

(B) a descendant of the aboriginal people who, prior to 1778, occupied and exercised sovereignty in the area that now comprises the State of Hawaii, as evidenced by—

- (i) genealogical records;
- (ii) Kupuna (elders) or Kamaaina (long-term community residents) verification; or
- (iii) certified birth records.

(2) Native Hawaiian community-based organization

The term “Native Hawaiian community-based organization” means any organization that is composed primarily of Native Hawaiians from a specific community and that assists in the social, cultural, and educational development of Native Hawaiians in that community.

(3) Native Hawaiian educational organization

The term “Native Hawaiian educational organization” means a private nonprofit organization that—

- (A) serves the interests of Native Hawaiians;
- (B) has Native Hawaiians in substantive and policymaking positions within the organization;
- (C) incorporates Native Hawaiian perspective, values, language, culture, and traditions into the core function of the organization;
- (D) has demonstrated expertise in the education of Native Hawaiian youth; and
- (E) has demonstrated expertise in research and program development.

(4) Native Hawaiian language

The term “Native Hawaiian language” means the single Native American language indigenous to the original inhabitants of the State of Hawaii.

(5) Native Hawaiian organization

The term “Native Hawaiian organization” means a private nonprofit organization that—

- (A) serves the interests of Native Hawaiians;
- (B) has Native Hawaiians in substantive and policymaking positions within the organization; and
- (C) is recognized by the Governor of Hawaii for the purpose of planning, conducting, or administering programs (or portions of programs) for the benefit of Native Hawaiians.

(6) Office of Hawaiian Affairs

The term “Office of Hawaiian Affairs” means the Office of Hawaiian Affairs established by the Constitution of the State of Hawaii.

(Pub. L. 89–10, title VII, §7207, as added Pub. L. 107–110, title VII, §701, Jan. 8, 2002, 115 Stat. 1941.)

PART C—ALASKA NATIVE EDUCATION

§ 7541. Short title

This part may be cited as the “Alaska Native Educational Equity, Support, and Assistance Act”.

(Pub. L. 89–10, title VII, §7301, as added Pub. L. 107–110, title VII, §701, Jan. 8, 2002, 115 Stat. 1942.)

PRIOR PROVISIONS

Provisions naming former part C (§7931 et seq.) of subchapter IX of this chapter as the “Alaska Native Educational Equity, Support and Assistance Act” were contained in section 7931 of this title, prior to the general amendment of subchapter IX by Pub. L. 107–110.

A prior section 7541, Pub. L. 89–10, title VII, §7301, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3739, set forth findings and purpose of emergency immigrant education program, prior to the general amendment of this subchapter by Pub. L. 107–110. See section 6961 of this title.

§ 7542. Findings

Congress finds and declares the following:

(1) The attainment of educational success is critical to the betterment of the conditions, long-term well-being, and preservation of the culture of Alaska Natives.

(2) It is the policy of the Federal Government to encourage the maximum participation by Alaska Natives in the planning and the management of Alaska Native education programs.

(3) Alaska Native children enter and exit school with serious educational handicaps.

(4) The educational achievement of Alaska Native children is far below national norms. Native performance on standardized tests is low, Native student dropout rates are high, and Natives are significantly underrepresented among holders of baccalaureate degrees in the State of Alaska. As a result, Native students are being denied their opportunity to become full participants in society by grade school and high school educations that are condemning an entire generation to an underclass status and a life of limited choices.

(5) The programs authorized in this part, combined with expanded Head Start, infant learning, and early childhood education programs, and parent education programs, are essential if educational handicaps are to be overcome.

(6) The sheer magnitude of the geographic barriers to be overcome in delivering educational services in rural Alaska and Alaska villages should be addressed through the development and implementation of innovative, model programs in a variety of areas.

(7) Native children should be afforded the opportunity to begin their formal education on a par with their non-Native peers. The Federal Government should lend support to efforts developed by and undertaken within the Alaska Native community to improve educational opportunity for all students.

(Pub. L. 89–10, title VII, §7302, as added Pub. L. 107–110, title VII, §701, Jan. 8, 2002, 115 Stat. 1942.)

PRIOR PROVISIONS

A prior section 7542, Pub. L. 89–10, title VII, §7302, as added Pub. L. 103–382, title I, §101, Oct. 20, 1994, 108 Stat. 3739, related to State administrative costs, prior to the general amendment of this subchapter by Pub. L. 107–110. See section 6962 of this title.

§ 7543. Purposes

The purposes of this part are as follows: