

## WHY ADEQUATELY FUND INDIAN EDUCATION FOR ALL MONTANANS?

### Article X, 1 (2)

The state recognizes the distinct and unique cultural heritage of the American Indian and is committed in its educational goals to the preservation of their cultural integrity

### Supreme Court Decision – Nov. 9, 2004 – Unanimous Decision

"We affirm the District Court's conclusion that the current funding system violates Article X, Section 1 (2), of the Montana Constitution in that the state has failed to recognize the distinct and unique cultural heritage of American Indians and has shown no commitment in its educational goals to the preservation of Indian Cultural identity."

### Jeffery M. Sherlock, District Court Judge, Helena, April 19, 2004:

"This Court hereby rules that the current state funding system violates Article X, Section 1 (2) of the Montana Constitution in that the State has failed to recognize the distinct and unique cultural identity.

"To have any meaning or effect, the Indian Education for all Act requires resources and programs, which in turn, require funding..... In reality, the State appears to be defenseless on Plaintiffs claim that Article X, Section 1 (2) of the Montana Constitution has not been implemented by the State despite the constitution's direction to do so."

### 1972 – Two high school students from Fort Peck – testimony at Con-Con

"We hereby request the state of Montana to recognize the need for the inclusion and implementation of culturally sensitive curricula within the public education system adapted to the ethnic groups within the area of the school district. Most especially, we request that the curricula shall be relevant and sensitive to the native peoples residing in the State of Montana. We would like, very simply, our history, our culture, our identity."

## *Indian Education for All Montanans is:*

*...the only constitutionally mandated curriculum in Montana for the state's educational systems.*

*...meant for ALL students in Montana from kindergarten through college.*

*...insuring that all curricula reflect culturally appropriate American/Montana Indian content through an integrated curriculum.*

*...providing all schools with instructional resources to provide a quality educational curriculum that reflects American/Montana Indians.*

*...providing all teachers with adequate training both in college teacher preparation programs as well as school inservice to enable them to effectively integrate culturally relevant content and teaching strategies into their curriculum.*

*...Montana's educational systems reflecting the wonderful diversity of Montana's citizens.*

## **Montana's Constitution - Article X**

### **Education and Public Lands**

Section 1. **Educational Goals and Duties:** (1) *It is the goal of the people to establish a system of education, which will develop the full educational potential of each person. Equality of educational opportunity is guaranteed to each person of the state.*

(2) ***The state recognizes the distinct and unique cultural heritage of the American Indian and is committed in its educational goals to the preservation of their cultural integrity***

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#### **Helena School District v State, 769 P.2d 684 (S.Ct. Montana.1989).**

The Montana Supreme Court held that Article X, 1 (2) "establishes a special burden in Montana for the education of American Indian children which must be addressed as a part of the school funding issues."

#### **(HB 528) – Indian Education for All (1999)**

**20-1-501. Recognition of American Indian cultural heritage -- legislative intent.** (1) It is the constitutionally declared policy of this state to recognize the distinct and unique cultural heritage of American Indians and to be committed in its educational goals to the preservation of their cultural heritage.

(2) It is the intent of the legislature that in accordance with Article X, section 1(2), of the Montana constitution:

(a) every Montanan, whether Indian or non-Indian, be encouraged to learn about the distinct and unique heritage of American Indians in a culturally responsive manner; and

(b) every educational agency and all educational personnel will work cooperatively with Montana tribes or those tribes that are in close proximity, when providing instruction or when implementing an educational goal or adopting a rule related to the education of each Montana citizen, to include information specific to the cultural heritage and contemporary contributions of American Indians, with particular emphasis on Montana Indian tribal groups and governments.

(3) It is also the intent of this part, predicated on the belief that all school personnel should have an understanding and awareness of Indian tribes to help them relate effectively with Indian students and parents, that educational personnel provide means by which school personnel will gain an understanding of and appreciation for the American Indian people.

## **School Renewal Commission**

### **-Cultural Education-**

The Commission supports state-funded Indian Education for All curriculums and policies/rules developed through partnerships led by the Office of Public Instruction, Board of Public Education, and legislature, including Indian educators, tribes, and others. These partnerships will develop and implement:

- Policies/rules that support and insure that all schools provide the necessary guidance to the school instructional staff and programs to include culturally appropriate instruction for all students.
- Professional development for all school personnel to insure they are adequately prepared to provide instruction and supportive services for all students, including Indian students.
- Curriculum development and supportive instructional resources necessary to meet state accreditation guidelines as well as local district standards to integrate culturally appropriate American/Montana Indian Lessons in all curricular areas in grades K-12 for all students.
- Assessments standards that incorporate measurements for the achievement of all students and are tied to the goals of Indian Education for All.

These partnerships will provide educational opportunities to eliminate the wide disparity in educational achievement that exists between the American Indian students in Montana's Public Schools and their non-Indian peers as clearly documented by educational achievement research and data.

*Vote: August 16, 2004 - Consensus*

# OPI INDIAN EDUCATION SUMMIT "A CALL TO ACTION"

OCTOBER 15-16, 2004

---Excerpts---

## INDIAN EDUCATION FOR ALL PRIORITIES

*More detailed information is available on OPI's Website*

- 1<sup>st</sup>..... **Ongoing funding for Indian Education for All, 20-1-501, MCA, must be included adequately and consistently in the State P-20 budget.**
- 2<sup>nd</sup> ..... **Create and implement a P-20 curriculum that fulfills Indian Education for All**
- 3<sup>rd</sup>..... **Develop and implement a comprehensive plan for professional development on Indian Education for All, 20-1-501, MCA.**
- 4<sup>th</sup>..... **Create and implement an accountability system for compliance with Indian Education for All, 20-1-501 MCA.**

# INFORMATION ON AMERICAN INDIAN EDUCATION

## National - data provided by Education Trust [www.edtrust.org](http://www.edtrust.org)

92% of American Indian students attend public schools.

In 2003, American Indian students were an average of 3 years behind their White peers in Reading and Math.

18 American Indian students are being held back versus 9% of White students.

54% of American Indian students graduate from high school versus 72% White students.

Of every 100 American Indian and Alaska Native Kindergartners – 58 graduate from high school and 7 get a Bachelor's Degree.

Of every 100 White Kindergartners - 93 graduate from high school and obtain at least a Bachelor's Degree.

## Montana – OPI's Website - "American Indian Education Data Fact Sheet"

6% of Montana's Population is Indian – 11% of K-12 Enrollment is Indian.

21% of Indian students are enrolled in our city schools.

2.4% of Certified Teachers are Indian.

60% of students in schools on and near reservations are eligible for free or reduced lunch.

## Monana - CRT Results 2003-04 – Reported Jan. 20,2005:

Reading Performance Level:	<u>At or above Proficient</u>
All Students Combined.....	62.2%
White, non-Hispanic.....	66.3%
American Indian/Alaska Native...	31.8%

Math Performance Level:	
All students, combined.....	56.8%
White, non-Hispanic.....	61.2%
American Indian/Alaska Native.....	25.0%

*(Information prepared by Carol C. Juneau Feb.16, 2005)*

# AMERICAN INDIAN STUDENT GRADUATION RATE

## Summary of the public schools located on/near the seven Montana reservation communities – seven (7) years

<u>Reservations</u>	<u>Total Indian Freshmen</u>	<u>Total Indian Graduates &amp; % of 9<sup>th</sup> grade</u>	
Blackfeet	1,596	643	40%
Crow	1,075	581	54%
Northern Cheyenne	451	260	58%
Flathead	967	509	53%
Fort Belknap	473	292	62%
Fort Peck	1,128	496	44%
Rocky Boy	393	208	53%
<b>Total</b>	<b>6,083</b>	<b>2,989</b>	<b>49%</b>

### Urban Areas (5 cities) over 4-year period starting with 1996-1997 Freshmen to 1999-2000 Freshmen up to 2002-2003 Graduates (includes Billings, Great Falls, Havre, Helena, Missoula)

<b>Total</b>	<b>1,066</b>	<b>502</b>	<b>47%</b>
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Data above was compiled by Carol Juneau based on Fall Reports sent to OPI by schools in Montana. OPI Provided data on student enrollment each year and number of graduates by ethnicity.

<u>Year Freshmen</u>	<u>Year Graduated</u>
1999-2000 Freshmen-----	2002-2003 Graduates
1998-1999 Freshmen-----	2001-2002 Graduates
1997-1998 Freshmen-----	2000-2001 Graduates
1996-1997 Freshmen-----	1999-2000 Graduates
1995-1996 Freshmen-----	1998-1999 Graduates
1994-1995 Freshmen-----	1997-1998 Graduates
1993-1994 Freshmen-----	1996-1997 Graduates

## Graduation Rates – Indian/White – Male/Female Based on the Fall Reports submitted by all schools to OPI

Using freshmen enrollment as starting number and graduation rates 4 years later (these are numbers reported by all schools on their Fall Reports to OPI)  
*Data compiled by Carol Juneau from OPI Fall Report Data.*

	Male	Female	Total	Male	Female	Total	Did not graduate In this 4 year period
<b>1998-1999 Freshmen</b>							
White	6,149	5,747	11,896	2001-2002 Graduates 4,759 – 77%	4,778 – 83%	9,537 (80%)	2,359 – 20%
Indian	713	686	1,399	377 – 53%	336 – 49%	713 (51%)	686 – 49%
<b>1997-1998 Freshmen</b>							
White	6,269	5,743	12,012	2000-2001 Graduates 4,893 – 78%	4,736 – 82%	9,629 (80%)	2,383 – 20%
Indian	712	688	1,400	320-45%	369 – 54%	689 (49%)	711 – 51%
<b>1996-1997 Freshmen</b>							
White	6,377	5,927	12,304	1999-2000 Graduates 5,021 – 79%	4,962 – 84%	9,983 (81%)	2,321 – 19%
Indian	688	664	1,352	326 – 47%	355 – 53%	681 (50%)	671 – 50%
<b>1995-1996 Freshmen</b>							
White	6,400	5,899	12,299	1998-1999 Graduates 5,071 – 79%	4,893 – 83%	9,964 (81%)	2,335 – 19%
Indian	683	595	1,278	349 – 51%	318 – 53%	667 (52%)	611 – 48%
<b>1994-1995 Freshmen</b>							
White	6,156	5,721	11,877	1997-1998 Graduates 4,969 – 81%	4,783 – 84%	9,752 (82%)	2,125 – 18%
Indian	578	585	1,163	297 – 51%	329 – 56%	626 (54%)	537 – 46%
<b>1993-1994 Freshmen</b>							
White	5,823	5,508	11,331	1996-1997 Graduates 4,709 – 81%	4,685 – 85%	9,394 (83%)	1,937 – 17%
Indian	571	532	1,103	309 – 54%	327 – 61%	636 (58%)	467 – 42%
<b>TOTAL FOR ABOVE SIX YEARS</b>							
White	37,174	34,545	71,719	29,422 – 79%	28,837 – 84%	58,259 (81%)	13,460 – 19%
Indian	3,945	3,750	7,695	1,978 – 50%	2,034 – 54%	4,012 (52%)	3,683 – 48%

NOTE: Graduation rate for both Indian and white decreased over these 6 years. 83 to 80 % for white, 58 to 51% for Indian.



T E S T I M O N Y  
RIGHTS OF THOSE UNDER THE AGE OF MAJORITY

Montana Constitutional Convention  
Bill of Rights Committee

I am Mavis Scott and this is Diana Leuppe. We would like to present this testimony on behalf of the <sup>Mary Couper</sup> Wamnbdi-Ota Club and the Tw <sup>White Buffalo</sup> Tanka Ska Indian Youth Clubs, Ft. Peck Reservation.

Inasmuch as there are many rich and diverse ethnic groups making up the people of the State of Montana, it is to the general benefit then, that these various ethnic groups be encouraged to preserve and promote their various cultural heritages, thereby enriching the total quality of life within our democratic society. It is most especially hoped that the various native peoples that now reside within the state of Montana will recognize the value of the unique heritage left to them.

We hereby request the state of Montana to recognize the need for the inclusion and implementation of culturally sensitive curricula within the public education system adapted to the ethnic groups within the area of the school district. Most especially we request that the curricula shall be relevant and sensitive to native peoples residing in the state of Montana. We would like, very simply, our history, our culture, our identity.