

Allocating Authority and Policing Competency: Indigenous Language Teacher Certification in the United States

Haley De Korne

University of Pennsylvania

This paper describes the recent increase in and diversity of regulations relating to Indigenous language teaching in the United States, and analyzes these regulations in relation to 1) the institutional format of the certification processes (characterized as *mainstream* versus *separate*), 2) the relative control of different social actors (characterized as *community actors* versus *central authority actors*), and 3) the language capacity or learning goals that the regulations support (characterized as *full immersion* versus *limited enrichment*). In addition to looking at teacher certification as an important practical component of Indigenous language education which can be managed in different ways, I consider its significance as an ideologically-driven process through which language norms and authority may be created and (following Blommaert et al., 2009) policed by various social actors. I conclude that it is valuable to consider different systems for regulating and institutionalizing language education, and the relationship between these systems and local ideologies of language education.

Introduction

One day, a few years ago, I attended an Indigenous language class that was being taught within the main timetable of a public secondary school for the first time in the school's history. With desks moved into a circle by rowdy, enthusiastic students, both the physical layout and traditional participation structures of the classroom were transformed within minutes. The class flowed into a daily routine of writing the date and the weather on the board, while some of the boys triumphantly told the teacher the (colorful) words they had learned from their grandfathers since the last class. Then students helped the teacher prepare frybread, using the vocabulary that she taught them while demonstrating the process, hands deep in flour. The teacher explained to me after class that it was important for her to teach oral language proficiency in a culturally-appropriate way, and to create a space where Native students, who were a minority in the school, would see their heritage validated. The school administration recognized the benefit of offering the regional heritage language as a subject within the school and achieved this by collaborating with the local tribal government, who had recruited the teacher and provided her salary. The administrators wanted students to receive normal academic credit for the class, but in order to arrange this they had to give the students credit for "Spanish" and list the school's Spanish teacher as the instructor on official documents, because the teacher of the Indigenous

language did not have an official certification within that state. Furthermore there was no way to attain a teaching certification in an Indigenous language in the state, nor was the Indigenous language recognized as meeting language requirements toward graduation, forcing this valuable enrichment class to exist under the radar of the state regulatory system.

This story is both hopeful and frustrating. It exemplifies the initiative and ability of local actors to negotiate how language education policy is implemented at the classroom level, while highlighting the difficulty that state or national-level education regulations pose when they are not aligned to local language education goals. Motivated by this experience and others like it, in this paper I consider the regulatory systems that influence the certification of Indigenous language teachers in the United States, and reflect on the significance of local actors within these state and national-level systems. Drawing on Hornberger's (2002, 2005; Hornberger & Johnson, 2007) heuristic of "ideological and implementational spaces" contributing to multilingual policy, I explore the issue of Indigenous language teacher certification from a practical, or implementation perspective, and from an ideological perspective. This paper asks:

1. What systems or implementational spaces exist for the certification of Indigenous language teachers?
2. What kinds of ideological spaces exist within teacher certification regulations?
3. How are local ideological spaces influenced by the regulations themselves, and by the social actors that implement these regulations?

Beginning with a conceptual framing of Indigenous language teaching, I then turn to a review of state-level laws that relate to the education or certification of Indigenous language teachers in the United States. The increase in these laws in recent decades as the teaching and learning of Indigenous languages gains recognition is encouraging, however the laws vary considerably in their affordances and constraints. I analyze Indigenous language teacher certification (hereafter ILTC) laws in relation to 1) the institutional format of certification, 2) the relative control of different social actors, and 3) the learners' language proficiency or educational goals that they support. In the second part of the paper, I consider the significance of teacher certification as an ideologically-driven process through which language norms and authority may be created and (following Blommaert et al., 2009) policed by various social actors, as well as by regulatory systems. While this study draws primarily on data corresponding to a narrow conception of language policy (government legal documents), I also consider the relationship of these documents to social actors and how their ideologies influence this political arena.

Conceptual framing of Indigenous language teaching politics

There are numerous studies that document benefits of including Indigenous language and culture within formal education (Hornberger, 1997; May & Aikman, 2003; McCarty, 1998; Thaman, 2000; among many others), and even more practitioners who champion this on the basis of personal experience (e.g., Kipp, 2000). This paper begins in a context where the value of using Native American languages in education is increasingly recognized as a contributor to both quality

and equity of education (Native American Languages Act, 1990/1992; Esther Martinez Native American Language Preservation Act, 2006), and turns to the subsequent pressing issue of implementing and negotiating Indigenous language education within different systems of control and regulation. Although a majority of Indigenous children attend public schools in North America (Reyhner & Eder, 2004), the teaching of Indigenous languages in public schools remains rare. Over half of U.S. states have no regulations relating to Indigenous language education, and there is a wide range in levels of support among existing laws (De Korne, 2010). Restrictive education policies, or simply the lack of policies, can make the process of pursuing greater inclusivity and diversity in education difficult. On the other hand, policies that create or allow “ideological and implementational spaces” for “multiple languages, literacies, and identities in classroom, community, and society” may provide valuable support towards realizing goals of educational quality and equity (Hornberger, 2002, p. 45). The development and implementation of such policies is necessary if Indigenous languages are to be included in mainstream education systems in the United States.

In the case of the locally-grown Native American language class described above, ideological support for inclusion of the local language in formal education was present in the community and the school, while implementational support was lacking at the level of state policy. As Hornberger (2002) discusses, it is necessary for ideology to align with implementation possibilities in order for multilingual education policy to be effective; one without the other is not sufficient (p. 41). Implementational support for the teaching of Indigenous languages is increasing in the United States in the form of policies and programs that offer education and certification to Indigenous language teachers, and recognition of Indigenous languages as meeting graduation requirements. However, the ideological issues that are likely to arise upon the inclusion of an Indigenous language in formal schooling or the establishment of certification regulations are numerous and often contested, including the goals of language education, judgments or standards of language use, and preferred teaching practices, among others. Stakeholders (students, teachers, families, etc.) may have conflicting goals and ideologies of language teaching, making the aim of aligning ideology and implementation elusive and complex. In order to better understand ILTC policy, this study follows in the conceptual tradition of *interactional sociolinguistics*, viewing language as something that is created within and by a specific sociocultural context, and that simultaneously may impact and shape its context(s) of use (Hymes, 1972; Goffman, 1981). I consider language education policy in general, and teacher certification policy in particular, to be impacted by official legal documents at various levels of government, but also to consist of choices and behaviors made by social actors over time. Understanding *policy* as a process that is performed and negotiated—more accurately *politics*—is important in moving beyond narrow views of policy as official, transparent decisions made by government actors (Shohamy 2006).¹

There are numerous tensions inherent in the merging of Indigenous language education and formal education. Formal education in the United States is the

¹ English terminology for the description of language policy is potentially misleading, in that ‘language policy’ is an under-specified noun which may refer to a myriad of actions and stances taken up by actors, or to a single legal document with a finite number of words. In this paper I attempt to distinguish regulations and laws (policy documents) as distinct from actions and behaviors (policy in practice, or politics).

product of Western-European cultural practices and is often considered a foreign and hostile space for Indigenous cultures and people in general (Smith, 1999, 2005). Indigenous cultures have their own approaches to, or ideologies of, education, teaching and learning (Philips, 1970; Eriks-Brophy & Crago, 1994; Cajete, 1994), which may or may not coexist easily alongside the practices of Western-European education systems, and often do not (Battiste & Henderson, 2000). Developing effective practices for the instruction of Indigenous languages in schools remains an issue of on-going exploration and uncertainty (McCarty, 2003). Unlike the national languages that are typically taught in classrooms, many Indigenous languages do not have a history of centralization and standardization through literacy. This leads to further potential complications around teaching and learning these languages in formal education settings. Issues include whether or not to standardize or restrict the dialects (both spoken and written) that may be used in the program, which language repertoires to target (formal, informal, oral, written), how to most effectively teach and learn the target language repertoires (including code switching and the role of the first language in instruction), if and how to measure proficiency and program outputs, and finally, how to make the decisions relating to each of these factors. The program designs and pedagogical practices of foreign language education are unlikely to meet the linguistic and socio-cultural needs of Indigenous language programs (Hinton, 2001). Although there is growing literature on teaching endangered languages, with an emphasis on immersion-style programming (Grenoble & Whaley, 2006; Kipp, 2000; Hinton 2001), the proposed models are not universally applicable or approved of (Redwing Saunders, 2011).

The politics of Indigenous language teaching are characterized by numerous potentially contentious questions: Who can, or should, say what “quality” language and “quality” teaching are, for a certain language? How should the decision-making process occur? How should quality language competency be taught and measured? The teacher certification process is especially dependent upon relationships of power and notions of standards, competence, and measurement. Once a potential teacher is considered (by some authority) to have met a recognized standard, they are endowed with new authority as a valid transmitter of linguistic knowledge. Although decisions around standards of language use and teacher praxis are commonplace and entrenched in formal education to the point where they are often taken for granted², the power-infused relativity of this process is clearly illuminated in the case of languages which have, until recently, been largely excluded from formal educational contexts. It is clear that there is no inherent language standard or purely objective measure of Indigenous teacher competence, but that these notions are operationalized-- created in measurable ways-- through choices made by people in authority. For example, language standardization has been considered by some as “a matter of cultural necessity” (Garvin, 1974, p. 75), however more recently others have problematized its communicative benefits, noting that it also “unavoidably reduce[s] variation and create[s] new hierarchies of linguistic prestige” (Ó hlfearnán, 2008, p. 127). Whether to promote an oral or written standard, what the standard(s) should be, and how to measure and enforce

² Performance or competency measures remain core characteristics of formal education, although they are not without debate as new benchmarks or assessment procedures are proposed over time. In the United States the National Standards for Foreign Language Learning are widely used (Phillips, 1999), while the Common European Framework of Reference is increasingly employed in numerous other countries (Morrow, 2004).

it, are all decisions to be made in the process of institutionalizing a language into formal educational use.

Although standards are ubiquitous in European-derived formal education, it is not clear whether standardization of language use and/or teaching is a prerequisite for successful Indigenous language education. European-American culture has numerous icons of the unique, transgressive teacher as a positive person and effective educator— from Socrates, to Anne Sullivan, to Mary Poppins— and yet the political institution of teacher certification is built around rule following, not rule-transgression. What norms should teachers adhere to, and how should they be supported and monitored? Is there space for alternative notions of education, language use, and teaching within formal education in North America? Does the use of an Indigenous language in formal education require that it adapt to a European-descended prescriptive notion of quality, or might it contribute to changing notions of language competence and literacy in an era of multilingualism and multi-modal literacies? Although this paper cannot answer these questions, it looks at the regulatory environments that influence how people negotiate these questions in different state education systems, and along the way theorizes about the relations of power, standardization, and participation that characterize ILTC practices.

Implementational spaces: Analyzing format, control, and capacity in U.S. policies

Mainstream teacher certification in the United States occurs in institutions of higher education and is regulated either by Departments of Education at the state level, or a specific teacher certification body created by the state government. Due to their significance, state-level policies are thus chosen as the data-set for this analysis.³ These documents are primarily statutory laws, and were collected from the law records of each state government or department of education, which are publicly available on-line. There are numerous variations in ILTC laws among U.S. states, ranging from vague to specific, rhetorically supportive of Indigenous language teaching to functionally terse.

Increase in Indigenous language teaching certification regulations

The first state law supporting ILTC was passed in Alaska in 1972. It did not pertain to teacher certification alone, but rather to the promotion of Alaska Native languages in general, through their use within the University of Alaska, Fairbanks. One aspect of promoting the study of Alaska Native languages was the provision of training to teachers of these languages (Alaska Statutes, Sec. 14.40.117, 2008). Since this early policy, 18 other states have issued policies relating to ILTC, primarily in the form of statutory laws. Four states had created policies prior to the passing of the Native American Languages Act (NALA) of 1990 (Alaska, Hawai'i, Wisconsin, and Minnesota). The rest have been created since NALA established a federal policy to:

³ Although there are national-level policies which pertain to ILTC (the Native American Languages Act 1990/1992 (NALA), the Esther Martinez Native American Language Preservation Act 2006 (EM-NALPA)), these acts do not have tangible impact on the regulatory processes of teacher certification within states (although NALA has almost certainly had an ideological or persuasive impact on state policies, as will be discussed further below).

allow exceptions to teacher certification requirements for Federal programs...for instruction in Native American languages when such teacher certification requirements hinder the employment of qualified teachers who teach in Native American languages, and to encourage State and territorial governments to make similar exceptions... (Section 2, 1990)

While it is up to states' discretion whether they will follow this encouragement, NALA is explicitly referenced in Washington state's law (Revised Code of Washington 28A 410.045, 2007) as well as California's assembly hearing prior to the passing of their law (California Assembly Committee on Education, 2009), implying that this symbolic statement at the national level has trickled down to impact regional regulatory practices. The creation of new ILTC laws is on-going; California and Michigan created policies in 2009 and 2010 respectively, while the Colorado legislature passed Bill 12-057 on April 16th, 2012, and the Arizona State Board of Education added Native American Language Certification Policy R7-2-614J to their existing regulations on August 28th, 2012. Figure 1 shows the steady increase in regulations that relate to the teaching of Indigenous languages in the United States, with a greater increase following the passage of NALA. The abbreviation for the state is marked at the relevant data point for the year that the law appeared. The data set includes the two national policies (NALA and the 2006 Esther Martinez Native American Language Preservation Act, EMNALPA, which extended official support to language nests and immersion schools), in addition to the 19 existing state regulations.

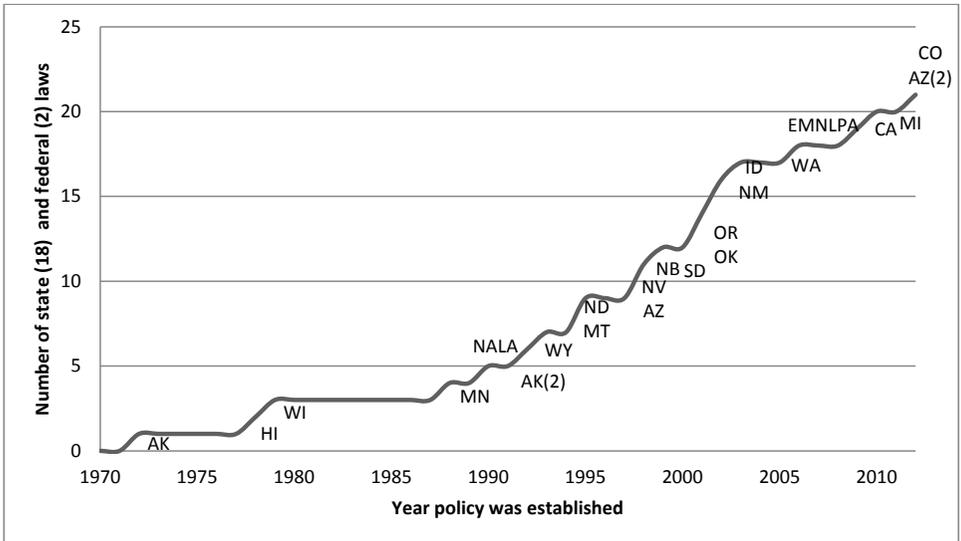


Figure 1. Increase in laws pertaining to indigenous language teaching in the United States

Regulations for indigenous language teaching are not randomly distributed across the United States, as illustrated in Figure 2; ILTC regulations are conspicuously absent in the Eastern United States, but are widespread across the northern, central, and western states. These states are also those with greater numbers of federally

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recognized Native American tribes, due to historical patterns of (largely) European colonization and forced resettlement. Local actors and tribal governments have been key in gaining official recognition for Indigenous language teaching (Warhol, 2011), and so it is not surprising that the presence of Indigenous communities correlates with the presence of official policies.



Figure 2. Geographic distribution of states with ILTC laws (shaded)

Format: Mainstream versus separate

While Alaska's early approach to ILTC mentions training teachers within formal higher education at the University of Alaska, thus providing at least some resources for ILTC, two decades later a subsequent law was passed to allow for certification through an alternative process outside of the higher education system in Alaska. The majority of state laws place ILTC entirely outside of or peripheral to formal higher education. For example, Washington state's law establishes certification as something that is conducted by tribal governments, and subsequently endorsed by the state, but does not specify any process of training or resources to be allocated (Revised Code of Washington, 28A 410.045, 2007); the key role of the law is to give tribal governments the power to decide who is a qualified teacher on their own terms, and for their decisions to be recognized in the mainstream regulatory context.

Some state policy documents mention a degree of formal training, without providing for as much support as mainstream teacher training programs. For example, Minnesota's policy mentions the possibility of universities developing programs "For the purpose of licensing American Indian language and culture education teachers" (Minnesota Statutes 124D.75, Subd. 5); however, the overall emphasis of the law is on alternative certification through provision of a letter from a tribal government and other unspecified evidence of language or culture proficiency to the education board. Hawai'i is a notable exception to the trend of non-mainstream certification, being the only state that recognizes an Indigenous language at the level of constitutional law (Hawaii Constitution, 1978), and

having passed statutory laws mandating higher education training for Hawai’ian language teachers (Hawaii Revised Statutes, 304A-1301, 1302).

ILTC laws can be placed along a scale from *mainstream* (higher education institution) certification formats to *separate* (tribal government or other authority) certification, as illustrated in figure 3. The placement along the scale relates to the level of support in the policy text, for instance whether the approach is mandated by the document, potentially supported, or prohibited. The rankings on the scale indicate the following:

- **Sepr:** The document mandates a separate format, with no involvement of mainstream teacher certification procedures.
- **Sepr (main):** Separate with the possibility of some mainstream practices being used (but their use is not mandated).
- **Sepr & Main:** Both separate and mainstream elements of teacher certification are mandated to occur.
- **Main (sepr):** Mainstream with the possibility of some separate practices being used (but their use is not mandated).
- **Main:** Mainstream approach only is mandated.

Regulations exist at each end of the scale, although a majority of U.S. state regulations favor separate approaches to ILTC.

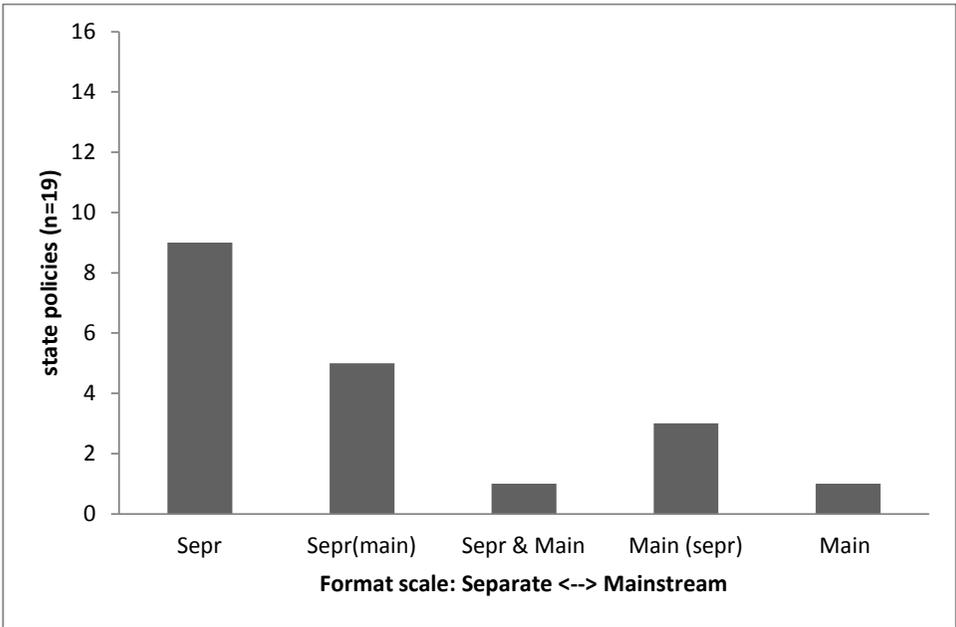


Figure 3. U.S. state ILTC policies analyzed in relation to certification format

There are potential benefits and drawbacks to policies at either end of this continuum. ILTC that follows alternative channels to regular teacher certification may have enhanced control from the language community, greater cultural relevance, and less bureaucracy. On the other hand these teachers may also not receive equal respect or pay within the mainstream system, and the burden of

resourcing teacher training often falls on the community alone. Mainstream approaches to teacher certification are likely to result in more normalization of Indigenous language teaching, with potentially greater respect, although they may be harder to adapt to the interests and needs of individual communities.

The potential of universities as social actors in the education and certification of Indigenous language teachers is a fairly new development in the United States. The first mainstream degree program specifically for Indigenous language teacher certification in the United States began in September 2011 at the University of South Dakota and Sitting Bull College (www.lleap.org)⁴. Institutions of higher education may also choose to support Indigenous language teachers through enrichment programs that do not lead to formal certification⁵. There appears to be a trend of increasing participation from higher education institutions in ILTC politics, regardless of the presence of government laws, although more information is needed about the development of these university programs and how they interface with communities as well as regulatory systems.

Control: Community actors versus central authority actors

One of the most significant benefits of a separate format for teacher certification is that it opens the possibility for more of the decision-making to be done by members of the local language community, in accordance with local ideologies and priorities for language education. The importance of locally-informed language policy is widely accepted (Canagarajah, 2005; Ricento & Hornberger, 1996), and thus ILTC that includes meaningful participation from the language community can be assumed to be preferable to ILTC where only centralized or mainstream authorities participate in decision-making.

Who is part of a language community is by no means straightforward, however; in North America the legal status of individuals as members of recognized tribal entities is often used to categorize people as community members or not, leading to an over-simplified notion of something called The Community. I use language community more broadly, to refer to speakers and learners of a language, noting that not all will necessarily fit into the federally-defined legal category of group membership, and are likely to be subject to local negotiations of community membership. As potentially problematic as this categorization is, it remains useful in the context of formal education systems, where members of Indigenous communities (however defined) do not often occupy positions of authority. Decision-makers in education systems are commonly members of the economically dominant social group, and may have little connection to, or even awareness of, the diverse languages and cultures of the children participating in the systems that they govern.

⁴ This is also a recent area of development in other Anglophone former colonial states. In Canada the University of Victoria is pioneering programs to serve Indigenous language teachers from a variety of language communities (www.educ.uvic.ca/indigenous/index.php), while in Australia a recent program also designed for multiple language groups is conducted at the University of Sydney (<http://sydney.edu.au/courses/Master-of-Indigenous-Languages-Education>).

⁵ For example, the University of Alaska, Fairbanks Yup'ik Medium Education project (www.uaf.edu/pe/) that began in 2009, Syracuse University's Certificate in Iroquois Linguistics, (<http://uc.syr.edu/CIL/>) beginning in 2012, and St. Thomas University's (New Brunswick) Certificate in Native Language Immersion Teacher Training (http://www.nativestudies.org/native_pdf/pamphlet.pdf) developed in 2000.

While there is a strong relationship between the format of certification and the possibility of local forms of control, it is interesting to look at this factor independently because non-mainstream formats of ILTC do not *always* equate to higher levels of community participation, nor do mainstream formats necessarily mean that local actors are excluded from decision-making. For example, Washington state’s policy (Revised Code of Washington, 28A 410.045, 2007) follows a separate process, and ensures that the tribal government are the primary decision-makers in the teacher certification process; in this case a separate format has been used to establish tribal control. In Michigan the process is also entirely separate, with no involvement of higher education; however, the approval or participation of the language community is optional and a teacher may be certified through agreement of a school board and the state department of education, with the primary authority resting in the Department of Education (Michigan Compiled Laws, 380. 1531f, 2010). In this case a separate format is used, but control remains with the centralized department of education. Comparing figures 3 and 4 it is notable that separate processes constitute a clear majority in ILTC laws, while local control is not equally dominant.

Conversely, a mainstream certification approach does not necessarily mean that the local community has less decision-making power; the developers of university courses may build extensive community participation and control into a formal teacher education program, as exemplified by the BEd in Indigenous Language Revitalization offered by the University of Victoria, British Columbia (2010). Varying degrees of control exist between full community authority and no community authority, such as Wisconsin’s policy, which requires participation and approval from both a tribal authority and the state (Wisconsin Administrative Code, PI 34.34). In all cases the actions of those implementing policy may also make room for local control beyond what is mandated in laws. A continuum of participation, from full community control to complete centralized control, is represented in Figure 4.

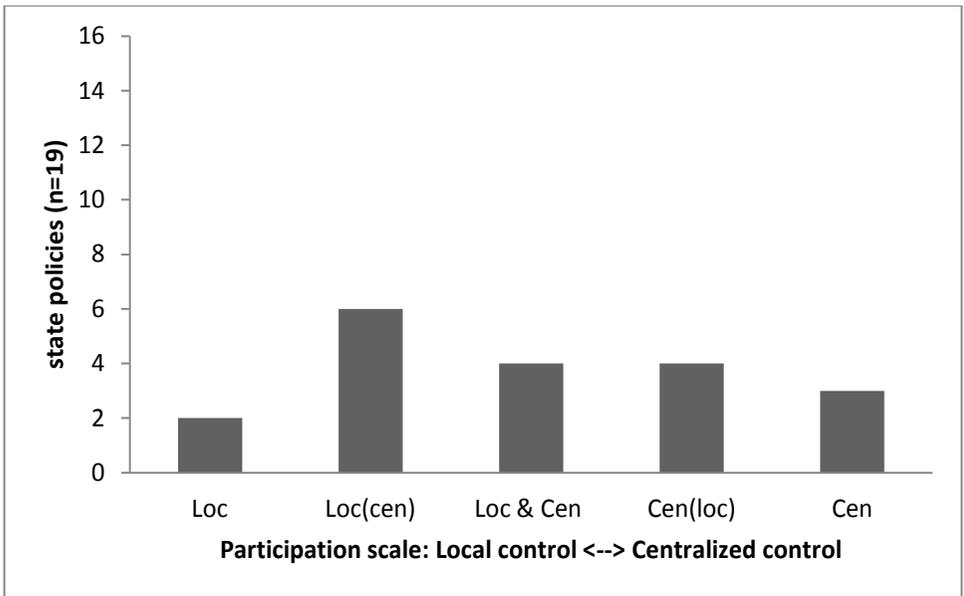


Figure 4. U.S. state ILTC policies analyzed by approach to certification participation

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- **Loc:** The document mandates local participation and control.
- **Loc (cen):** Local control is primary, with the possibility of some influence from centralized authorities (but their participation is not mandated).
- **Loc & Cen:** Both local and centralized individuals must participate.
- **Cen (loc):** Centralized control is mandated, and some local participation may optionally occur also.
- **Cen:** Central control/participation only is mandated.

There is a wide spread of approaches to control and participation, although locally-controlled certification is overall more present than centrally controlled certification. The probable benefits of greater community participation include local ownership and capacity building around language education, while potential drawbacks include possible marginalization within the education system, and placing the burden of program success on the community alone while disguising or excusing the role of socio-structural factors and other authorities. Increased centralization of decision-making may carry benefits such as recognition and resources allocated within the mainstream system, although the risk of not aligning with local educational goals is a significant drawback.

Language capacity: Full immersion versus limited enrichment

The educational goals of Indigenous language teaching can vary from students acquiring general language and culture awareness (limited enrichment), to functional communicative competence, to advanced fluency and literacy in the target language (full immersion). The competency of the teacher needs to align with the goals of the language program, as immersion teaching requires the ability to teach math, science, and other subjects through the medium of the Indigenous language (drawing on specialized registers), while enrichment lessons may be successfully conducted by teachers who control only some registers or have limited fluency. The goals of communities and education institutions may or may not be the same, and may be linked to different ideologies as well as implementation logistics. The majority of ILTC regulations in the United States provide support for enrichment language teaching only, as they restrict teachers who are certified through ILTC processes from teaching other subjects. Figure 5 illustrates the continuum between policies where teachers are explicitly trained to help students acquire full proficiency (e.g. Hawai'i) and policies where teachers are explicitly prevented from using the target language as a medium of instruction (e.g. Arizona), with policies which allow for other possibilities falling in between.

- **Full:** The document mandates that teachers be trained for immersion teaching.
- **Full (limt):** Immersion is primary, with the possibility of non-immersion teaching of the target language as a subject.
- **Full & Limt:** Both immersion and enrichment options are mandated.
- **Limt (full):** Enrichment is primary, with the possibility of using language as a medium of instruction.
- **Limt:** Enrichment approach only is mandated.

While teaching Indigenous languages in an enrichment approach is better than nothing, and may align more readily with typical foreign language education requirements in U.S. education, it is unlikely to result in fluency and denies these languages the prestigious status of being a medium of instruction, the highest position in the hierarchy of school languages (Tollefson & Tsui, 2004).

The implementational issues described above impact how certification is positioned and resourced, the degree of local participation, and the probable levels of language proficiency supported by different ILTC policies. Policy approaches at either end of the three scales discussed may be appropriate and beneficial, depending on the context and the goals of participants. Whether a language community would prefer to have sole authority to certify teachers, or to have their language incorporated into mainstream regulatory bodies, the awareness that there are a range of policy orientations towards these issues may help in informing the kinds of policies that are developed and enacted.

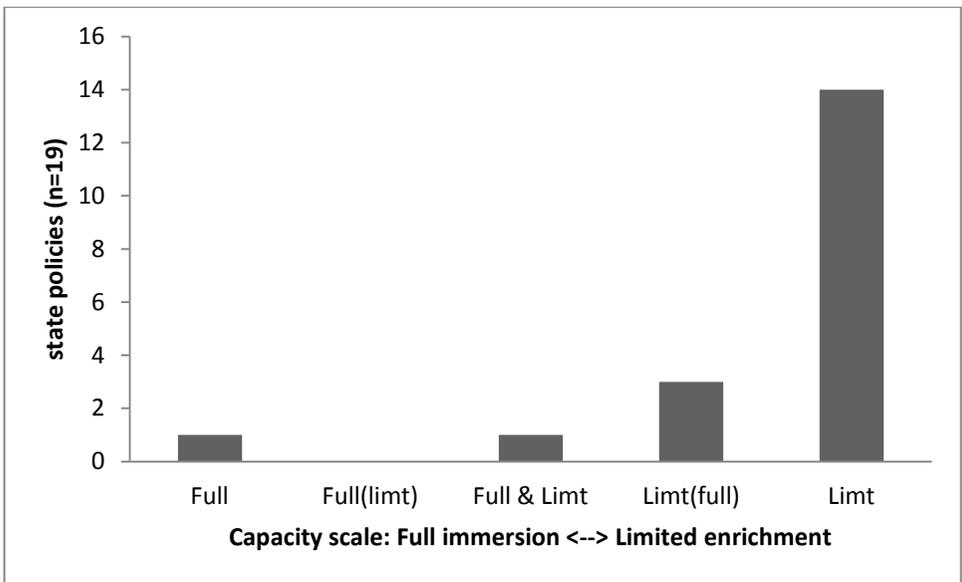


Figure 5. U.S. state ILTC policies analyzed by capacity goals supported

Ideological spaces: Creating and policing language quality and standards

The certification of teachers may be viewed as a performative speech act (Austin, 1962), in which the authority of a pronouncement effects a change in a participant, in this case validating them as a competent language teacher. Demonstrated levels of language competence and normative classroom practice are common felicity conditions for the certification of teachers in mainstream programs, however they are not explicitly present in many ILTC policies. Many of the state ILTC laws pertain primarily to the allocation of authority, without establishing specific standards or guidelines for language use or teaching practice. Rather, vague notions of fluency and proficiency written into these top-down policies largely leave the ideological space around language teaching competence to be filled up by local actors.

Goals and choices about language education policy are always informed by ideologies (Blommaert, 1999). In the process of certifying language teachers, ideologies around language standards and teaching practice are especially salient. Some ILTC laws refer to issues of teacher competency in vague ways, specifying that teachers should be “fluent” or “competent”, but not indicating how fluency or competency should be understood or evaluated. For example, a limited certificate to teach Alaska Native languages requires that the candidate “submit a resume demonstrating competency in an Alaska Native language or at least four years’ experience involving an Alaska Native culture, as verified by the school district” (Alaska Administrative Code 4AAC 12.370 (b) (1)). Rather than defining competency, the law delegates the decision. In this case it is (someone within) the school district who will decide whether the teacher is competent in the language on the basis of a (presumably written) resumé. In Wyoming a Native Language Endorsement is granted to “Indian Language instructors who have been approved by a committee of the Tribal Council which determines the applicant’s proficiency and capability for teaching the language” (Wyoming State Statutes, 13-1(b)), delegating the decision to tribal authorities. A notable exception is Wisconsin’s Indian Language, History, and Culture License, which is far more specific than other states’ policies and defines teacher competencies as:

the ability to plan and organize instructional materials, units, and lessons designed to instruct pupils in the use of the target Indian language; the ability to analyze the sound systems, grammatical forms, and syntax of the target Indian language and English and to apply that knowledge to the process of teaching the target Indian language; the ability to develop drills and exercises that develop pupil awareness of the structure of both the target Indian language and English; the ability to guide pupils toward informal conversation in the target Indian language; knowledge of the principles and theories of child, young adolescent, or adolescent growth and development, as appropriate to the level or levels of licensure, and the relationship of that knowledge to teaching the target Indian language (Wisconsin Administrative Code PI 34.34-8).

Although this policy promotes specific teaching capacities, there is no training program available to candidates to help them meet these criteria, and whether or not they meet them is determined, as in other states, by the decisions of individuals within the school district and the tribal community.

Some ILTC laws require that certain kinds of decisions about language and teaching standards and evaluation of standards be made, without specifying what the standards or evaluative practices will be. For example, California, Idaho, Nebraska and Oregon locate decision-making authority in tribal governments but require tribal governments to make specific decisions about language practices in education, and to judge teacher competency through oral and written measures. Idaho’s law (Idaho Statutes, 33-1280) is a typical example, stating that:

Each Indian tribe may establish its own system of designation for individuals qualified to teach that tribe’s native language. In establishing such a system, the tribe shall determine:

- (a) The development of an oral and written qualification test;

- (b) Which dialects shall be used in the test;
- (c) Whether the tribe will standardize the tribe's writing system;
- (d) How the teaching methods will be evaluated in the classroom.

In this regulation language standardization is optional, and is framed as a choice to be made by tribal authorities. It is also framed as a dichotomous choice, while in practice whether or not a language is standardized is a question of norms of language use, not a yes/no decision. For Indigenous language communities, where a written standard may not exist, may not be widely used, or may be in competition with other writing systems, individual teacher choices about language quality and teaching quality can become the standard of language use that is transmitted to students. The significant role of local stakeholders in negotiating and implementing language policy on the ground (Menken & García, 2010), becomes especially clear when policy documents hint at expectations of quality, but do not operationalize them. This ideological and implementational void may be filled by choices about what equates to fluency, competency, and quality teaching, made in some cases by members of tribal governments, and in other cases by members of state regulatory bodies, or teachers themselves in the classroom.

In this context of emerging standards and negotiated notions of quality, Blommaert et al.'s (2009) proposal of the term *policing* (rather than the more static and essentialized *policy*) is useful here, as it forces an interactive and relational view of language planning and policy, bringing actors back into a space which might otherwise be thought to consist of documents and prescriptive orthographies. Traditional frameworks for analyzing language policy orient towards language as a discrete object which can be granted *status*, which can be *acquired*, and which can possess a *corpus* (Cooper, 1989), with less sensitivity towards ideological or power dimensions. Policing refers to "the production of 'order'—normatively organized and policed conduct—which is infinitely detailed and regulated by a variety of actors" (Cooper, 1989, p. 203). Policing may occur in explicit ways, such as correcting a student's spelling on a test, or subtle ways, such as re-casting someone's utterance or shifting footing through discursive alignment (Goffman, 1981). Although legal documents may establish norms of allocating language teaching authority, actors' choices will ultimately establish and police language norms in day-to-day actions of approval or sanction in relation to speakers and/or tokens of language use. In addition, which variety(ies) of written or spoken language are sanctioned as 'good' and appropriate for use in formal education and which are policed or erased will have concrete impacts on users of all language varieties (Irvine & Gal, 2000). Language creates power for those who use it, but even more so it creates power for those who standardize it and enforce their standard through measurement and policing.

The processes through which authority and regulations are internalized and reproduced by social actors have been explored by political theorists (e.g., Foucault [1982] 2010). Frodin (2012) notes that institutions of authority (such as teacher certification boards) can only exist insofar as a critical mass of individuals accept them, and in that sense institutions are collectively created from the ground up. At the same time, systems of authority "make up a structure in which individuals define their interests and their preferences" (p. 276) thus influencing interests and preferences. This interplay between structural policy constraints and individual agency is central to how teacher certification policy is implemented. Certain

regulation practices that are suggested by state laws, but left to the discretion of tribal decision-makers may not seem deterministic-- such as oral and written testing, or language standardization. However as part of the structure within which tribal members choose how to define language and teaching norms, they may be significant sources of influence on the kinds of language practices that are chosen and accepted.

Conclusion

Reviewing ILTC regulations in the United States illustrates that there are an increasing variety of certification opportunities in place in formal education systems, requiring largely decentralized political processes. These regulations allocate authority, but in most cases do not provide resources or support for teacher training. The goals and norms of language teaching are generally not defined, and are left to be determined by actors at varying levels of education systems. Optimistically, these represent significant “ideological and implementational spaces” (Hornberger, 2002, p. 30) that can potentially be filled by innovative multilingual education practices and/or pluralist ideologies. The continued development of Indigenous language teacher certification is a hopeful trend, which may bring diverse languages and cultures out of the margins of education and include them in normalized political processes. To what degree the resulting language classes can meet the ideological goals of Indigenous communities, and/or the public school system, remains to be seen, however. Western-European (standardizing) ideologies of language and education are likely to be influential in this process, due to their pervasiveness in formal education practices and their discursive presence in some regulations. The way that languages have been institutionalized in mainstream U.S. education does not necessarily need to dictate how Indigenous languages come to be included in education institutions, although it is likely to do so. Awareness that a range of language education regulations and regulatory practices exist may be beneficial to those developing and negotiating Indigenous language policies that attempt to align with local goals and ideologies of language education.

Since the visit to the public school Native language class described in the opening of this paper, several other schools in the same region took encouragement from the leading school and found ways to offer an Indigenous language class. Organizing among tribal educators eventually led to the passing of a state law which establishes a certification procedure for Indigenous language teachers, and verifies that Indigenous language classes meet world language graduation requirements. The regulatory barriers to teaching Indigenous languages have thus been removed in that context, although the level of resources and support for Indigenous language teaching has not increased. Extensive work remains to be done by actors in school communities to continue to strengthen Indigenous language education and to negotiate ideologies of quality and competency; meanwhile, the opening of a regulatory channel provides new opportunities for this process to continue and grow.

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Haley De Korne is a PhD candidate in Educational Linguistics at the University of Pennsylvania. She researches multilingual education programs and policies, focusing on minoritized languages. She has participated in Indigenous language education projects in the United States, Canada, and the Philippines, as well as research on plurilingual education in Luxembourg. She would be happy to receive any correspondence at h.dekorne@dunelm.org.uk.

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