



25TH NAVAJO NATION COUNCIL

# 25TH NAVAJO NATION COUNCIL OFFICE OF THE SPEAKER

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## **Navigating the impacts of the U.S. Department of Education's Dear Colleague letter on Native American education**



**Members of the 25th Navajo Nation Council Washington Office met with ED Deputy Assistant Secretary Steven Schaefer.**

**WASHINGTON, D.C.** – On Friday, March 14, members of the 25th Navajo Nation Council met with U.S. Department of Education (ED) Office of Civil Rights Deputy Assistant Secretary Steven Schaefer to address concerns regarding the impact of the ED's Dear Colleague letter on Native American students, among other federal education funding concerns.

The memorandum, issued on February 14 by Acting Assistant Secretary for Civil Rights Craig Trainor, warns federally funded universities that affirmative action and Diversity, Equity, and Inclusion (DEI) initiatives could put their funding at risk.

The delegates emphasized that Native American tribes are not simply racial groups but are recognized as political entities with a unique government-to-government relationship with the federal government. They highlighted the importance of preserving this sovereignty and ensuring that federal policies, such as those outlined in the Dear Colleague letter and DEI initiatives, do not undermine the rights and interests of Native American students and communities.

Speaker Crystalyne Curley raised concerns about how the Dear Colleague letter could affect tribal scholarship programs, particularly those administered by the Office of Navajo Nation Scholarship and Financial Assistance, which provides financial aid exclusively to enrolled

Navajo Nation members. The FAQ document issued by the Department of Education alongside the letter indicates that scholarships restricted by race may not be advertised or administered by colleges and universities.

“There is a significant concern that tuition offices might misinterpret this guidance and become reluctant to accept Navajo Nation scholarships, which would have a serious impact on Navajo students,” Speaker Curley said.

Speaker Curley noted that the aftermath of these federal actions has created significant uncertainty, making it necessary for the ED to provide clear guidance to schools and students.

Council delegates underscored that the lack of direct consultation with tribes violates policy changes requiring government agencies to engage with Native nations before implementing policies that affect them.

Council Delegate Carl Slater addressed the broader implications of these changes, particularly their effect on Native American history, language, and culture classes in state funded schools, Bureau of Indian Education (BIE) institutions, and higher education. He warned that limiting these subjects diminishes the education of not only Indigenous students but also non-Native students who need to learn the accurate history of Native peoples in the United States.

“The repercussions extend beyond graduation ceremonies. These changes risk minimizing Native curricula and erasing crucial aspects of the Native history of this country from education systems,” Slater stated, calling for a commitment from the ED to ensure that these educational programs remain protected.

Council Delegate Cherilyn Yazzie pointed out that many Native students live outside their tribal nations and attend a mix of BIE, public, and 638 contract schools, all of which are experiencing disruptions. “Concerns over school closures and uncertainty around federal funding allocation add to the growing anxiety among students and educators,” she said. “Without clear guidance, schools and tribes are left in the dark about how to manage these changes.”

Deputy Assistant Secretary Schaefer acknowledged these concerns and committed to relaying them to his colleagues within the ED. He assured the tribal leaders that the office remains dedicated to upholding Title VI protections in the Civil Rights Act of 1964, against discrimination based on race, national origin, and shared ancestry, as well as Title IX and Section 504 protections included in the Education Amendments of 1972 for students with disabilities.

Speaker Curley urged the ED to reaffirm its commitment to Indigenous education, emphasizing that the restructuring of the BIE, changes to funding streams, and potential school closures all require government to government consultation, federal guidance, and assurances that Native students will not be left behind.

“We need ongoing communication and proactive steps to safeguard the educational prosperity of our Native American students,” Speaker Curley said. “Tribes must be involved in the decisions that directly impact their students and communities.”

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