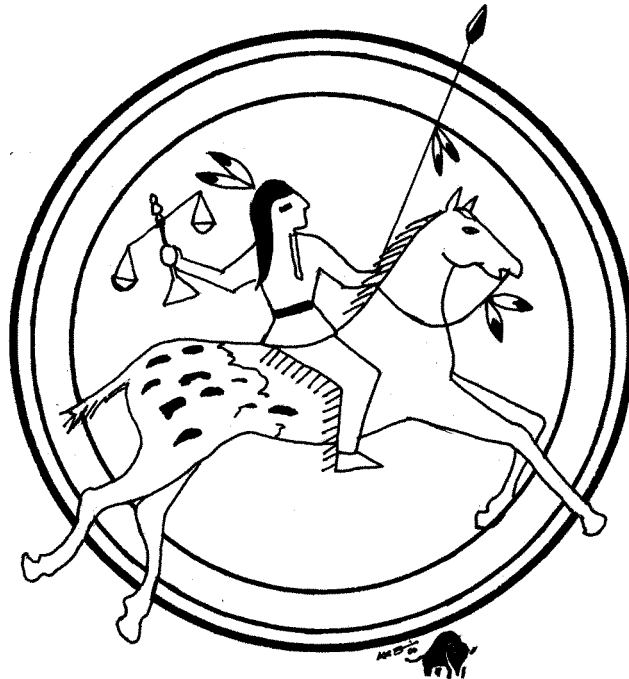


MONTANA INDIAN EDUCATION: LAWS AND LEGAL ISSUES FORUM

November 9-10, 2003
Great Falls, MT

REPORT



SPONSORED BY:
MONTANA INDIAN EDUCATION ASSOCIATION
AND
INDIAN LAW SECTION OF THE MONTANA STATE BAR

REPORT COMPILED AND WRITTEN BY:

THE NATIVE AMERICAN LAW STUDENTS' ASSOCIATION
(NALSA)
THE UNIVERSITY OF MONTANA SCHOOL OF LAW

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OTHER PRESENTERS’ MATERIAL AVAILABLE AT:

<http://www.mtiea.org>



***Montana Constitution
Article X, Sections 1, (2)
The State recognizes the distinct and unique
cultural heritage of American Indians and is
committed in its educational goals to the
preservation of their cultural integrity.***

In 1972, during the Constitutional Convention, this language was included in the Montana Constitution, and Indian education became a part of its promise to all citizens. Although there were no Indian delegates at the Constitutional Convention, two Indian students from Fort Peck did testify before the education committee, promoting the idea that Indian issues should be included in Montana's new Constitution. Delegate Dorothy Eck sponsored the language, and after some discussion about the importance of this provision, the delegates voted to include it in the Constitution on an 83 to 1 vote. [Verbatim Transcripts of 1972 Montana Constitutional Convention, vol. VI, 1957 (Montana Legislature 1979)]. This language has developed into two prongs: 1) education for Indians and 2) education about Indians. This means that Indian students are promised an opportunity for a quality education and that ALL students, both Indian and non-Indian, are promised an opportunity to learn about Montana's Indians throughout their education.

Since 1972, much has been done by Indian educators, including educators of Indian students, in attempts to breathe life into this Constitutional provision. Indian educators have logged thousands of miles to attend meetings and serve on committees hoping their voices are heard. There has been a multitude of reports written and presented to educational boards and agencies. There has been a presence at many legislative hearings to present Indian educational views. Despite the best efforts of these tireless advocates, little implementation has occurred at the state and local level.

But not all is lost. There has been some positive forward movement. Through the legislative process, there is now an "American Indian Heritage Day" [Mont. Code Ann. § 20-1-306] established on the fourth Friday of each September, when schools are to engage in

appropriate activities and, in 1999, the “Indian Education for All” Act was passed [Mont. Code Ann. § 20-1-501] which laid bare the legislative intent of the Constitutional language. The “Indian Education for All Act” states the education system shall encourage every Montanan, whether Indian or non-Indian, to learn about the distinct and unique heritage of American Indians in a culturally responsive manner, that all school personnel should have an understanding and awareness of Indian tribes to help them relate effectively with Indian students and parents, and that every educational agency and all educational personnel will work cooperatively with Montana tribes when providing instruction and implementing an educational goal. This new law reenergized Indian education efforts and again, Indian educators went to work. They collaborated with the Office of Public Instruction (“OPI”) and other educational entities to implement this new law. The OPI has included content about Indians in the state content and performance standards, which contain concepts that every student in Montana should know and understand. The state accreditation standards do include some substance about Indian education. For example, every school district in Montana should have an Indian education policy that is tied to its educational goals.

However, despite these efforts at a policy level, implementation has not occurred because there are no oversight or enforcement mechanisms to measure performance on this issue. Nor are there ANY funds provided by the State to assist educators in their work to fulfill their responsibilities to Indian education, despite its constitutional obligation.

The latest effort by Indian educators came in the form of this 2003 Forum, hosted by the Montana Indian Education Association (“MIEA”) and the Indian Law Section of the Montana Bar Association (“Section”). This forum provided a place for Indian educators to gather, hear discussion about the laws and legal issues surrounding Indian education and to discuss current efforts and formulate future plans for implementation of this Constitutional promise and obligation. Never before has a gathering of Indian educators focused specifically on using legal avenues to implement Indian education. This discussion, and the subsequent actions that derive from this forum, may, for the first time in generations, actually result in positive change that will fulfill the promise of Montana’s Constitutional obligation to Indian education.



AGENDA SUMMARY

The Indian Education Laws and Legal Issues Forum drew nearly 100 participants from across the state, including representatives from every reservation and many of Montana's urban school districts. The program began with a dinner and speaker on the evening of November 9, 2003. Melody McCoy, attorney for the Native American Rights Fund, served as the keynote speaker and provided a big picture perspective of Indian education across the nation.

The next morning, Joyce Silverthorne, Confederated Salish and Kootenai Tribal Education Director, discussed the interplay of three sovereigns – tribal, state, and federal – in Indian education. Cathy Warhank, legal counsel for the Office of Public Instruction, followed with an overview of the federal No Child Left Behind Act. Andrew Huff of the Indian Law Resource Center then brought an Indian law perspective to the forum, using treaties, federal and state statutes, tribal law, and state case law to show the progression of Indian education through legal channels in Montana. Maylenn Smith, Indian Law Clinic Director at the University of Montana School of Law, discussed how the law affects the education system, particularly in areas of curriculum and higher education admissions. Denise Juneau spoke during the luncheon, outlining the history of Indian education in Montana through the Constitutional Convention transcripts, Montana case law, statutes, and administrative regulations. Stephen Doherty, of Smith, Doherty & Belcourt explained MIEA's current efforts to assist the school funding lawsuit, *Columbia Falls Elementary v. State of Montana*.

There was also time set aside to allow participation in small group discussion. Following Professor Smith's presentation, participants discussed three educational scenarios including curriculum issues, higher education admission issues, and the Indian mascot issue. Law students: Amy Pivetta Hoffman, Richard Tovey, Amy Sings In The Timber, and Susan Stahle, assisted with group facilitation. Participants discussed educational issues and possible solutions. It is our goal that these suggestions become reality as Indian educators continue to work toward fulfilling and implementing Montana's Constitutional promise to provide Indian education to all Montanans.

The next few pages give a brief overview of each speaker's presentation.



“INDIAN EDUCATION—A NATIONAL LEGAL PERSPECTIVE”

MELODY McCOY
Native American Rights Fund
Denver, Colorado

Melody joined the Native American Rights Fund (NARF) as a staff attorney in 1986. At NARF, Melody works primarily in the areas of jurisdiction in Indian country, tribal rights in education, tribal trust funds, and tribal intellectual property rights.

Melody is a past co-Chair of the Federal Bar Association’s Indian Law Conference, 1990-1992. She was a member of NARF’s Litigation Management Committee from 1992-1995. Melody received her undergraduate degree from Harvard University (1981) and law degree from the University of Michigan (1986). She is admitted to practice law in Colorado and Massachusetts. She has practiced before all levels of tribal and federal courts, including the U.S. Supreme Court. Melody is an enrolled member of the Cherokee Nation of Oklahoma.

We are now in the 21st century, but where are we with respect to Indian education? Ms. McCoy mapped out the history of federal policies and laws of Indian education leading to our contemporary situation.

We have had almost thirty years of contracting schools and education programs under the Indian Self-Determination and Education Act. The resulting federal Indian education laws include the Tribally Controlled Community College Assistance Act, the Tribally Controlled Schools Grant Act, and the Native American Languages Act, as well as the recent No Child Left Behind Act of 2001. At least thirty-five states also have Indian education laws, which address matters ranging from scholarships and grants to curriculum and teacher certification. Tribes are also developing their own education laws, policies, and programs.

The total federal dollars available today for Indian education is over \$3 billion. The most recent major federal Indian education report, *Indian Nations at Risk* (1991), presented some harsh statistics about tribal student achievement. Many schools – public, federal, and tribal – who serve tribal students are now struggling to comply with the No Child Left Behind Act. Despite preservation and immersion programs, many Native languages are disappearing. Yet there are also success stories: tribal colleges, overall higher educational attainment levels, various specific programs and partnerships. An accurate picture of contemporary Indian education does not exist, nor is there any measure of whether, with all of the laws, programs, and funding, Indian education has made progress. Ms. McCoy believes that by continuing to include tribal voices, there will be accurate measures of educational progress.



**“THE INTERPLAY OF THE THREE SOVEREIGN
IN INDIAN EDUCATION ISSUES”**

JOYCE SILVERTHORNE
Director, Confederated Salish & Kootenai Tribal Education
Flathead Reservation, Montana

Joyce is a mother and grandmother who has worked with school systems both on and off the reservation. She is a certified teacher, administrator, and has completed coursework for a doctorate in educational leadership from Gonzaga University. She has worked with the Salish Kootenai Tribal College, Two Eagle River School, and is a gubernatorial appointee to the Montana Board of Public Education. The Flathead Reservation is a diverse community with tribal and non-tribal organizations working with youth. She has worked with several efforts in cross-cultural community building. She was the Chairperson of the Montana Board of Education’s Indian Education for All Committee.

Three sovereign governments – tribal, state, and federal - are involved in the education of Indian children. Tribes have attempted to implement a full circle of tribal involvement in the education process. Initially, tribes assumed the sole responsibility for educating their children. Today, tribes share that responsibility with the dominant society. Tribes must work with each other to create a common vision to guide the educational process so that their children relearn their Indian culture, heritage, and language.

The primary problem that exists with the federal government is that non-educators are making laws for Indian children. Indian children are on the experimental forefront for federal legislation while already being disadvantaged in the public school systems.

State government is currently struggling to comply with the No Child Left Behind Act. The State must also comply with Montana Constitutional provisions mandating Indian education. Tribes are concerned with what the state sovereign has determined should be taught in the public schools regarding Indian history and culture because what is most important to tribal integrity and sovereignty is not taught in public schools.

Ms. Silverthorne offered two suggestions for improving Indian education. First, Montana Tribes should bring the seven tribal colleges together to discuss the importance and the direction of the Act and how to comply. Second, tribes must be proactive to again establish government to government relations. Ultimately, tribes must continue their efforts in encouraging sovereign-to-sovereign cooperation to assure a quality education for Indian children.



“NO CHILD LEFT BEHIND—ISSUES FOR INDIAN EDUCATION”

CATHY WARHANK
Office of Public Instruction
State of Montana, Legal Counsel
Helena, Montana

After thirty wonderful years in the Great Falls school district as an elementary teacher, K-6 librarian and elementary principal, Cathy earned her law degree at the University of Montana and was admitted to practice in April of 2003. Cathy joined the OPI in June of this year, although Cathy had the good fortune to complete a summer internship with Jeff Weldon in that office after her first year of law school. Her favorite career of all-time is being a mother to three now adult children. Cathy tremendously enjoys the opportunity to meet and work with educators and school personnel all over the state.

Ms. Warhank discussed the impact of the No Child Left Behind Act (NCLB) on Indian education in Montana. One aspect of NCLB is the “Adequate Yearly Progress” (AYP) requirement. When a school fails to meet the requirements of AYP, the NCLB requires a public announcement of such failure. If the school persists in failing to meet the standards, more aggressive action is taken to remedy the situation. AYP is determined by the school’s performance on statewide standardized assessment tools. It is especially difficult, however, for small population schools to meet the strict federal standards. Potential progressive remedies include parent and community notification, supplemental programs, school transfers within the same district, and restructuring.

NCLB also requires that by 2006, all courses be taught by teachers who possess a degree in each subject they teach. This requirement is again especially difficult for small population school districts to satisfy since most teachers possess a broad based social studies or social science background. Compliance with NCLB would require these teachers to return to school to obtain the appropriate degrees. These are only two of aspects of NCLB that especially impact the rural public school districts in Montana in a negative manner. These requirements directly impact Indian educators and Indian children as a majority of Indian students attend schools in these small rural school districts.



“LEGAL ASPECTS OF INDIAN EDUCATION IN MONTANA”

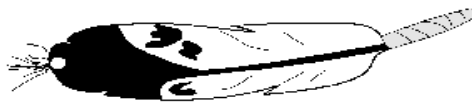
ANDREW HUFF
American Indian Law Resource Center
Helena, Montana

Andrew is Chippewa-Cree from Montana. He is a staff attorney at the Indian Law Resource Center, working primarily on litigation relating to the reclamation of the Zortman and Landusky mines in addition to issues relating to the rights of Alaska Natives. Andrew received his J.D. from the University of Colorado in 1999, and his B.A. from Harvard University in 1991.

Mr. Huff discussed how Indian education in Montana can be achieved through responsibilities assumed by each of the three separate sovereigns – tribal, state, and federal. The federal government has a specific and general trust obligation to educate Indian children. That obligation was originally incurred as consideration for land ceded under treaties and allotment acts, and affirmed through successive federal statutory enactments.

The State of Montana declared its responsibility by enacting a specific State Constitutional obligation addressing Indian education. Additionally, Montana enacted several other statutes to further its efforts towards not only educating Indian children, but also in educating the general population regarding Indian heritage and culture.

Indian education of tribal members is also a tribal governmental obligation and an aspect of inherent tribal sovereignty. Mr. Huff also explained how these three sovereigns have declared their intent to work collaboratively with each other to assure that these educational goals are achieved. Mr. Huff emphasized how important it is to assure such collaborative efforts occur, for without such cooperation, Indian educators, despite their best efforts, will not succeed in educating Indian children. Additional materials from Mr. Huff’s presentation are included in Appendix A.



“FACTORS IMPACTING INDIAN EDUCATION IN MONTANA”

MAYLINN SMITH
Director, Indian Law Clinic
The University of Montana School of Law

Maylinn is the Clinical Supervisor and Director of the Indian Law Clinic at The University of Montana School of Law. Working under her guidance, law student interns in the Indian Law Clinic assist tribal governments and organizations dealing with Indian law issues. Activities include: drafting model codes, working on civil rights cases, practicing in tribal court, mediations, training on Indian law issues, and natural resource issues. In addition, Professor Smith teaches law school courses in Tribal Law and Tribal Courts, advises students in the school’s academic support program, and coaches the National Native American Law Students’ Association moot court team.

Professor Smith’s previous service as Chief Judge of the Southern Ute Indian Tribal Court, as Appellate Judge of the Southwest Intertribal Court of Appeals, as well as her experience as legal counsel for the Salish & Kootenai Tribal Court, benefit not only the tribes served by the Indian Law Clinic, but also the law students enrolled in the clinical program.

Professor Smith discussed how Indian education is impacted by a variety of both substantive and indirect factors. Only by creating a welcoming learning environment can educational opportunities flourish for Indian and non-Indian students alike. Professor Smith discussed current issues such as: textbooks, sports mascots, and higher education admission policies, and their effect on Indian education. Particularly, Professor Smith placed these contemporary Indian education issues into a legal context through legislative actions, current cases, and school policies.

Subsequent to her presentation, participants were provided a short scenario on each of the topics covered in Professor Smith’s presentation, which they discussed in smaller group settings facilitated by Indian Law Clinic students. The small group discussions were then used to facilitate a larger discussion on these three issues.

Professor Smith also provided additional information about the current legal and political options available to address the educational problems created by these situations. Additional information from Professor Smith’s presentation is available at <http://www.mtiea.org>.



“INDIAN EDUCATION FOR ALL—AN OVERVIEW”

DENISE JUNEAU
Indian Law Clinic Student
University of Montana School of Law
Missoula, Montana

Denise is a third year law student at the University of Montana School of Law. She is Hidatsa/Mandan, Blackfeet, Tlingit/Haida, Oneida, Norwegian and French. Denise graduated from Montana State University and received a Masters Degree in Education from Harvard. Denise has been involved in Indian education for many years. She was a high school teacher on the Fort Berthold Reservation (North Dakota) and in Browning. Prior to entering law school, she was the Indian Education Specialist for the Montana Office of Public Instruction. She currently serves as the college student representative for the Montana Indian Education Association. Denise is also President of the Native American Law Student Association (NALSA) at the University of Montana School of Law.

In the past, the thing often missing from Indian education was Indians. However, with Indians becoming mainstream leaders, there has been some positive movement forward in the education domain. Ms. Juneau discussed that despite the many reports written, laws established, Montana Supreme Court decisions, action plans developed, and conferences and forum held on the issue, there is still much to be done to meet the spirit and intent of the Indian education clause of the Montana Constitution.

Her presentation explained the history of the Constitutional language through the use of the 1972 Constitutional Convention delegates’ discussion, gathered from the verbatim transcripts. She also discussed Montana case law pertaining to Indian education, ranging back to the late 1800’s.

Denise also presented current statistics and current Indian education efforts by both higher education and K-12 public education. Although there are now accreditations standards, content and performance standards, curriculum guides, and policies in place to ensure the realization of the Indian education provision, Indians still wait to see themselves reflected in public schools and higher education. They also wait for their non-Indian peers to have an opportunity to learn about the rich heritage of Montana Indian people. Additional information from Ms. Juneau’s presentation is available at <http://www.mtiea.org>.



“A LAWSUIT—WHAT DO WE NEED TO KNOW?”

STEPHEN A. DOHERTY
Smith, Doherty & Belcourt, PC
Missoula, Montana

Mr. Doherty received his J.D. from Lewis and Clark Law School in 1984 and his B.A. in Social Biology from the University of Pennsylvania. Stephen practices civil litigation, both plaintiff and defense work, and represents individuals, Tribal entities and governments in Tribal, Federal and State courts. He was the Minority Leader of the Montana Senate in 1999 and 2001, and a member of the Senate 1999-2003. He was the Recipient of the Montana Environmental Information Center Conservationist of the Year Award in 2002 and the Recipient of the Montana Trial Lawyer’s Association Public Service Award. Stephen is a board member of the Northwest Water Law and Policy Project.

Mr. Doherty discussed the recent public school funding case, *Columbia Falls Elementary v. State of Montana*, which several educational entities brought against the State of Montana for inequitable educational funding. The school district plaintiffs partially allege violations of the Indian education article of the Montana Constitution. The Montana Indian Education Association was not timely notified and discovered this inclusion late in the game, just prior to the beginning of the trial. However, because of the importance of this lawsuit, and the scope of its reach, MIEA planned to become involved in some manner.

Mr. Doherty laid out four options that MIEA and its members could take to become involved in the lawsuit.

- First, the MIEA can do nothing and wait to see what happens with the trial. This means that MIEA will not have to spend any money. However, it also means that Indian educators would have no input into the case.
- Second, the MIEA can meet with the attorneys for the plaintiffs, provide input, and hope that the plaintiffs’ efforts will remedy the situation. This means that MIEA will not have to spend any money. However, it also means that MIEA will not have a public voice during the lawsuit.
- Third, the MIEA could intervene and become a party to the lawsuit. This option would allow MIEA direct access to the court through its own witnesses and legal documents. However, it is also the most expensive of the options and would slow down the lawsuit.
- Fourth, the MIEA could appear as an amicus, “a friend of the court”, whereby it would submit a brief specifically on the Indian education provision. While this option is also quite expensive, it allows MIEA a voice in the litigation without having to provide witnesses and expend a greater amount of money.

UPDATE: MIEA chose the fourth option and submitted an amicus brief to the court. The amicus brief along with a short explanation can be downloaded at www.mtiea.org.



BUILDING CAPACITY FOR LEADERSHIP

RECOMMENDATIONS FROM PARTICIPANTS

GROUPS FACILITATORS: JOYCE SILVERTHORNE, AMY PIVETTA HOFFMAN,
RICHARD TOVEY AND DENISE JUNEAU

Indian Law Clinic Students, University of Montana School of Law

AMY PIVETTA HOFFMAN. Amy is currently a third year law student at the University of Montana School of Law and a member of the Indian Law Clinic and the Native American Law Students' Association. She holds a Bachelor of Arts degree in Anthropology with a specialty in American Indian Studies from the University of Washington. Amy will return to Western Washington after graduation to a career in Indian law.

RICHARD TOVEY. Richard is a third year law student at the University of Montana School of Law and is a member of the Indian Law Clinic. Richard grew up in rural eastern Oregon near the Umatilla Indian Reservation. He received his bachelors degree in History and Anthropology from Oregon State University in Corvallis, Oregon. He is married and has a two-year-old son and a three-month-old daughter. He hopes to return to Oregon and continue working in Indian law after graduation.

OVERVIEW OF THE PROCESS:

In the end we each can view the process as a jar that needs to be filled. The first to go in the jar is golf balls. Golf balls represent those things we find most important in Indian education, those things that remain constant. Next, to fill the spaces left between, are the marbles. The marbles stand for those things we believe are important, but will be able to change. Last is the sand. The sand is necessary to fill those important spaces between it all, the spaces that make it whole.

On the following pages is a compilation of the ideas and recommendations offered by each of the break-out groups and a summary of those recommendations:



BUILDING CAPACITY FOR LEADERSHIP

RECOMMENDATIONS FROM PARTICIPANTS

GOLF BALLS

- TREATY LANGUAGE
- CONSTITUTIONAL LANGUAGE
- EDUCATION FOR ALL NATIVE ISSUES
- STATUTORY MANDATE
- INSTITUTIONS
- SELF GOVERNANCE
- LEGISLATIVE RESPONSIBILITY
- SCHOOL BOARD IMPLEMENTATION
- AMICUS ON EDUCATION LAW SUITS
- EDUCATING UP TOWARD THE STANDARDS
- URBAN INDIAN VOICE AND INVOLVEMENT
- RESERVATION EDUCATION
- NATIVE LANGUAGES
- RURAL NATURE OF MONTANA
- REPRESENTATION IN THE LEGISLATURE
- INVOLVEMENT OF THE TEACHERS UNION
- THE CHILDREN
- THE FAMILIES
- HISTORY
- TRADITIONS
- RESPECT FOR UNIQUE NEEDS
- CORE SUBJECTS
- POPULATION DEMOGRAPHICS

MARBLES

- FUNDING
- LEADERSHIP
- INVOLVEMENT
- INDIAN AND NON-INDIAN EDUCATORS
- POLITICAL INVOLVEMENT IN NATIVE AFFAIRS
- ELECTIONS
- FEDERAL INITIATIVE
- RESOURCES
- ACCREDITATION
- PROFESSIONAL DEVELOPMENT
- SCHOOL ENVIRONMENT
- ACADEMIC SUPPORT/RETENTION
- ADDRESSING SPECIAL EDUCATION NEEDS
- EQUAL ACCESS
- RECRUITMENT OF INDIANS TO POLICY POSITIONS
- PARENT AND COMMUNITY INVOLVEMENT
- FISCAL RESPONSIBILITY
- NATIONAL, STATE AND CULTURAL STANDARDS
- IDENTITY
- LAW SUITS
- INDIAN ORGANIZATIONS
- ECONOMIC DEVELOPMENT
- TRIBAL COUNCIL INVOLVEMENT

- COMMUNICATION STRUCTURES
- LOBBYING/POLITICS

MARBLES CONT...

- MORE INDIAN COURSES (QUANTITY & VARIETY)
- CHANGING PERCEPTIONS ON PARENTAL INVOLVEMENT
- ATTENDANCE POLICY

SAND

- CULTURAL SENSITIVITY
- ADMINISTRATION AWARENESS OF INDIAN ISSUES
- STUDENT POPULATION
- SCHEDULING PROCEDURES
- LABELING
- POLICIES
- KNOWLEDGE BASE
- STUDENT MOTIVATION
- DISCIPLINE PROCESS
- SUBSTANCE ABUSE
- HEALTH ISSUES
- OVERCROWDED CLASSROOMS
- PARENTING SKILLS
- PUBLIC AWARENESS
- PREVENTION
- INTERVENTION
- TRIBAL COURT AUTHORITY
- TRIBAL EDUCATION CODE
- EQUITY ISSUES
- BLAME



BUILDING CAPACITY FOR LEADERSHIP

The recommendations put forth by each individual group revealed common threads throughout the conference. All agreed that children and families will always remain a constant, as will educators. We must then continue to develop ways to weave these common threads in such a way as to create a strong fabric for the future of Indian education.

To start, we must first have a clear idea of where we need and want to go in Indian education. Over the last thirty years, this vision has been getting clearer through contracting and education programs as well as the implementation of several federal Indian education laws. We have been able to see a broader picture of contemporary Indian education by looking to these laws and programs to find what is working and, perhaps more importantly, what is not.

It is time now to focus on those common threads among us. Through this conference, we identified several things that are integral, not only to reaching a clear view of what we need and want for the future of Indian education, but also towards developing a strategy and a plan to get there. This conference, through its speakers and participants, has identified the following key factors in Indian education: (1) legal aspects; (2) curriculum and higher education admission policies; and (3) the development of measures for successful implementation of existing Indian educational laws through the efforts of the entire educational community.

Federal, state and tribal governments all play a part in educating Indian people. Montana is unique in its constitutional obligation to ensure Indian education for all of its citizens, Indian and non-Indian alike. Despite this obligation, a gap continues to exist between the laws set in place and the reality of their fulfillment. To close this gap, it is essential that everyone in the educational community have a clear understanding of the laws and obligations that exist so that efforts can be made to address these problems. Additionally, it is equally important that the educational community be aware of the current legal and political options available to address the areas where education efforts in Montana are falling short.

Awareness is the responsibility of all the parties involved. Overwhelmingly, conference participants and speakers identified the need for active efforts by federal, state and tribal governments, the legislature, Indian and non-Indian educators, school administrators, and parents and families as the key to success in Indian education. Through the collaborative efforts of these common threads, equality in education can be achieved for our children. With the continued dedication of the educational community, a strong fabric can be woven.

Evaluation

The Indian Education Laws and Legal Issues Forum was given overwhelmingly high praise from the participants. Although there was some constructive criticism, as is the case with all events, the vast majority of remarks were positive. All presenters received primarily excellent or near excellent marks. The major dissatisfaction arose with the lack of time – the forum was too short to cover all of the information presented.

Comments

- Excellent presentations.
- Information was great.
- Need more time for all the information provided [many similar comments].
- This workshop training was excellent and very educational. I believe this needs to go to all reservations, as there is a lack of knowledge of laws and legal issues.
- Excellent job at keeping to agenda times! Started on time and speaker time frames were good.
- Great! Keep at it! Need more!
- Wow! I really needed this information!
- Need more time for questions and answers.
- An excellent choice of symposium speakers/presentations, but too fast, too short. I recommend longer sessions.
- The conference was excellent. Well organized and comprehensive.
- Too little time! More input from attendees, more input creates more questions, which creates more ideas.
- Great conference, just needed more time to fully address questions of those in attendance.
- Very informative and educational.
- Recommend to all tribal entities in the state of Montana.
- I really liked the information I gathered during this conference. I think it could be a better conference if it was extended to a few days instead of one evening and a day.
- Great conference. I would recommend more time/days. Hard to absorb all the information. Group work was wonderful!

Thank-you

Many thanks go out to those who assisted in this effort, both behind the scenes and in front of the microphone, as well as those who attended and participated. We all learned from each other and hope our camaraderie carries through into future events and efforts.

Montana Indian Education Association Board of Directors

The Montana Indian Education Association (“MIEA”) is a statewide advocacy group for Indian education. MIEA represents all aspects of education with over 350 members including teachers/faculty, K-20 students, parents, administrators, tribal educators, legislators, policy makers, and other interested individuals who want to make a difference in the education of Indian children and adults.

- Carol Juneau, Chairperson
- Thomas Brown, Vice-Chairperson
- Willie Wright, Secretary
- Julie Cajune, Member
- Norma Bixby, Member
- Don Fish, Urban Representative
- Arlene Augare, Member
- Les Munro, Parent Representative
- Denise Juneau, College Student Representative
- Don Munro, High School Student Representative
- Patty LaPlant, Executive Secretary

Indian Law Section of the Montana Bar – and the Montana Bar

The Montana State Bar serves the people of Montana and their lawyers. The Indian Law Section of the Montana Bar focuses on Indian issues.

- William Watt, Chairperson of the Indian Law Section
- Maylinn Smith, Member of Indian Law Section
- Debbie DuMontier, Member of Indian Law Section
- Gino Little, Montana Bar
- Chris Manos, Montana Bar
- Kathy Powers, Montana Bar

Presenters

- Melody McCoy, Native American Rights Fund
- Cathy Warhank, Legal Counsel, Office of Public Instruction
- Joyce Silverthorne, Confederated Salish and Kootenai Tribal Education Director
- Andrew Huff, Indian Law Resource Center
- Maylinn Smith, Indian Law Clinic Director, University of Montana School of Law
- Denise Juneau, third year law student, University of Montana School of Law
- Steve Doherty of Smith, Doherty & Belcourt
- Amy Pivetta Hoffman, third year law student, University of Montana School of Law
- Richard Tovey, third year law student, University of Montana School of Law

Participants

- Arleen Adams, Director TRIO, Salish Kootenai College TRIO Programs
- Jeff Adams, Assistant Vice Provost for Undergraduate and Summer Session, MSU, Bozeman
- Carol Ahenekew, Ronan Public Schools
- Helen Augare, Rural Systemic Initiative, Blackfeet Community College
- Peggy Azure, Character Education, OPI
- Mandi Bird, Blackfeet Community College
- Sheryle Bittner, Board of Trustees, Browning Public Schools
- Diana Burd, Rural Systemic Initiative, Blackfeet Community College
- Miranda Burland, Confederated Salish & Kootenai Education Department
- Reverend Phillip Caldwell, Chairman, Montana Advisory Committee to the US Commission on Civil Rights
- Arnold Calf Boss Ribs, JOM/Colstrip, Northern Cheyenne
- Avis Chenowith, Havre Public Schools
- Carmen Cornelius Taylor, National Indian School Board Association
- Violet Crasco, Hays Lodge Pole School
- Jill Davis, Disability Services/EEO Director, MSU-College of Technology Great Falls
- Mary Lou DeRoulhac, Poplar School District
- Pete Donovan, CSPAC, Board of Public Education
- Robert Doore, Board of Trustees, Browning Public Schools
- Lori Falcon, Indian Education Specialist, OPI
- Gwen Falls Down, Lodge Grass
- Doug Fleck, Wolf Point Schools
- Everall Fox, GEAR UP, OPI
- Gordon Friberg, Superintendent, Arlee Joint School District No. 8
- Floyd “Bob” Gervais, Board of Trustees, , Browning Public Schools
- Quentin Gilham, MSU Billings
- Maggie Good, Confederated Salish & Kootenai Tribal Council
- Elsie Ground, Blackfeet Community College
- Fred Guardipee, Blackfeet Tribal Business Council, HESS Chair
- Glenda Hall, Blackfeet Community College
- Floyd Heavy Runner, Blackfeet Community College
- Dana Hewanakorn, Confederated Salish & Kootenai Education Department
- Lynn Hinch, Bilingual Education, OPI
- Ramona Horn, North Central Montana Talent Search, TRIO, Fort Belknap
- Paul Huber, Wolf Point Schools
- Stan Juneau, National Indian Education Association
- Julene Kennerly, Blackfeet Community College
- Rosella Kills Night, JOM/Lame Deer, Northern Cheyenne
- Deanna Brady Leader, Title VII Director, Great Falls Schools
- Wallace Leider, Lodge Grass Schools
- Melissa Little Plume, Rural Systemic Initiative, Blackfeet Community College
- Robert Mad Plume, Board of Trustees, Browning Public Schools
- Steve Marks, Koror,
- Doris Medicine Bull, JOM/Colstrip, Northern Cheyenne
- Burt Medicine Bull, JOM/Lame Deer, Northern Cheyenne
- Steve Meloy, Executive Secretary, Montana Board of Public Education
- Dr. Mary Sheehy Moe, Dean, MSU-College of Technology Great Falls
- Georgia Not Afraid, Big Horn Teacher Project, Billings, MT
- Roger Old Mouse, Colstrip
- Chris Olszewski, Golden Triangle Cooperative, Shelby
- Linda Osler, Missoula
- Bertha Other Bull, Lame Deer
- Junie Powell, Board of Trustees, Browning Public Schools
- Leon Rattler, Blackfeet Community College
- Loretta Russette, Rocky Boy’s
- Debbie St. Pierre
- Karlona Sheppard, East Glacier
- Randy Sheppard, East Glacier

Participants, Continued

- Michelle Stearns, Missoula
- Arla J. Stroop, Hays Lodge Pole Schools
- Robert W. Martin-Stucker, Lodge Grass Schools
- Ethleen Stump, JOM/Lame Deer, Northern Cheyenne
- Ellen Swaney, Office of Commissioner of Higher Education
- Mary Swier Bolhuis, Bozeman School District No. 7
- Jimmy St. Goddard, Vice-Chair, Blackfeet Tribal Business Council
- Clifford Tailfeathers, Blackfeet Tribal Business Council
- Marie Torosian, St. Ignatius Indian Education Parent Committee
- Calvin Weatherwax, Rural System Initiative, Blackfeet Community College
- Susan Webber, Browning, MT
- Shawn White Wolf, Helena, MT 59601
- Jeannie Young, Esq., Church, Harris, Johnson & Williams, P.C.
- Leslie Wells, Hays/Lodge Pole School
- Donna Yazzie, Lodge Grass Public Schools

Press – Video – Report

- Gwen Lankford – press
- Charlotte Salway – video
- Marion Salway – video
- Amy Sings In The Timber, Native American Law Students' Association, UM Law School
- Susan Stahle, Native American Law Students' Association, UM Law School

