH/PI and AI/AN populations are not conflated. Several

staff in the assessment division of the HI DOE also had position descriptions that include Native Hawaiian language arts assessment.

Figure 2. Ratio of SEA Indigenous Education FTE Staff to Public K–12 AI/AN Students, by selected IESLN States: 2024



Note. Counts of public K–12 AI/AN students are for school year 2023–24 for all states except for California, for which the count is from school year 2022–23.

Source. Count of public K–12 AI/AN students come from the Elementary/Secondary Information System, Common Core of Data, National Center for Education Statistics: <https://nces.ed.gov/ccd/elsi/tableGenerator.aspx>.

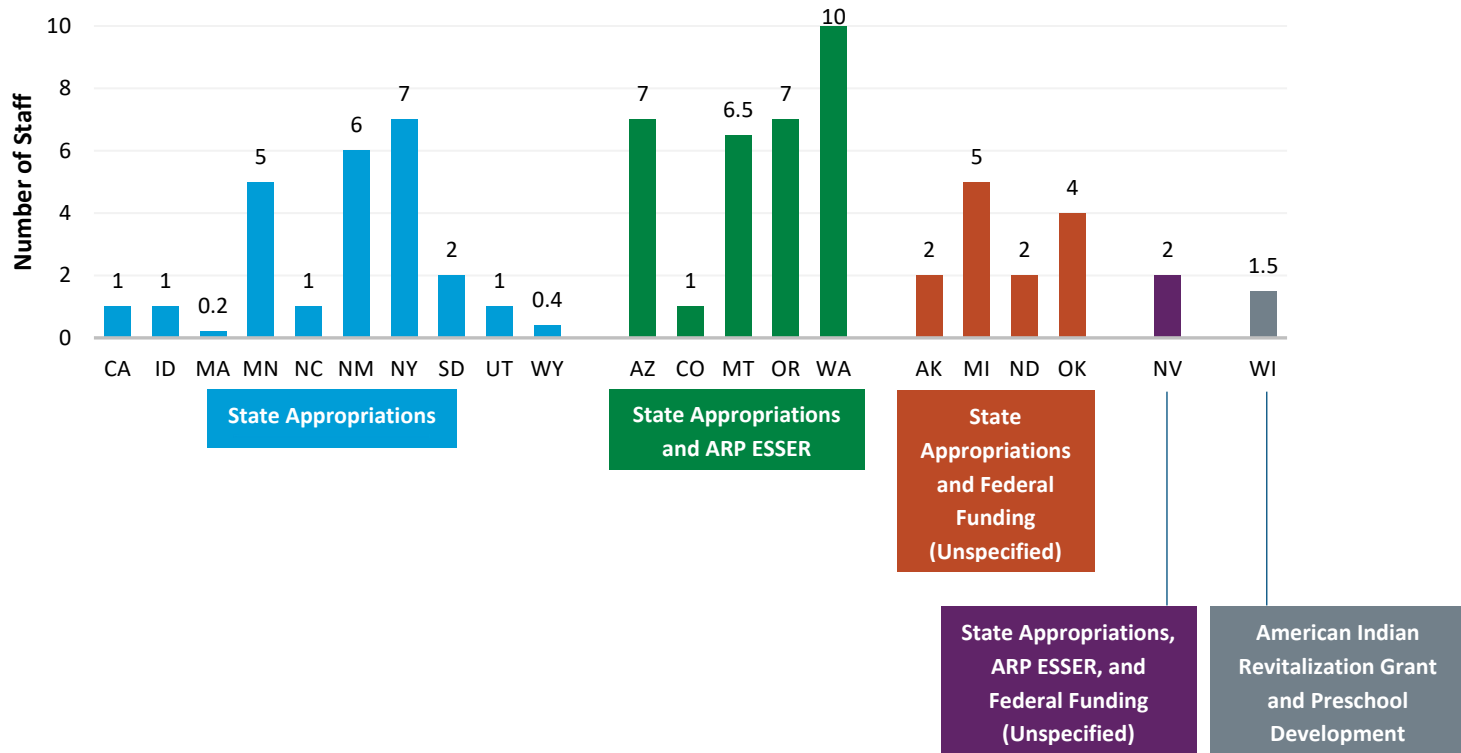
SEA Indigenous Education Funding and Collaboration

Funding

More than half of all states had **no Indigenous education staff or offices** within their SEA despite the presence of K–12 AI/AN students in the state, **illustrating no fiscal infrastructure or support** that prioritized the unique context and needs of Indigenous education within their SEA.

In the **21 states where Indigenous education departments/offices existed**, such departments/offices are normally structured within the SEA as a standalone department. The funding mechanisms of SEA Indigenous education staff become even more significant because the **federal trust responsibility** to provide education for K–12 AI/AN students is, in part, **relegated to states via ESSA without guaranteed federal funding** to support this responsibility at the state level. Figure 3 illustrates not only the variance in Indigenous education FTE staff but also how these staff were funded.

Figure 3. Number of and Funding Sources for SEA Indigenous Education FTE Staff: 2024



10 states (48%) funded SEA Indigenous education FTE staff through **state appropriations alone**. This is significant as it demonstrates these states’ strong fiscal commitment to their SEA’s Indigenous education staffing, with **New York** leading the way (7 FTE staff members), followed by **New Mexico** (6 FTE staff members), and **Minnesota** (5 FTE staff members).

The remaining **11 states** funded their SEA Indigenous education FTE staff in various ways:

- **5 states (24%)** funded SEA Indigenous education FTE staff through **state appropriations and American Rescue Plan Elementary and Secondary School Emergency Relief (ARP ESSER) funding**.
- **4 states (20%)** funded SEA Indigenous education FTE staff through **state appropriations and unspecified federal funding**.
- **1 state (Nevada)** funded SEA Indigenous education FTE staff through **state appropriations, ARP ESSER, and unspecified federal funding**.
- **1 state (Wisconsin)** funded SEA Indigenous education FTE staff through an **American Indian Revitalization Grant and Preschool Development Grant**.

The above 11 states **relied on ARP ESSER and/or other ad hoc federal funding initiatives to fund SEA Indigenous education FTE staff**; when these funding streams expire, it will leave significant funding gaps for Indigenous education staffing. If left unfilled, this funding decline can result in a reduction of SEA Indigenous education FTE staff, further contributing to inequities in the staff to student ratios in these states.

In total, despite the lack of guaranteed federal funding, **21 states** managed to **finance and commit to public K–12 AI/AN education by staffing their SEAs with staff that are intended to focus on Indigenous education in their state**. Although this is an achievement, inequities in funding amounts and staff to student ratios still persisted, especially in the 28 states where no SEA Indigenous education FTE staff existed.

Collaboration

Similar to funding, in the 21 states that had SEA Indigenous education FTE staff, **collaboration of staff with other divisions within their SEA and Chief State School Officer (CSSO) varied**. The number of times Indigenous education staff collaborated with other divisions in their SEA and with the CSSO helps demonstrate SEA commitment and capacity to carry out state responsibility to provide public education to K–12 AI/AN students and SEA compliance with ESSA’s requirement for timely and meaningful Tribal consultation. In this vein, the 2023 survey found that the SEA Indigenous education staff in **all 21 states had regular opportunities to collaborate with other divisions/departments in their SEA**. Specifically,

- **6 states (Alaska, Minnesota, New York, North Dakota, Oregon, and South Dakota)** indicated that staff met with the CSSO **12 or more times per year**;
- **3 states (Arizona, Montana, and New Mexico)** indicated that their staff met with the CSSO **7–12 times per year**;
- **2 states (Oklahoma and Wisconsin)** indicated that their staff met with the CSSO **3–6 times per year**;
- **6 states (Colorado, Idaho, Massachusetts, Michigan, North Carolina, and Utah)** indicated that their staff met with the CSSO **less than 3 times per year**; and
- **4 states (California, Nevada, Washington, and Wyoming)** indicated that their staff met with the CSSO **“as needed or requested”** by Indigenous education staff.

Conclusion

Although the metrics outlined in this scan are not exhaustive, they represent critical elements that illustrate the variance in SEA capacities to equitably address their obligation to the federal trust responsibility via timely and meaningful Tribal Consultation and to support and/or manage culturally responsive services and approaches to providing public education to K–12 AI/AN students. The results of this scan bring to light the following takeaways:

- The 8 states where an SEA Indigenous education director or office is legislatively mandated had uniquely positioned their SEAs, regardless of ESSA requirements, to **uphold statutory requirements for the public education of K–12 AI/AN students at the state level**.
- Despite the presence of K–12 AI/AN students in their state, 28 states did not have SEA Indigenous education FTE staff, illustrating a significant **inequity in SEA services for AI/AN**

students, as it is unclear how these states fulfill their responsibility to specifically provide public education to AI/AN students via the federal trust responsibility.

- In the 21 states that had SEA Indigenous education FTE staff, the **number of staff differed widely**, demonstrating substantial variance in state infrastructure to equitably provide public education that K–12 AI/AN students are specifically entitled to via the federal trust responsibility. **Variation in the ratio of SEA Indigenous education FTE staff to the number of public K–12 AI/AN students** in the state further compounds these inequities.
- The 21 states that had SEA Indigenous education FTE staff **varied in how they funded these positions**: 10 states used state appropriations alone, while the remaining states braided together state and federal funding sources. Regardless of funding sources, all 21 states funded SEA Indigenous education staff despite lack of guaranteed federal funding to fulfill Sections 1111a and 8538 of ESSA.
- The 21 states that had SEA Indigenous education staff all had **regular opportunities to collaborate with other divisions within their SEA**. However, these states differ in the number of times their SEA Indigenous education staff met with the CSSO: SEA Indigenous education staff in 6 states met with the CSSO at least once a month, while those in other states met less frequently. Although frequency cannot indicate the quality or type of collaboration, the range of frequencies signifies a wide variance in SEA infrastructure regarding collaboration between Indigenous education staff and SEA leadership.



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