

# **Indigenous Language Teaching Policy in California/the U.S.: What's Left Unsaid in Discourse/Funding**

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This paper addresses the issue of indigenous language revitalization in California and the United States as it relates to language policy in U.S. schools. How do language policies—specifically, No Child Left Behind, the Native American Languages Act, and those of local funding—affect revitalization efforts? Based on a grounded exploration of language policies regarding Native American communities in the State of California, this paper offers a) a close analysis of how policies relegate Native community language needs to the background, and b) how the realities of funding affect the implicit and explicit statements of these policies. Specifically, a critical discourse analysis of policy documents is put forth. This analysis shows that language revitalization efforts involve more than communities working to teach marginalized languages; they involve addressing several background issues concerning existing language policies as well as efforts on the part of funders to raise awareness of Native American language concerns.

## **Introduction**

This goal of this paper is to ask how language policies—specifically, No Child Left Behind, the Native American Languages Act, and those of local funding—affect indigenous language revitalization in California and the United States. Based on a grounded, critical discourse analysis-based exploration of language policies regarding Native American communities in the State of California, this paper offers a) a close analysis of how policies relegate Native community language needs to the background, and b) how the realities of funding affect the implicit and explicit statements of these policies. This analysis shows that language revitalization efforts involve more than communities working to teach marginalized languages; they involve addressing several background issues concerning existing language policies as well as efforts on the part of funders to raise awareness of Native American language concerns.

I frame these observations by drawing attention to legislation (Senate Resolution 305, 2013) naming November 2013 as Native American Heritage Month, which makes reference to language twice. In both cases, Native languages are framed as external relative to the state and its dominant language, English. In the resolution, indigenous languages are called significant because

they “have contributed to the English language by being used as names of individuals and locations throughout the United States” (n.p.) and because they contributed to American national security (in the form of World War II-era Navajo code talkers). This framing of Native American languages as entities that exist solely in relation to the political, English-dominant state is a pervasive theme in indigenous language policy in the United States.<sup>1</sup> Such a framing, which neglects the importance that these languages have to the people who share them as their personal heritage (Hill, 2002; Wiley & Lukes, 1996; Wright, 2005), can be seen recursively in some of the most important policies for the future survival of these languages: those of language teaching in public schools. This paper explores the tensions between some of these Native American and English language policies with a view to better understanding how particular cultural cogs work together to systematically diminish the viability of Native American languages.

Toward this end, several factors that help explain these dynamics are identified. First, the influence of larger-scale policies of tacit English-language hegemony is explicated, specifically No Child Left Behind (NCLB) and the Native American Languages Act (NALA), and a partial historical overview of the research done in the area of Native American language policies is offered. Second, a close examination of the language of these policies from a critical discourse analytic (CDA) perspective is presented. Although the two policies differ substantially, their similarities (in NALA’s intent and NCLB’s actuation) in regard to Native American languages motivates a close comparison of the two via critical discourse analysis; CDA is particularly well-suited to this kind of investigation due to its basis in unpacking power relations. Third, laws of Native education funding and how they impact Native language teaching are connected to the discursive relations and spaces created by NALA and NCLB. There remains much more to be explored, including seeking out the voices of those whose thoughts and experiences do not make it into codified policies. The present endeavor of arriving at a fuller, more interconnected understanding of how indigenous languages become marginalized is an early step towards raising awareness of what is still an under-explored area in sociolinguistic research.

## **Literature Review**

### **Background of the No Child Left Behind Policy**

A discussion of Native American language policy on the national level should begin with No Child Left Behind (NCLB), the policy that has profoundly affected minority language learning in the United States.<sup>2</sup> McCarty (2009) analyzes the legislation’s impact on several Native communities. She describes the orientation to English-language standardized testing that is implicit in this policy and the pressure this imposes on these communities, including the denial of varied language abilities (see also Shohamy, 2011 for a discussion of issues with assessments that do not account for multilingualism). In particular, NCLB has failed Native language learning in its curtailing of bilingual education funding, its requirement of schools to implement the rote and English-based reading program Reading First, and the creation of high-pressure environments to succeed on tests at the expense of Native language programs. McCarty looks at an array of data-

based studies that show that NCLB has in no way lessened the achievement gap for Native students and highlights instead the importance of policies that provide “authentic accountability” of students’ learning achievements. To this end, she describes three schools that have holistically integrated multilingual programs with great success, both numerically (in terms of test scores) and qualitatively (in student satisfaction). McCarty mentions the lack of explicit policy and funding in the area of teacher training as a major detriment to language teaching efforts. Shohamy (2006) likewise observes that “on the surface, [nations] may follow the rules of pluralistic, democratic societies, including the promotion of language learning, yet the actual [language policy]...is often in contradiction to these policies” (p. 46).

Wiley (2005) notes that a discourse surrounding Native and heritage language policy has swung into the spotlight with the popularization of the term “heritage language”—a helpful albeit potentially misleading term, the use of which may create assumptions that a community’s language revitalization goals are anachronistic, “ethnic” and “ancestral” (at the exclusion of a wider society) and solely *endoglossic*, that is, cleaving to ideas of “an indigenous language of the community” (Ruíz, 1995, p. 75; as cited in Wiley, 2005, p. 596). For Native American languages in particular, that swing was from a former place of relative prominence in the 1970s that included the advent of bilingual Native American language education (discussed below). However, problematic ideologies have also resurfaced; Wiley and Lukes (1996) highlight how English-only ideologies repurposed as elite standards have harmed not only Native language speakers but also immigrant language speakers due to the artful positioning of (standard) English monolingualism as the ideal by U.S. policymakers; both immigrant and indigenous groups “were incorporated and subsequently positioned by the dominant monolingual English ideology” (Wiley & Lukes, 1996, p. 524).

### **The Native American Languages Act**

The 1970s saw a promising but brief move toward bilingual education on Native American reservations. The 1972 Indian Education Act offered funds for “culturally relevant and bilingual curriculum materials” (Reyhner, 1993, p. 49) and the 1974 Native American Programs Act created discretionary programs related to economic advancement, environmental concerns, and language revitalization. However, the law was soon enervated by lack of both funding and ideological support, and these bilingual programs died out (Reyhner, 1993).

In the 1990s, the Native American language revitalization movement began to take hold in the United States. It was prompted by the hard work of Native language rights activists, who in 1990 celebrated the passage of the Native American Languages Act (NALA), a short (at just three pages long) but important policy that unequivocally states that “the status of the cultures and languages of Native Americans is unique and the United States has the responsibility to act together with Native Americans to ensure the survival of these unique cultures and languages” (NALA, 1990, p. 1). In 1992, NALA was amended to create an affiliated grant program with an initial rider of \$2,000,000 available for use in that year (Public Law 102-524, 1992).

NALA was a watershed policy for Native rights activism. Warhol (2012) underscores its symbolic importance as a piece of national legislation from a historically disenfranchised group, and Reyhner (1993) states that “[NALA] is the American Indian's answer to the English-only movement, and the Act's bilingual/multicultural educational approach is supported by the dismal historical record of assimilationist approaches to Indian education in the United States” (p. 51). Even though the policy was important as a representation of hard-earned rights in the face of prior assimilationist policies that sent Native children to boarding school and barred them from speaking their native languages, Romaine calls it “a classic example of a policy with no planning dimension” (2002) due to the lack of a clear trajectory for the implementation and funding of Native language teaching programs (p. 3). Nevertheless, with the passage of NALA, activists had renewed hope in the possibility of wide-scale bilingual Native American language teaching once again.

### **Detrimental Effects of No Child Left Behind**

No Child Left Behind (NCLB) has turned out to be a hugely influential (and harmful) policy for Native American language learning in schools. NALA, while far less broad in scope, provides a contrast as the policy that sets out ideological support for the development and sustention of Native American languages. In the following section, a close analysis of the language of these two policies is put forth, making use of critical discourse theory. Such an analysis offers a necessary contrastive perspective of both policies to better understand the far-reaching consequences of their impact. Although these policies are separated by years and differ substantially in their origin and intent, they hold comparative importance as the two items that have most clearly shaped United States policy toward Native American languages: NALA, as a clearly supportive ideological document and the one with the most transparent language of support, and NCLB, as the one that has shaped the actual teaching and learning of Native languages in schools the most.

NCLB directly impacts the goals and efforts of the Native language revitalization movement; as the law that set out a huge program of testing at the expense of many “untestable” programs like those of Native languages, the success of which is not necessarily best-assessed in terms of speakers’ proficiency (McCarty, 2009), it effectively halted many of the achievements set in motion by NALA and brought about the termination of programs deemed nonessential for purposes of English language learning and testing. The policy also eliminated many funds for bilingual education. McCarty (2009) even found that NCLB has not closed the achievement gap for Native students in other subjects besides language.

### **Methodology**

The following analysis of both policies is structured according to Fairclough’s three levels of discourse: the micro-, meso-, and macro-levels of discourse. The text was scrutinized in several passes, each time taking into account these three levels of discourse. None of these levels are meant to be more or less important than the other, but rather to be understood as mutually constituting

the discourse that can be read around the texts at hand. As the analysis proceeds, each of these terms is addressed in turn.

Fairclough (1992) writes about the importance of considering analysis of official written texts that are not based on “common experience” (p. 276), or a form of “private” speech (p. 276) that is not intended to be shared on a grand scale as a distinct process of shaping a series of ideas into political discourse. Unlike spoken discourse, and even more overt forms of political discourse such as speeches, there is no literal “transcription” that must be done to originally written texts like NCLB and NALA in the way oral recordings must be transcribed. Though in some ways it is advantageous to have the entirety of the texts laid out and seemingly complete, without the need for transcription, in many ways this is a misleading presentation of the shaping of ideas that go into policy. For one, it is harder to see behind the scenes of the creation of the text: the individual actors, the discussions, arguments, focus groups, lobbyists, and so on are not visible in the final product. Though it is possible to investigate the historical origins of policy and conduct investigative research, it is much more opaque than hearing the original conversations themselves. In addition, it is often difficult to register the level of nuance that one can achieve from certain aspects of speech, such as prosody, gesture, and other paralinguistic features. Of course, there are many other areas to investigate in an originally written text; the purpose here is to highlight the differences in analytic approaches that must be taken toward the literal transcript of spoken speech versus a written document.

The method used here in analyzing the texts, therefore, was very much dependent upon the format of the texts themselves, as opposed to observing or hearing the discourse formed in another fashion. First, the themes from each document that stood out from a broad, non-linguistic perspective were identified. For NALA, these themes were a) the importance of Native autonomy; b) defining Native languages on their own terms; and c) a lack of specification of direct policy and action. For NCLB, they were a) the importance of English as a primary language, vital to the success of all students; b) extremely detailed policy; and c) lack of mention of Native American or minority languages. (Some of these differences are due to the fact of the different genres of the two policies and what each broadly sets out to do.) Next, specific examples of these broader themes were selected from the text. Then, the data were approached from Fairclough’s tri-level discourse analysis perspective, which helped to reveal the complicated ways in which these broader themes came together in specific ways to create an effective narrative for and across the two policies.

Analyzing written policies in the context of critical discourse analysis underscores their ability to affect relations of power, even (or especially) when policies do not set out to create actionable law, but rather express an ideological stance. Coulmas (1986) observes the subtle ways the seeming objectivity of writing permeates thinking, from Saussure’s observation of the “tyranny of the letter” that circumscribes the much wider possibilities of meaning in spoken language, to the school of deconstructionism led by Derrida, which treated written text as an object to be analyzed and interpreted in just as much detail as a live conversation with an interlocutor (nevertheless with the same inevitable failings of communication). While deconstructionism was undoubtedly vital in laying the groundwork for textual analysis (the concept of intertextuality, as

laid out first in Bakhtin's (1983 [1975]) concept of dialogism and expanded by Kristeva (1986 [1966]), has been essential as a framework for understanding how texts exist in relation to one another), it went perhaps a step too far in its assumption of the primacy of writing and its commensurability with spoken language. Written language, especially the hyper-composed and formalized language of policies, is highly distinct from spoken language. While many aspects of analysis can be applied to both, it is important to distinguish between the two at the risk of eclipsing the processes of editing and revision that go into text—especially in policy, where so much of the “composition” of the final manuscript occurs in venues that will never be recorded and therefore are unanalyzable. This observation is especially critical when analyzing policies, which are frequently constituted by many multivocalic interests and which nonetheless are presented as a unified entity with a singular goal.

Fairclough's (1992) critical discourse analysis (CDA) follows from these questions and observations of the multiple interpretations of texts as a natural framework for a linguistic analysis concerned with issues of power, hegemony, and interrelation. CDA is a useful framework for “understanding how changing practices of language use (discourse) connect with (e.g., partly constitute) wider processes of social and cultural change” (Fairclough, 1992, p. 269). In particular, Fairclough's (1992) work on discourse and intertextuality is useful for analyzing the considerable differences between NCLB and NALA in their scope and intent. Since “intertextuality implies ‘the insertion of history (society) into a text and of this text into history’” (Kristeva, 1986 [1966], p. 39; as cited in Fairclough, 1992, p. 270), it is especially appropriate for policy, which has a very literal and visible intention in shaping history and public rhetoric. In the case of NCLB and NALA, it is a useful approach for understanding the way two pieces of legislation passed eleven years apart can be understood throughout time, and how both influence the meaning of the other in spite of their differences in aim and scope.

## **Findings**

Fairclough's three-level CDA framework highlights the dialogue between these two pieces of legislation. The first level, the micro-level, looks at discourse within the context of the text's sentence-level features, such as syntax and metaphor; the second, the meso-level, is concerned with the way the text is practiced, produced, and consumed, and whom it is oriented to; and the third, the macro-level, treats intertextuality and the text's role within societies.

### **Micro-level: Discourse as Text**

This findings in this section encompass the common individual linguistic features of each text. It is the most specific and the closest to a structuralist account of discourse.

**Modality: Stative *be* vs. Commissive Modals**

NCLB employs strongly commissive modality (which indicates a speaker's intent to enact a future action, like a promise or a threat) throughout the language of the policy. This modality is usually expressed through the modal verbs *shall*, *may*, and *will*:

Each application [for grant aid] submitted to the Secretary under subparagraph (A) ... *shall* [emphasis added] contain ... a description of how parents of Indian children and representatives of Indian tribes have been, and will be, involved in developing and implementing the activities for which assistance is sought. (Sec. 7121.3)

And:

The Federal Government *will* [emphasis added] continue to work with local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities toward the goal of ensuring that programs that serve Indian children are of the highest quality and provide for not only the basic elementary and secondary educational needs, but also the unique educational and culturally related academic needs of these children. (Sec. 7101)

The overall effect is one of vague future-directed action rather than immediate, actionable planning.

Although it is not necessarily the oppositional grammatical form, NALA uses stative *be* as the thematic verb for the policy section of the act, creating a non-commissive effect: "It **is** the policy of the United States to: preserve, protect, and promote the rights ... of Native Americans ... (Sec. 104)

This lack of command or commissive affect takes away from the illocutionary force of these statements and causes NALA to read structurally more as a declaration than an act (recall Romaine's (2002) complaint that NALA lacks a planning dimension); these processes echo Chilton and Schäffner's "strategic functions" (1997, p. 212), making evident the reduced coercive function and relative delegitimization of NALA as compared to NCLB.

**Meso-level: Discourse as Discursive Practice**

The findings of this level encompass how the texts are consumed and how they enact power relations, what role they aim to serve, and what the features are that allow them to be construed as such. Intertextuality plays a large role here as in the understanding of how texts' interaction with one another lead to "the contribution of changing discursive practices to changes in social identity" (Fairclough, 1992, p. 290) (also a reflection of the macro-level aspect of texts' impact on social practices).

**Semiotic Approach to Mention**

Jakobson, building off of Peirce's earlier work on semiotics, describes the importance of semiotic markedness (Chandler, 2013): a sign is significant not only when it appears frequently but when it appears infrequently; it is a marked form when it is rare, and therefore stands out as

salient and worthy of interpretative attention. Following this, it is interesting to note that in NCLB, Native American languages and language use are mentioned only once: “Nothing in this part [on English language proficiency] shall be construed ... to limit the preservation or use of Native American languages” (Sec. 3125.3).

This is significant from a discursive mention perspective; in this sweeping education legislation, ostensibly meant to support and improve all children’s education, Native languages are defined by a *minimization of impact* by the policy. On the meso-level discursively, this creates an othering space for Native languages: being mentioned only as exception, on top of the scarcity of mention, creates a negative rhetoric of absence for Native languages, a discourse that, when combined with funding discrepancies, creates very real consequences to these highly threatened languages and their speakers.

NALA has a similar clause: “Nothing in this title shall be construed as precluding the use of Federal funds to teach English to Native Americans” (Sec. 107). While very similar in structure and ostensible intention (in both cases, to create an allowance for the use of the other language), the meso-level function again is an important indication of meaning within the texts. NALA explicitly seeks to address the role of the United States in upholding Native languages (Sec. 102), so an overt acknowledgement of the teaching of the dominant language (English) is not as marked as the limited mention of Native languages in NCLB, a policy ostensibly about many broad aspects of education but which only addresses Native language education once, moreover in a particular and exceptional way.

## **Discussion**

### **Legal Exemptions and Intertextual Discourse**

NALA exists in discourse with other policies insofar as we consider what it makes explicit and what remains tacit, and therefore “spoken for” by other laws. For instance, NALA “allow[s] exceptions to teacher certification requirements for Federal programs” (Sec. 104). However, this leaves open a potentially harmful gap in teacher training support, as such certifications require and provide for effective training (Szoboszlai, 2012). This also opens the door for state-specific laws that in turn are overly circumscriptive, such as with the case of California’s 2009 law AB 544 mandating tribal enrollment as a necessary precursor to acquiring a teaching certificate (discussed later).

On a more literal level, there is also the issue of the tacit discourse surrounding the act of creation of policy that cannot be fully known. Though NALA evolved from grassroots efforts, a final text is inevitably a highly synthesized and distinct format from the conversations that went into its creation. In the case of NALA, there is a disconnect from the incredibly strong and forceful language of Indian theorists from the seventies and eighties that called for an end to “institutionalized rebellion” (Deloria, 1969, p. 98) and other energized and radical activist language to the enervated and short policy itself.

### **Macro-level: Discourse as Social Practice**

This encodes the way the texts contribute to, reflect, or challenge broader sociocultural practices, such as hegemony and ideologies. This kind of analysis greatly aids an “understanding [of] how changing practices of language use (discourse) connect with (e.g., partly constitute) wider processes of social and cultural change” (Fairclough, 1992, p. 269), helping show how linguistic moves create and reflect broader societal patterns.

### ***Native Autonomy***

NCLB enforces a discourse of a lack of Native autonomy in more subtle ways than the way in which NALA creates and states it with juxtaposition of agents (Ahearn, 2001) (those agents being Native people and the U.S. government). Rather, as seen earlier, native languages are identified by *what they are not*—that is, not English. Since the focus of NCLB is to encode English as a hegemonic default language, other languages are peripheral (though the conditions of these other languages of course vary—non-indigenous languages are not given the same mention as in Sec. 3125.3). Creating a discourse of center-periphery sets up an easy space for othering and reflects a tacit nullification of autonomy. In such a discursive climate, it becomes easier to discount and deraciate Native people.

### ***Language Ideology and Agenda in NCLB***

There is a program of English language hegemony throughout NCLB. The law reorients the national approach to language learning by stating that it:

strik[es] Office of Bilingual Education and Minority Languages Affairs and Office of Bilingual Education each place either such term appears and insert[s] Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students. (Sec. 220b)

Here, a bilingual approach to the learning of minority languages is wholly refashioned (literally, *stricken* from the record) as an enterprise devoted to hegemonic monolingualism.

To summarize, these three levels of analysis each reveal similar patterns of assumed power structure and intended scope. While of course these laws are very different in intention and length, it is important to consider how differently they frame and take for granted positions, relationships, and power given to the U.S. government and Native groups in the ostensibly shared goal of furthering the success of Native students. Next, concerns about funding as expressed through policies and how they impact language teaching contexts of Native American languages is addressed; the material reality of the discursive enervation of NALA is legible in the ways that Native American language teaching is (and is not) funded in the United States.

### **Realities of Sparse Funding**

The most notable fact of funding Native American language teaching is that it is variable; there is no one single initiative or source for teaching these minority languages in schools. Instead, programs tend to rely upon several different sources for their language programs, depending on

the size, age level, amount of Native American students per district, etc. (in contrast with federally-mandated, benchmarked programs such as the English language instruction funds provided by NCLB where money mainly comes from one major federal grant). An additional, important distinction is that many programs award funds on a competitive basis only. Aside from NALA and its grant rider, there are three major sources of funding for Native American language teaching today: The Federal Title VII Indian Education Act, American Indian Early Childhood Education Funding, and the Esther Martinez Native American Languages Preservation Act.

### **The Federal Title VII Indian Education Act**

Passed in 2001 as a component of the No Child Left Behind Act, Title VII is meant to “support the efforts of local educational agencies, Indian tribes and organizations, postsecondary institutions, and other entities to meet the unique educational and culturally related academic needs of American Indian and Alaska Native students” (U.S. Department of Education, 2002, Sec. 7102). The mandate is administered by the Office of Indian Education, and funds under Title VII are awarded on a competitive basis as formula grants to local education agencies. Funding goes toward “such activities as after-school programs, early childhood education, tutoring, and dropout prevention” (U.S. Department of Education, 2014a, n.p.). In 2007, the most recent year provided, California received 93 Title VII grants affecting 29,823 students, in the total amount of \$5,784,636 (amounting to \$194 per student) (U.S. Department of Education, 2014b). The funding is highly discretionary as long as it goes toward creating “programs and activities to meet the culturally related academic needs of American Indian and Alaska Native students” (Sec. 7114); therefore, grantees may use the funds to support Native language teaching, but also any other number of types of programming.

### **American Indian Early Childhood Education Funding**

The American Indian Early Childhood Education (AIECE) program was initially begun in the 1970s in California (California Department of Education, 2013). It is a statewide mandate that provides funds on a competitive basis for schools with at least 10 percent Native American students in pre-kindergarten to grade four. Nine school districts in California receive AIECE funding. However, the funds are mainly used for general-education, tutoring, or remedial programs in the general subjects of math, language arts, and science (California Department of Education, 2013); districts may prioritize the use of funds for these areas because they appear on statewide standardized tests (on which Native students tend to score below-average in math and reading as compared to their White peers [McCarty, 2009]), as opposed to language or cultural programs. In fact, only three of nine school districts that receive AIECE funds use them for Native language programs (the Sierra Unified School District, the Klamath-Trinity Unified School District, and the Chawanakee Unified School District [California Department of Education, 2013]). In addition, the funds cannot be used for older children.

### **The Esther Martinez Native American Languages Preservation Act**

US H.R. 4766, the Esther Martinez Native American Languages Preservation Act, was signed into law in December 2006. Its stated goal is to create Native American language immersion programs, in which only the target language is spoken in order to increase fluency. The program is relatively well-funded: in 2012, the program “[had] distributed nearly \$50 million in 39 competitive grants to tribal language programs since its passage” (Cultural Survival, 2012, n.p.). The program does not appear to be used so much in schools as for broader community language projects, such as home language programs. However, it is worthwhile to note that sources of funding like the Esther Martinez Act could encompass important projects of language learning that can (and perhaps should) be delegated away from schools; while they are important sites of language learning, schools need not necessarily be the sole locations of language programs, and indeed these away-from-school programs are often important places for language acquisition, especially considering that home and community programs can target babies in the critical period of language acquisition as well as serve as sites where elders can more readily pass down their language (Klug, 2012; Hinton, 2003).

### **Arguments for Funding**

From a bottom-line financial perspective, it is not necessarily economically efficacious to teach Native American languages—certainly, they are not global languages. However, there are several reasons to argue for publicly funding Native American language instruction in schools (as also theoretically grounded in NALA’s Sec. 102). One of the reasons is centered around the aforementioned legacy of cultural oppression of Native Americans at the hands of the U.S. government; the idea follows civil rights arguments that funds should be allocated to groups of people who have been historically oppressed. Hinton (2003) writes that “the primary impetus [behind the bilingual education movement of the 1970s] was a civil rights concern that children who don’t know English receive their early education in their first language, while at the same time learning English” (p. 46). Another rationale behind arguing for increased funding for Native language teaching is the benefits of providing Native language instruction to students likely to drop out of high school, which Native American students are 117 percent likelier to do compared to their White peers (U.S. National Caucus of State Legislators, 2008). Increasing positive regard for school by teaching the languages that inspire personal and cultural valuation could help stem this dropout rate and could therefore serve as an additional venue from which funding could be acquired. Indeed, since the introduction of systematic, public Native language teaching, “virtually all students in Native Hawaiian schools now graduate from high school” and “Diné (Navajo) immersion students are scoring with or above their non-immersion peers on standardized tests, even in English” (Klug, 2012, n.p.). Finally, recent research has pointed to the fact that knowledge of Native language has also been shown to boost health outcomes for Native Americans and other indigenous people, who suffer from disproportionately higher rates of diseases such as diabetes and alcoholism in the United States (Whalen et al., 2016).

Naturally, all three of these arguments for Native language teaching in schools—as a

component of civil rights, as a strategy to prevent student attrition, and as a part of health services planning—are contingent upon the approval of the tribes who would stand to benefit from these funds. Some tribes may prefer to see such relatively discretionary funds go to other, more pressing concerns; finding out how individual groups seek to prioritize the allocation of funds is an important precursor to any funding decisions made at the state or federal level.<sup>3</sup>

A greater focus on teacher hiring and retention might be a means of maximizing the limited funds available for schools interested in sustaining Native American language programs, following Gándara and Rumberger's (2008) finding that hiring teachers who already speak the target minority language is a cost-effective way to enact bilingual programs (although it is more difficult to find bilingual teacher-speakers of Native American languages than larger minority languages such as Spanish).

### **Conclusions, Further Questions, and Future Research**

This paper has analyzed the continued reinscription of the marginalized status of Native American languages through an observation of commonalities in historical precedents of policy, a discourse analysis of NCLB and NALA, and exploration of the enacting of these discourses in the material realities of local and federal funding. From this analysis that has located themes of nationalism and monolingual standards in policy as critically undermining Native language teaching efforts, and through observing the way funding is legislated and distributed in a non-uniform, localized way, it seems apparent that working at the state and local level is the most effective place to begin efforts for revitalization in policy, just as grassroots activists were those who formed the locus of promoting and accelerating the passage of NALA (Reyhner, 1993). Again, despite its relative failures, its symbolic value as a piece of federal legislation propelled by activists should not be denied. However, in contrast with NALA's enervated language, there must also be federal laws that clearly outline spaces and Romaine's "planning dimensions" for Native language teaching, in the same way that NCLB prescribes programs of English language learning and avoiding the way NALA does not provide the necessary illocutionary force.

Localizing laws as much as possible seems to be the first step in creating specific wordings, which have greater power to effect direct, focused change and to license tribal autonomy and language rights. Larger-scale policies allowing for local control of state or federal funding (such as the recently enacted California Local Control Funding Formula, which has a promising potential application for the small districts that wish to enact these specialized language programs) is also a potential site of focus for funding to support the language of these policies, although recent efforts at the federal level that carry forth the legacy of bilingual teaching laws of the 1970s are not to be ignored, such as the pending Native Language Immersion Student Achievement Act (S.1948) and the Native American Languages Reauthorization Act (S.2299).

It is also worth noting that focusing efforts in Native language teaching in schools is hardly the sole, final goal of revitalization; many other arenas of daily life may occupy a much larger role in language use, such as within the home, in ceremonies, in politics, communicating with elders,

etc. (Hinton, 2003). As historically privileged sites of learning, however, it seems important that schools at least provide positive support for language learning, even if they are not the main sites for *all* language learning. Wiley (2005) further notes that “[if] the school stigmatizes the varieties of home and community language, it may undercut the motivation to learn at school [in general]” (p. 597), and calls for “closer partnerships among universities, K-12 schools, and local communities in promoting the teaching of community-based languages” (p. 600).

Going forward in the creation of policy, it remains necessary to seek out the reactions and opinions of Native American language speakers and learners themselves. The ideologies and linguistic beliefs of speakers themselves frequently do not make it into rarefied policy, despite the fact that it is their grassroots actions that often provides the momentum and body for the codification of these ideas into policy.

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## Notes

<sup>1</sup> Such a hierarchical paradigm will be inherently resistant to the multilingual model many researchers are beginning to recognize as innate to the study and existence of languages. Grassroots efforts at the state level were responsible for the existence of NALA, a path-clearing political statement codified in policy. With continued efforts to ensure that plans of language teaching and revitalization are left to tribes themselves to determine, the discourse of indigenous languages' "place" in California and the United States will hopefully be reproduced in long-promised tribal self-determination.

<sup>2</sup> Passed in 2001, No Child Left Behind is a wide-ranging federal education policy that implemented a broad program of accountability testing in public schools in the United States. It has been challenged as unhelpful (McCarty 2009) or even actively discriminatory and harmful (Karen 2005) for historically socially unequal populations.

<sup>3</sup> However, as long as there are mandatory standards for testing in English, as set out by programs such as NCLB and now the Common Core that are linked to school performance and funding allotment, it will be difficult for schools to justify funding any programs not directly related to the performance of their students on these tests. A much larger-scale change in the way schools are able to conceive of funding—without the sole motivation of “passing the test”—must happen before schools can devote substantial funds to the many important programs that do not directly affect test scores, such as Native American language programs for those students who would benefit from them.