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ADVISORY COMMITTEE ON INDIAN EDUCATION IN NEVADA FOR THE NEVADA INDIAN COMMISSION



Sparks Middle School Assembly – Winter 2004

IMPROVING THE EDUCATION OF AMERICAN INDIAN AND ALASKAN NATIVES IN NEVADA

1ST FINAL DRAFT
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LEGISLATIVE COMMITTEE ON EDUCATION

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NEVADA BOARD OF EDUCATION

**NEVADA DEPARTMENT OF EDUCATION
SUPERINTENDENT OF PUBLIC INSTRUCTION**

NEVADA INDIAN COMMISSION



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Introduction

With Nevada's ever increasing population, the American Indian and Alaskan Native population has also increased in our state. The Nevada Department of Education's Research Bulletin of Student Enrollment and Licensed Personnel Information (March 2004) reflects an increase of American Indian and Alaskan Native students in the Public School System from 6,323 to 6,599. This is an increase of 276 students which represents 1.7% of all students. However, the report also reflects a dramatic drop in enrollment in high school. After the freshman year, there is a loss of 145 students, after sophomore year a loss of 124 students and another 101 students between junior and senior years for an average loss of 123 students per years.

The student loss and the inability to track where the students have gone and if they have dropped out or transferred out of state is an issue that needs to be explored. This loss of high American Indian and Alaskan Native school students is of grave concern and is an indication that efforts and research is needed to determine the cause of the student losses and development of strategies and goals to remedy the issue and improve the unique educational needs of American Indian and Alaskan Native youth resulting from cultural, community, language, history and the unique legal relationship with the federal government that has been in place for decades.

Background

The findings of the U.S. Department of Education's Indian Nations At Risk (INAR) Task Force (1991) and the White House Conference on Indian Education (1992) related to Native students who attend public schools --produced in early 1991 and 1992, respectively--suggested systemic reforms that would: a) foster intercultural harmony in schools; b) improve teacher preparation; c) develop instructional curricula and strategies that support diverse cultural needs and learning styles; e) include American Indian and Alaskan Native parents in the educational process; f) adopt a new paradigm for evaluation of American Indian and Alaskan Native student progress and success. The reforms were developed from documented reports and issue papers submitted by stakeholders across the country to identify the status of education and American Indian and Alaskan Natives.

Through the formation of a Nevada State Indian Education Steering Committee, comprised of tribal leaders, tribal education personnel, state and federal educators and interested individuals, improvements in Indian Education for the benefit of Indian people and development of recommendations for the improvement of educational programs to make programs more relevant to the needs of Indians and to be the recognized voice in Nevada Indian Education were developed.

The Steering Committee submitted its report to the White House Conference on Indian Education in September 1991 with the same report being submitted to the Nevada Legislature in support of AB266 to appropriate funding to support a Consultant position for Indian Education. The position which was eventually approved in 1998 has changed from the original intent and need presented by the Steering Committee to a school improvement consultant position under the School Improvement Team of the Department of education.

Over the years with major changes in tribal staff, tribal leaders and educators, the momentum initiated by the initial Steering Committee deteriorated and the committee eventually disbanded. Without an organized consortium of tribal leaders, educators, Indian parents and others, including school district and state education personnel, the goals developed and issues addressed to improve education for Indian youth in Nevada began to deteriorate.

In 2000-2002, the Nevada Indian Commission, in studying matters and affairs affecting American Indians and Alaskan Natives in Nevada, held a series of open meetings and tribal caucus' to identify specific needs and issues of tribes and American Indian and Alaskan Natives. Education was one of the primary topics. From initial discussions regarding educating American Indian and Alaskan Natives and the need to improve tribal-state government-to-government relations specifically focusing on Education, the Nevada Indian Commission recognized the need for the appointment of an Advisory Committee on Indian Education.

Advisory Committee on Indian Education

With initial strategic plan development for the Nevada Indian Commission on education issues, the Commission envisioned the formation of an Advisory Committee on Indian Education for the overall purpose to secure a shared responsibility and partnership for tribal entities and Indian parents in the attainment of quality education for their children and to ensure their maximum participation and active involvement in the planning and development of educational goals, policies, curricula and standards beneficial to native students and their successful completion of mandated educational requirements.

Within this document, the Advisory Committee has identified specific target areas and developed goals to be submitted as recommendations to be considered by the State of Nevada to ensure no Native child is left behind in the benefits of education afforded to all other students in the state. The goals and recommendations are provided to ensure that the unique language, cultural and historical differences of American Indian and Alaskan Natives are included in educating not only native youth, but all youth in the state.

The Advisory Committee promotes equal educational opportunities for American Indian and Alaskan Native and Alaskan Native students and is focused on furthering government-to-government relationship with Tribes, and the empowerment of parents and Indian communities and organizations to develop partnerships with local school districts, the Nevada Board of Education and Nevada Department of Education.

There has been identified, a great need for school districts with Indian student enrollment to actively seek input from the respective tribes on issues which impact Indian students in all areas of education including: discipline, student support services (counseling and guidance), facilities, transportation, curriculum development, attendance policy and enforcement and equitable participation in organized school athletic programs.

The Advisory Committee seeks to encourage Indian parents, school districts, local school boards, the Superintendent of Public Instruction, State Department of Education, State Board of Education and Tribes to work together to explore and find ways to address the high drop out rate, high absenteeism rate and low achievement test scores of Indian students. The Advisory Committee believes that all students can succeed and must be challenged to reach their full potential by being provided with opportunities to learn and be actively included in the local school system.

Through the Advisory Committee, it was determined that a review of current Indian education issues was needed resulting in the formation of this document.

School Districts and Tribal Locations in Nevada

School District	Tribe
1 Carson City School District	Carson Colony Stewart Community Off-Reservation/Urban Indians
2 Churchill County School District:	Fallon Paiute-Shoshone Tribe Walker River Paiute Tribe Off-Reservation/Urban Indians
3 Clark County School District	Las Vegas Paiute Tribe Moapa Tribe Las Vegas Off-Reservation/Urban Indians
4 Douglas County School District	Dresslerville Colony Woodfords Community Off-Reservation/Urban Indians
5 Elko County School District	Elko Band Council South Fork Band Council Off-Reservation/Urban Indians Wells Band Council Owyhee Paiute-Shoshone Tribe
6 Esmeralda County School District	Off-Reservation/Urban Indians
7 Eureka County School District	Winnemucca Paiute Tribe Off-Reservation/Urban Indians
8 Humboldt County School District	McDermitt Paiute Tribe Off-Reservation/Urban Indians
9 Lander County School District	Battle Mountain Band Council Off-Reservation/Urban Indians
10 Lincoln County School District	Off-Reservation/Urban Indians
11 Lyon County School District	Yerington Paiute Tribe Walker River Paiute Tribe Off-Reservation/Urban Indians
12 Mineral County School District	Walker River Paiute Tribe Off-Reservation/Urban Indians
13 Nye County School District	Off-Reservation/Urban Indians
14 Pershing County School District	Lovelock Paiute Tribe Off-Reservation/Urban Indians
15 Storey County School District	Off-Reservation/Urban Indians
16 Washoe County School District	Reno-Sparks Indian Colony Pyramid Lake Paiute Tribe Off-Reservation/Urban Indians
17 White Pine County School District	Ely Shoshone Tribe Duckwater Shoshone Tribe Goshute Tribe Off-Reservation/Urban Indians

Indian Education Consultant / Consultant, School Improvement Program

In 1997, the Legislature enacted Assembly Bill 266, which provided funding to the Department of Education to hire two additional Education Consultants, one to work on problems confronting American Indian students and one to oversee the broader topic of culturally diverse students, including children who are not proficient in the English language. The program for American Indian children and culturally diverse children, including those children who require special instruction to learn English were charged with the following duties:

1. Provide technical assistance and direction to school districts and schools in the special needs of these children.
2. Assess the academic performance of these children and evaluate other contributing factors that may cause these children to perform at achievement levels below the average of other children in similar communities and schools.
3. Identify special programs, methods and materials that may have proven to be effective in improving academic achievement for these children.
4. Establish programs that will assist these children to stay in school and graduate with a standard high school diploma.
5. Assist schools and school districts in planning effective programs to increase parental involvement.
6. Coordinate with existing state and local education programs that serve these children to make effective use of resources.
7. Identify effective teaching methods for teachers working with these children.
8. Coordinate with teacher training programs within Nevada ' s institutions of higher education and with staff development programs offered by school districts to train teachers to work more effectively with these children.
9. Coordinate with school counselors, school social workers and school psychologists to develop awareness of the special needs of these children.
10. Increase participation of these children in school-to-work programs that lead to successful employment or post-secondary training.
11. Assist schools and school districts to increase participation of these children in all school programs to ensure that these children share equally in available resources, programs and services.
12. Assist schools and school districts to utilize available federal programs to serve the needs of these children.
13. Establish a system of information to be used in conducting evaluations of the academic achievement, attendance, participation in school programs and completion of school by these children.

After two years, the position was required to undergo an evaluation to determine whether continued support was warranted and if the two positions should not be made permanent. The scope of the evaluation included: a review of the participation of these pupils in all school programs; assessment of the pupils' academic performance, attendance and dropout rates; identification of successful programs and proven teaching methods; and implementation of effective programs. With recognized success in its first two years, the program and funding for the position became permanent in 2000.

With changes over the past few years in the organization of the Department of Education, the former Indian Education Consultant position activities have changed. The position, now referred to as a school improvement consultant, is subject to the strict control and direction of the team leader in line with specific goals established by the department and the work team. Consultant activities are strictly limited to working with school districts. No support or advocacy is authorized the position to address tribal issues and specific needs to specifically address a plan to improve education of American Indian and Alaskan Natives and Alaskan Natives nor to coordinate or facilitate intra-governmental education forums on Indian education in Nevada.

An example of the limitations is directly evidenced in the lack of direct development and input of recommendations for this document as it is a form of tribal advocacy. For a more effective approach in addressing Indian education issues in Nevada, the Indian Education consultant could have been responsible and directly involved in coordinating the review of needs and issues and coordinating and facilitating development of the goals and recommendations herein. The Consultant could also have coordinated tribal, American Indian and Alaskan Native leadership and Indian educator input for the development of the Department of Education's strategic plan and related plans for the No Child Left Behind effort. Unfortunately, Tribe's, nor their education programs were consulted or given an opportunity to participate to address the special needs of American Indian and Alaskan Native and Alaskan Native students in Nevada.

Through the numerous meetings held over the last two years in developing this document, tribal and Indian leaders and educators have become more concerned with the effectiveness of the Indian Education Consultant position and what role it will have in the future. The goals and objectives contained herein reflect a greater need for building better working and partnership relationships with the Department of Education, School districts, tribes and education programs to improve on education of Indian youth in Nevada.

To allow the Consultant position to become more directly accountable and involved in Indian education issues and improvement of education for American Indian and Alaskan Natives and Alaskan Natives, it is recommended that the position and funding be transferred under the direction of the Nevada Indian Commission to allow a greater level of direct involvement and coordination of improving education relationships, and to be directly involved with implementation of the recommendations herein in addition to fulfilling the duties provided under legislation provided by AB 266.

American Indian and Alaska Native Population In Nevada – BY COUNTY

Source: U.S. Census Bureau, Census 2000 and Las Vegas Indian Center, Inc. Analysis

Area	2000 Total Nevada Population	2000 American Indian and Alaskan Native Alone	2000 American Indian and Alaskan Native Multi-Race	2000 American Indian and Alaskan Native Total	1990 American Indian and Alaskan Native	%Of Change 2000 vs 1990
Carson City	52,457	1,259	463	1,722	1,106	13.8%
Churchill	23,982	1,146	297	1,443	895	28.0%
Clark	1,375,765	10,895	9,833	20,728	6,416	69.8%
Douglas	41,259	692	323	1,015	570	21.4%
Elko	45,291	2,400	447	2,847	2,128	12.8%
Esmeralda	971	50	31	81	74	-32.4%
Eureka	1,651	26	42	68	41	-36.6%
Humboldt	16,106	647	167	814	714	-9.4%
Lander	5,794	231	50	281	295	-21.7%
Lincoln	4,165	73	36	109	58	25.9%
Lyon	34,501	844	449	1,293	623	35.5%
Mineral	5,071	779	59	838	748	4.1%
Nye	32,485	636	460	1,096	499	27.5%
Pershing	6,693	229	100	329	204	12.3%
Storey	3,399	49	46	95	51	-3.9%
Washoe	339,486	6,162	2,908	9,070	4,921	25.2%
White Pine	9,181	302	91	393	294	2.7%
Nevada Total:	1,998,257	26,420	15,802	42,222	19,637	34.5%

AMERICAN INDIAN OR ALASKAN NATIVE
ENROLLMENTS **BY GRADE**, END OF THE FIRST SCHOOL MONTH

Source: Nevada Department of Education - Annual Research Bulletins

TOTAL						
GRADE	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004
PREKINDERGARTEN*	49	44	47	44	45	50
KINDERGARTEN	435	432	459	466	431	470
GRADE 1	462	468	497	530	503	495
GRADE 2	493	462	451	498	535	526
GRADE 3	442	500	492	474	511	542
GRADE 4	482	456	489	505	513	550
GRADE 5	472	499	469	514	508	523
GRADE 6	463	515	521	494	543	545
GRADE 7	462	487	521	539	516	559
GRADE 8	442	475	463	481	538	529
GRADE 9	427	443	508	563	590	646
GRADE 10	397	433	322	397	458	501
GRADE 11	313	357	374	317	321	377
GRADE 12	285	283	296	323	299	276
UNGRADED**	11	13	13	13	12	10
TOTALS	5,635	5,867	5,922	6,158	6,323	6,599
PERCENT	1.78%	1.77%	1.72%	1.69%	1.69%	1.70%

AMERICAN INDIAN OR ALASKAN NATIVE
ENROLLMENTS **BY DISTRICT**, END OF THE FIRST SCHOOL MONTH

Source: Nevada Department of Education - Annual Research Bulletins

TOTAL						
DISTRICT	1998-1999	1999-2000	2000-2001	2001-2002	2002-2003	2003-2004
CARSON CITY	284	289	278	290	280	286
CHURCHILL	328	339	347	340	326	317
CLARK	1,807	1,877	1,989	2,061	2,156	2,315
DOUGLAS	192	183	175	191	203	207
ELKO	745	755	720	669	676	677
ESMERALDA	12	13	15	12	8	8
EUREKA	17	13	19	20	18	15
HUMBOLDT	159	179	151	166	167	170
LANDER	61	51	53	58	62	66
LINCOLN	12	16	17	11	20	14
LYON	282	293	294	349	381	398
MINERAL	180	170	158	165	139	121
NYE	139	148	124	145	136	141
PERSHING	52	58	57	62	57	63
STOREY	3	3	3	1	5	8
WASHOE	1,261	1,383	1,431	1,532	1,615	1,719
WHITE PINE	101	96	91	86	74	74
TOTALS	5,635	5,866	5,922	6,158	6,323	6,599
PERCENT	1.81%	1.80%	1.74%	1.73%	1.71%	1.71%



RECOMMENDATIONS ON IMPROVING THE EDUCATION OF AMERICAN INDIAN AND ALASKAN NATIVES IN NEVADA



On January 26, 2002, the Nevada State Board of Education/Nevada State Board for Occupational Education and the Nevada Department of Education approved its 2002-2006 Strategic Plan.

The American Indian and Alaskan Native Education Advisory Committee of the Nevada Indian Commission supports the efforts of Nevada to promote education specific to American Indian and Alaskan Native in the State and provide the following recommendations and goals to be considered and included in the State's Strategic Plan. The State's Plan has been utilized as the foundation for developing a plan to include tribal and education programs for American Indian and Alaskan Native youth.

STATE VISION

Education: Nevada's Top Priority

STATE BOARD VISION

Leader of Education in Nevada

STATE BOARD MISSION

As the leader of education in Nevada, the State Board of Education is dedicated to ensuring that excellent educational opportunities are provided to all learners by sustaining a coherent, aligned system of instruction and support in partnership with stakeholders.

STATE BOARD PHILOSOPHY

The State Board acts as an advocate and visionary for all children, sets the policy that allows every child equal access to educational services, provides the vision for a premier educational system and works with stakeholders to ensure high levels of success for all in terms of job readiness, graduation, ability to be lifelong learners, problem solvers, citizens able to adapt to a changing world, and to be contributing members of society.

The recommendations, goals and objectives provided would improve the quality of education for American Indian and Alaskan Natives in Nevada by considering cultural, historical, Native community environment and characteristics specific to American Indians.

American Indian and Alaskan Native youth are typically classified and generalized as an area of "cultural concern" and as a "minority population group", however, American Indian and Alaskan Natives are the only ethnic group in the United States that has a unique legal relationship with the federal government that no other ethnic group has. Because of this unique federal relationship and the complexity of tribal governments, programs, jurisdiction and authorities, a greater understanding of the needs of American Indian and Alaskan Native youth in public schools and the state school system need to be distinctly addressed as provided herein.

To best identify specific education issues, the Indian Education Advisory Committee established primary target areas to be considered in implementing goals and objectives identified. The following page provides the specific target areas to be addressed.

Target Areas



1. Early Childhood Education

Prepare American Indian children for future educational experiences by providing early childhood education programs that are culturally, linguistically, and developmentally appropriate

2. Primary and Secondary Education -- K-12

Establish a school environment, which respects, maintains and promotes American Indian values, languages, and traditions.

3. Higher Education

Increase recruitment, retention and graduation rates of American Indian students in Nevada's two and four-year colleges and universities including post-secondary vocational/technical institutions. Increase the number of American Indian faculty and administrative/professional staff at Nevada's colleges and universities

4. Community/Tribal/Parental Participation

Encourage American Indian parents, tribal officials and community leaders to participate in the education of American Indian students.

5. Self-esteem, Cultural Pride and Wellness

Raise the self-esteem and cultural pride of American Indian students.

6. Career Awareness and Adult Education

Develop comprehensive guidance and counseling programs in Nevada schools that meet the career, educational/training, personal and social needs of American Indian students and their families. Expand Adult Basic Education programs for American Indians

7. Career Awareness and Adult Culture/Language Education

Develop and emphasize the traditional and cultural aspects of American Indian and Alaskan Natives, their history and language.

8. Special Needs Education

Develop programs, services and resources for American Indian and Alaskan Natives who have special educational needs (i.e., disabled, hearing impaired, developmentally slow, etc.)

9. Conflict Resolution

Develop and recommend policies and programs on racial conflict resolution and prevention for school districts throughout Nevada.

10. On-Reservation Schools in Nevada

Provide support and develop collaborative relationships with schools located on reservations that are funded by the Bureau of Indian Affairs, operated by a tribe and/or local school district to identify their needs, issues and develop recommendations on education of Native youth in their facility.

11. Parent Education and Training

To inform and educate American Indian and Alaskan Native parents and guardians on Nevada's educational process, graduation requirements, school policies and protocols and how to be involved in the education of their children in the public school system.

GOALS



The following goals are derived from a report entitled "The State of Indian Education in Nevada" as presented by the Nevada State Steering Committee for the White House Conference on Indian Education, September 30, 1991.

Goal#1: By the year 2010, all Native children will have access to early childhood education programs that continue to provide them with the language, social, physical, spiritual, and cultural foundations necessary to succeed in school and reach their full potential as adults

Objectives:

- A. Increase in Head Start Funding
- B. Waive income level guidelines of Head Start
- C. Expand building and facilities of Head Start centers
- D. Develop pre-kindergarten programs
- E. Mandate parent training workshops in Head Start and day care centers
- F. Increase parent involvement
- G. Increase Involvement of the private sector
- H. Coordinate with other community resources, i.e., WIC, Mental health and JOM programs
- I. Include tribes in eligibility guideline process and development
- J. Fund communities with a low population base

Goal #2: By the year 2010, all schools will offer Native students the opportunity to maintain and develop their tribal languages and create a multi-cultural environment that enhances the many cultures represented in school.

Objectives:

- A. Develop a American Indian and Alaskan Native Social Studies curriculum for educators. (e.g. pre European/Colonial to present, treaties, sovereignty, trust responsibilities, tribal governments, land bases, current events, etc.)
 - 1) Funding to hire NA professionals to write curriculum
 - 2) Advise universities and colleges on the need to incorporate curriculum for educator training/education
 - 3) Request NV Board of Education to require newly developed curriculum to be incorporated in existing high school curriculum, as appropriate.
- B. Include American Indian and Alaskan Native and Alaskan Native history curriculum for students at all educational levels
 - 1) Ensure that all students have an opportunity to learn NA History in the NV public school system
 - 2) Encourage the NV Dept. of Ed and school districts to advise NA students of the option of earning foreign language high school credit with their Native language.

Goal #3: By the year 2010, all Native children will demonstrate proficiency with Nevada State Language Arts Standards

Objectives:

- A. Encourage funding for libraries and learning centers for American Indian and Alaskan Natives throughout Nevada
- B. Reactivate the "book mobile" for rural reservation areas
- C. Increase money for tutoring – counselors through JOM and Title V programs
- D. Improve professional and trained tutorial community based programs

- E. Fund for pilot programs
- F. Fund for computer based programs on reservations or in public schools
- G. Coordinate with community colleges/universities to provide peer tutoring (High school to elementary students)

Goal #4: By the year 2010, all Native students will be capable of passing all components of the Nevada State High School Proficiency Exam.

Objectives:

- A. Increased funding for JOM and Title V programs
- B. Incorporate science programs
- C. Develop mentor programs
- D. Development of incentive programs
- E. Develop an educational plan for every reservation in Nevada
- F. Develop "Indian Education Association" out of the Inter-Tribal Council of Nevada
- G. Provide safe-continual bus transportation for Indian students
- H. Provide safe facilities (funds for remodeling)
- I. Provide college prep classes in every school

Goal #5: By the year 2010, all Native students capable of completing high school will graduate. They will demonstrate civic, social, creative and critical thinking skills necessary for ethical, moral and responsible citizenship important in modern tribal, national and world societies.

Objectives:

- A. Develop programs for students that would assist them to succeed in the work world after graduation
- B. Counsel students on alternative programs (assisting them to complete high school)
- C. Improve follow-up / tracking of students
- D. Develop of alternative programs for outlying communities
- E. Fund prevention / intervention programs for drug/alcohol, teenage pregnancy, AIDS information and gangs
- F. Develop curriculum in accordance with tribal councils
- G. Coordinate with local resources to improve agency collaboration
- H. Develop support system for single parents
- I. Fund a Probation Officer specifically for NA/AI students
- J. Strengthen juvenile laws on and off the reservation
- K. Identify impact aid funding levels provided to schools/districts to determine use of funding for addressing American Indian and Alaskan Native youth on reservations (Non-Indians on reservations also covered under impact aid funding)

Goal #6: By the year 2010, the numbers of American Indian and Alaskan Native educators will mirror/reflect the American Indian and Alaskan Native student population of the state. (Note: Currently, the American Indian and Alaskan Native teacher population of the state is 1.12%. American Indian and Alaskan Native general student population is 1.69%)

Objectives:

- A. Increase funding for American Indian and Alaskan Natives to go to college and graduate school level
- B. Develop an Indian community college in Nevada
- C. Increase money for scholarships
- D. Provide support system – assistance for those interested in part-time schooling, i.e., teacher aids, head start teachers, paraprofessionals who work in the schools, etc.
- E. Increase public education about AI/NA and promote positive public relations between different cultures
- F. Increase recruitment for students by Indian educators/professionals
- G. Provide transfer guidelines for students in community colleges
- H. Improve dissemination of information to Indian people regarding Out-of-State-Enrollment requirements

- I. Compile and disseminate information regarding programs which would benefit NA/AI students
- J. Encourage tribes to increase college funding and scholarships for higher education
- K. Increase number of NA/AI college graduates
- L. Encourage tribes to increase college funding and scholarships for higher education.
- M. Encourage colleges and universities to apply for Title VII-Indian Education Professional Development grants
- N. Increase the number of American Indian and Alaskan Native college graduates
- O. Identify a liaison for American Indian and Alaskan Native high school and university/college students to increase university/college enrollment and retention.

Goal #7: By the year 2010, every school responsible for educating Native students will be free of alcohol and drugs and will provide safe facilities and an environment conducive to learning.

Objectives:

- A. Increase funding for hiring, information, etc. on alcohol and drug programs (counselors)
- B. Coordinate with existing programs and/or inter-agency agreements with various programs
- C. Support development of a Youth Treatment center in Nevada
- D. Channel money to tribes and not to the state
- E. Increase involvement with state government
- F. Mandate employee background checks and also incorporate to tribally run schools.
- G. Strict enforcement of tobacco use in schools.
- H. Develop legislation for "drug free" facilities with all tribal programs
- I. Secure tribal support for education programs
- J. Promote Alcohol/drug free youth activities
- K. Provide alcohol/drug counselors in schools
- L. Plan and implement pilot projects for student assistance programs
- M. Encourage students to become involved in extracurricular activities, i.e., cultural, school, sports.

Goal #8: By the year 2010, Native adults will have the opportunity to be literate and to obtain the necessary academic, vocational and technical skills, and knowledge needed to gain meaningful employment and exercise the rights and responsibilities of tribal and national citizenship.

Objectives:

- A. Develop funding for an adult vocational education program
- B. Create community based vocational education programs (JTPA tribal funding)
- C. Increase funding for existing programs (Abe-Adult Basis Education) programs
- D. Coordinate state-local existing programs with community agencies
- E. Improve tribal involvement in planning for pilot projects
- F. Create equitable access to programs for outlying communities

Goal #9: By the year 2010, schools serving Native children will be required to effectively meet the academic, cultural, spiritual and social needs of students for developing strong, healthy, self-sufficient communities.

Objectives:

- A. Encourage tribal, parental, community involvement
- B. Develop community based education programs and to interact with local/state resources
- C. Indian Education Consultant position will assist in coordinating cooperative tribal-state forums on Indian education
- D. American Indian and Alaskan Native and Alaskan Native youth are included and identified as a unique area under the state's No Child Left Behind strategies
- E. American Indian and Alaskan Native students in the public school system are to be provided access to a counselor experienced in Indian education and working with American Indian and Alaskan Native youth

Goal #10: By the year 2010, a statewide plan will be developed and implemented to provide a program for successful conflict resolution and to educate youth on developing and interacting with students of other ethnic groups and prevention of at school violence and youth alienation.

Objectives:

- A. Develop a draft policy on conflict resolution for the Nevada School system in relation to inter-racial conflicts where American Indian and Alaskan Native/ Alaskan Native students are involved.
- B. Create a policy and process for addressing conflicts, violence and alienation of students by other students, school staff, instructions and administration for school districts in Nevada
- C. A monthly reporting system will be in place to provide a report on incidences of violence, racial conflicts, Native youth drop out, transfers and academic performance

Goal #11: By the year 2010, every school responsible for educating Native students will provide opportunities for Native parents and tribal leaders to assist in planning and evaluation of governance, operation, and performance of their educational programs.

Objectives:

- A. Provide funds necessary for mileage, per diem, registration fees to attend meetings, i.e., school board, education committee meetings and educational conferences
- B. Reactivate Affirmative Action Program
- C. Match federal funding with the number of American Indian and Alaskan Native students as reported by school districts and tribes
- D. Create a tribal coalition for programs on the development of state apprenticeships
- E. Lobby state legislators, representatives, Governor's Office, etc. for support

Goal #12: By the year 2004, the Nevada Board of Education and the Nevada Department of Education will have a active and cooperative partnership with the Advisory Committee on Indian Education to effectuate results oriented outcomes to address the issues listed on Attachment B.

Objectives:

- A. Create an office on Indian Education in the Nevada Department of Education (similar to California, New Mexico, Montana and other states with Indian Education offices in the state Department of Education)
- B. Seek and procure funding to adequately provide for staffing, travel, operating expenses and other support funding need to operate the office
- C. Encourage the Nevada Department of Education and the Nevada School Board to implement and support a statewide policy on Indian Education (See example shown on page 14) and require local school districts to develop and implement a policy on Indian Education for their specific service area.

Goal #13: By the year 2006, a state office on Indian Education for Nevada will be developed under the Nevada Indian Commission.

Objectives:

- A. Conduct a review to update and re-evaluate job description, duties and performance standards for the Consultant position and modify as needed to address the issues and recommendations addressed herein.
- B. Transfer the Consultant on Indian Education and support funding from the Nevada Department of Education to the Nevada Indian Commission with an office located at the Indian Commission
- C. Implementation of recommendations to improve Indian education in Nevada will be initiated and completed by the office of Indian Education and the consultant.
- D. The office on Indian Education will coordinate and facilitate with the assistance of school districts, tribes and programs, local education groups or coalitions to assist in implementing provisions of the recommendation plan

- E. On-site tribal and school district site visits will be coordinated annually to research level of improvement of education graduation and knowledge of students and for network and interacting with American Indian and Alaskan Native students (includes networking with tribal schools located on-reservation)
- F. Implement a method of Native Student recognition on a statewide basis to encourage graduation, and support potential candidates for furthering educational and career goals by provide information on opportunities, internships and other programs.
- G. Will report quarterly to the Nevada Indian Commission and the Department of Education on issues of violence and conflicts, transfers, dropouts and related matters on education of American Indian and Alaskan Native youth in Nevada, causes and resolutions implemented for each instance.
- H. Will provide training on cultural competency for school administration, school boards, educators and administrators on working effectively with American Indian and Alaskan Native students and understanding the American Indian culture.
- I. Where one is not available, may serve in a American Indian and Alaskan Native counselor for Indian Students to ensure assist student for successful graduation.
- J. Will become a liaison for tribes and school districts as needed
- K. Conduct annual assessment of education programs provided in each school district providing programs for American Indian and Alaskan Native students.
- L. Consultant will assist in coordinating activities and meetings with the American Indian and Alaskan Native Advisory Committee on Education to develop tribal-state relations, consultation, collaboration and sharing of information and ideas on educating American Indian and Alaskan Native youth in Nevada.

Goal #14: By the year 2010 each school district will have a specific voting member seat for an Indian Education representative and will provide American Indian and Alaskan Native students access to a Counselor experienced on Indian Education

Objectives:

- A. Initiate planning efforts for consideration of legislation to provide a voting member seat to be designated for a American Indian and Alaskan Native representative where a tribal reservation is located within the district
- B. Each school district with a American Indian and Alaskan Native enrollment of 5 or more will be required to provide students access to meet with a counselor experienced in the field of Indian Education and working with Indian students within their district
- C. School districts with resident reservation lands within their service area will be required to develop a plan for a District-wide American Indian and Alaskan Native/Alaskan Native counselor/advisor or consultant to implement recommendations and address issues relevant to their specific district area.

PROPOSED POLICY STATEMENT ON INDIAN EDUCATION IN NEVADA

The following is a sample of a policy statement that could be developed and enacted with in Nevada to further improvements and solidify state efforts towards improving the education of American Indians and Alaskan Natives in Nevada Health Division

I. AUTHORITY

This statement of policy is promulgated pursuant to Nevada Revised Statutes 385.005(2)

NRS 385.005 Declaration of legislative intent; policies of integration or desegregation of public schools; recommendations to Legislature for equality of educational opportunity.

1. The Legislature reaffirms its intent that public education in the State of Nevada is essentially a matter for local control by local school districts. The provisions of this title are intended to reserve to the boards of trustees of local school districts within this state such rights and powers as are necessary to maintain control of the education of the children within their respective districts. These rights and powers may only be limited by other specific provisions of law.

2. The responsibility of establishing a statewide policy of integration or desegregation of public schools is reserved to the Legislature. The responsibility for establishing a local policy of integration or desegregation of public schools consistent with the statewide policy established by the Legislature is delegated to the respective boards of trustees of local school districts and to the governing body of each charter school.

3. The State Board shall, and each board of trustees of a local school district, the governing body of each charter school and any other school officer may, advise the Legislature at each regular session of any recommended legislative action to ensure high standards of equality of educational opportunity for all children in the State of Nevada.

(Added to NRS by 1973, 471; A 1997, 1840)

II. MISSION STATEMENT

The Nevada State Board of Education, through its constitutional duties and responsibilities affirms that the primary purpose of schools in Nevada is to provide equal educational opportunities for all students. Quality educational services will be provided to enable students to reach their full potential by mastering learning skills and knowledge and by acquiring desirable personal qualities and values.

The State Board of Education believes that local control and direction will best accomplish the shared responsibility and leadership necessary for the effective and efficient use of public funds and other resources for the continuing involvement of parents and communities in the educational process.

The State Board of Education respects, understands and appreciates the opportunities offered by Nevada's diverse population.

III. STATEMENT OF POLICY

Through this Policy Statement on Indian Education, the Nevada State Board of Education affirms its commitment to support quality educational opportunities for American Indian students. The purpose of this policy is to reflect systemic reform that emphasizes local control, government-to-government relationship with Tribes, and the empowerment of parents and communities to develop partnerships with school districts. It is the purpose of this policy to secure a shared responsibility and partnership with Tribal entities and Indian parents in the attainment of quality education for their children and to ensure their maximum participation and active involvement in the planning and development of educational goals, policies, curricula, and standards.

The State Board of Education recognizes that American Indian people share a unique relationship with state and federal governments, and furthermore, the federal government has a trust responsibility to provide educational services for all Indian children.

Indian students have unique educational needs that are the result of their language, culture and history. The State Board of Education believes that the educational needs of Indian students can be identified and addressed by school districts working with Tribal leaders and Indian parents in a true spirit of shared responsibility and partnership.

In order to promote the delivery of the most appropriated education and services for Indian students, the State Board of Education encourages the Superintendent of Public Instruction, the State Department of Education and the Tribes to work in a government-to-government relationship. It is the policy that school districts with any Indian student enrollment actively seek input from the respective Tribes on issues that impact Indian student support services (counseling and guidance), facilities, curriculum developments and attendance policy and enforcement.

The State Board of Education recognizes the culture and traditions of American Indian people as sources of strength and wisdom that Indian children bring with them to the educational process. The State Board believes that both American Indian and non-Indian populations of the State Board recommends that school districts work with Tribes in the development of native language and culturally relevant curricula.

The State Board of Education recognizes the culture and traditions of American Indian people as sources of strength and wisdom that Indian children bring with them to the educational process. The State Board believes that both American Indian and non-Indian populations of the State need to learn about and acknowledge each other. The State Board recommends that school districts work with Tribes in the development of native language and culturally relevant curricula.

Further, recognizing that there are twenty-eight separate and sovereign Tribes/Bands comprised of the Washoe, Paiute, Shoshone Tribes, in addition to a large urban Indian population representing a diverse tribal populace.

The high standards and high expectations set forth by the State Board of Education shall serve as a foundation for curriculum in local districts, and included in this foundation, for consideration at the state education level, shall be the goals, recommendations and plans of action resulting from the Nevada Indian Education Advisory Committee.

The State Board of Education encourages Indian parents, school districts, local school boards, the Superintendent of Public Instruction, State Department of Education and Tribes to work together to explore and find ways to address the high dropout rate, high absenteeism rate, and low achievement test scores of Indian students. The State Board believes that all students can succeed and must be challenged to reach their full potential by being provided with opportunities to learn.

IV. IMPLEMENTATION

It is the intent of the State Board of Education that the Advisory Committee on Indian Education for the Nevada Indian Commission, the NDE Indian Education Consultant, the State Superintendent of Public Instruction, and the State Board itself shall work cooperatively with Tribal governments to take a leadership role in meeting the pre-K, elementary, secondary, vocational, post-secondary, and special education needs of all Indian students.

This policy will be implemented by the leadership of the Advisory Committee on Indian Education through the Nevada Indian Commission Indian Education Advisory Committee in partnership with the Nevada Department of Education and Nevada Board of Education. The Indian Education Advisory Committee shall provide support and technical assistance in the implementation of the Policy Statement on Indian Education in cooperation with Tribal governments and local boards of education. The local school districts must include a specific component to address the educational needs of Indian students as part of their Education Plan for Student Success.



PROPOSED RECOMMENDATIONS ON RACIAL CONFLICT RESOLUTION IMPACTING AMERICAN INDIAN AND ALASKAN NATIVE YOUTH IN PUBLIC SCHOOLS



Common Parental Concerns:

"When my child comes home from school each day I hope to hear a report of what they learned and what was taught in the classroom. Instead I only hear of who called a fight with whom, what teacher had an attitude or was rude. Instead of hearing of new experiences of school assemblies, I hear how someone made fun of the speaker and performer. When I asked my child about talking to their counselor, I get a shrug and am told "she don't care about me, she treats me like I'm stupid and like I'm taking up her time."

"I had hoped my daughter would have made the school basketball team – I don't know what happened, she always gets MVP or is an all-star when she plays at Indian youth basketball tournaments all over. She's one of the best players. I guess the coach just overlooked her because he filled all the spots with non-Indian girls – girls who can't dribble the ball and barely played before. It just doesn't seem fair, you never see Indian kids on the teams at our school."

"I had to withdraw my son from school because he was always being picked on. He told the school counselor and reported it to the dean, but nobody believed him. They blamed him for the problems, now he's afraid to go to school cause that one guy keeps following him all over and hits at him and calls him dirty Indian and sqaw lover. Things haven't change much at that school from when I went to school twenty some years ago. I went through the same thing then and its sad its still happening today."

Introduction

The U.S. Department of Education-Office of Civil Rights (OCR) reports that “Harassment of students due to race, color, and national origin is a disturbing phenomenon in elementary and secondary education as well as at colleges and universities as shown by the growing number of complaints the Office for Civil Rights (OCR) receives on this issue. This trend is a major concern because of the profound educational, emotional and physical consequences for the targeted students. Examples of racial harassment that OCR has dealt with include racially motivated physical attacks, racial epithets scrawled on school walls, and organized hate activity directed at students.

The American Indian and Alaskan Native Rights Fund reports: over 80% of American Indian and Alaska Native elementary and secondary school students attend public schools, even on Indian reservations. In the public schools, statistics show that American Indian and Alaska Native students have the highest dropout rate of any racial or ethnic group (36%) and the lowest high school completion and college attendance rates of any minority group. As of 1990, only 66% of American Indians aged 25 years or older were high school graduates, compared to 78% of the general population. The 1994 National Assessment of Education Progress showed that over 50% of American Indian fourth graders scored below what the U.S. Department of Education considers to be the basic level in reading proficiency, compared with 42% of all students. In 1988, 32% of all American Indian and Alaska Native eighth grade students performed below the basic academic level in math. This was double the rate of white eighth graders (16%) who performed below the basic levels in math and greater than the rate of Hispanic eighth grade students (28%) and African American eighth graders (29%). That same year only 5% of all American Indian and Alaska Native students performed at an advanced level in math, which was the smallest percentage of all ethnic groups.

Most people agree that the statistics show the symptoms, not the problems or causes, of Indian education. This is a snapshot of the overall Indian education picture that tribes are seeking to better address in cooperation with the states and the federal government.

Reports and comments throughout the state are similar to those above in relation to the education of American Indian and Alaskan Native in Nevada. American Indian and Alaskan Native youth are not generally included in local or statewide academic awards and recognitions. As the Nevada Department of Education reports the Drop-out rate of American Indian and Alaskan Native students in Nevada has improved, tribal programs at the local level witness not improvement and have witnessed students transferring to other school districts or to boarding schools out of state. Nearly each of the 17 school districts in Nevada have a resident AI reservation in its service area where AI youth attend local schools.

Alienation, being left out, not fitting in, not being liked, school staff bias, prejudice, being picked on, always having to watch their back, being on the defensive, always having to act tough, nobody to talk to, needing help with classes are frequent concerns addressed by American Indian and Alaskan Native youth. Falling behind, not being able to catch up, nobody to help, nobody who cares. Personal problems and home situations – nobody to talk to, nobody to help, don't know where to turn or what to do.

Many students may experience these feelings at times, however, the trend in Indian communities over the years has been on-going and continues to this day. American Indian and Alaskan Native students and parents as well as tribal programs rely on the school district and Department of Education to provide the knowledge and expertise to improve education of not only American Indian and Alaskan Native youth but for all students. With problems including those listed below, much change will need to be made for American Indian and Alaskan Native to meet the basic standard requirements for graduation.

Population growth into 2025 for Nevada indicates that local schools will be filled to capacity and a great potential for inter-racial conflicts, violence, bullying will be prevalent. The general practice of detention, suspension and expulsion is not an answer to the issues that need to be address.

In focusing on improving the overall education of American Indian and Alaskan Native youth in Nevada, tribal leaders, parents, tribal programs and American Indian and Alaskan Native people throughout the state are working together to provide recommendations on addressing situations facing American Indian and Alaskan Native education. This document provides recommendations on the need for developing a statewide directive on conflict resolution and character development to educate not only our youth but parents, educators and administrators.

Programs across the country have been developed as model approaches or best practices that need to be considered in developing a statewide standard on promoting respect, kindness and caring toward your fellow man. This principle is a traditional principle historically taught to American Indian and Alaskan Native youth over the ages.

Today, many elders continue to promote mutual respect and regard for “our brothers” who came from another land. The traditions are dying out as elders pass on. But the teaching should not be left to the elders and traditions of Indian culture, but need to be encouraged and promoted within our youth from the very young age throughout their formal and higher education into adult hood.

Indian culture teaches by example. Indian people are visual, and they learn from what they see and experience in the earth and through the environment. Watching a wolf care for its pack resembles the way a mother is to care for her children. Watching a beaver build and care for its home shows us how to build and care for our homes. Teaching basketry and harvesting fur skins taught mathematics. Study of the plant life, herbs and medicines taught principles of chemistry and provided healing for others.

Youth today are required to complete a foreign language of Spanish, German or French. What will this help an Indian youth who would never travel to a distant country? Why wouldn't Washoe, Paiute, Shoshone or Navajo be as important to learn within their own community.

These are examples of great differences in Indian culture that most school administrators or teachers are familiar. Conflict resolution and violence on reservations is rapidly increasing and little is being done to collaborate the general community together to prepare an example of cooperation and partnerships for youth in our state.

Because Nevada is unique with it's large rural areas, nearly every county has a tribal reservation where American Indian and Alaskan Native youth attend local public schools. With the lack of understanding of the American Indian and Alaskan Native culture and history in Nevada and across the country, collaboration with tribes, partnering with Indian communities is not viewed as important and the Indian community and parents are left to fend for their own – until a problem arises off the reservation and at the school.

Administrators, staff and teachers may never have visited a reservation and lack the knowledge, education and experience of the circumstances in which American Indian and Alaskan Native youth live and grow. They have no understanding of the home and community situation yet American Indian and Alaskan Native youth and parents are bound to comply with policies and standards that result in added conflicts with other ethnic groups. Few school districts fail to tap into resources available for Indian education that can benefit other students. Partnerships with tribes on education needs could be an influential factor in grant funding for improving education programs targeted for American Indian and Alaskan Native students, but accessed by all. Joint/collaborative programs for tutoring, transportation, athletic building, counseling and general guidance for successful graduation could be a new avenue in facing shortages in local schools.

What is a racially hostile environment?

The U.S. Department of Education-Office of Civil Rights (OCR) defines a racially hostile environment that may be created by oral, written, graphic or physical conduct related to an individual's race, color, or national origin that is sufficiently severe, persistent or pervasive so as to interfere with or limit the ability of an individual to participate in or benefit from the recipient's programs or activities.

Federal civil rights laws are intended to protect students from discrimination, not to regulate the content of speech. OCR is sensitive to First Amendment concerns that may arise in the course of addressing racial harassment complaints and takes special care to avoid actions that would impair the First Amendment rights of an institution's students and employees.

What are the responsibilities of schools and colleges?

Prohibited discrimination occurs when a recipient condones, tolerates or allows a racially hostile environment that it knows about or when recipient's employees treat students differently because of their race.

What is Conflict Resolution?

Definition: Conflict resolution is a constructive approach to interpersonal and inter-group conflicts that helps people with opposing positions work together to arrive at mutually acceptable compromise solutions.

Conflict resolution programs can have many components but primarily include two underlying principles: a) programs where the disputants work among themselves to settle their differences and 2) programs where a mediator (an uninvolved, impartial "third party") helps the disputants reach agreement

Primary principles of conflict resolution programs include active listening (participants summarize what each has said to ensure the other party understands), willing cooperation between disputants; acceptance of each other's differences; and creative problem-solving, which takes into account each disputant's position.

Conflict resolution programs are best used as part of a long-range comprehensive plan to improve the learning climate at a school and to teach students alternatives to violence. Thus, conflict resolution should be included as a regular part of the school programs and curricula.

Priority Issues Identified which cultivate racial conflicts in local schools:

1. State Education overall have no true knowledge or education of American Indian and Alaskan Native history and uniqueness – cowboy and Indian mentality still prevalent. School curriculum lacks accurate record and history of Indian culture and no education of AN/AN's and tribes today is taught.
2. Long standing historical conflicts have not been not forgotten – taking of land, killing of people, stealing of women and children, forced removal to boarding schools, forced relocation and assimilation. Oral histories are passed down from generation to generation.
3. Unspoken biases are clearly evident and promoted (ie. the smart kids, the athletic kids (jocks), the Latino or Indians, class favorites and the ones who are un-liked because of how they look or dress, or because they hang out with the wrong crowd or who hang out across the street from the school.
4. Conflicts escalate into fist-fights and those involved are suspended and in some instance incarcerated. They eventually return to school with a yet unresolved conflict that soon erupts into another fight, student division or spreads discontent to other students. A hostile and volatile environment is thus created – at times without the knowledge of school administration
5. No identification with the general non-Indian society is prevalent due to reservation history, small local family units and communities and large extended family relations, tribal government structure
6. Teachers and staff are known to ridicule American Indian and Alaskan Native culture during cultural events – name-calling, stereotyping, belief in untrue myth
7. Non responsive or biased school administration (in some areas) has continued for years
8. Increased racial conflicts and tensions escalating between American Indian and Alaskan Native youth, Hispanics and other groups with Student conflicts many times are ignored and go unresolved
9. Improper allegation and labeling of gang affiliation is prevalent towards American Indian and Alaskan Native and Hispanic youth.
10. Disputes of who can wear what colors and what type of dress is appropriate is more of an issue to school administrators than developing an overall acceptable and collaborative resolution which includes input from all students
11. Disciplinary approaches such as detention and suspension from school do not address underlying problems leading to violent outbursts, which stem from issues within the home environment and local community
12. Most school environments are viewed as sterile, cold and off-putting. At any given time, you can go to the front office and you will see students being treated in a sharp and many times in an unfriendly manner – especially when there is no parent around. Little respect or kindness is shown towards others including the students they serve. General kindness, common courtesy, fun and laughter are hard to be found
13. Many teachers are openly disrespected by their students

Recommendations:

While the elimination of racism and racial conflict in our society will require more than simply a revision of educational policies and practices, providing students with a sound foundation for opposing bias when they are faced with it in other spheres of their lives is an important contribution. The following are recommended for consideration for the Nevada School system at all levels.

- A. Engage the technical assistance of U.S. Department of Education-Office of Civil Rights (OCR) to assist in development of a plan for collaboration with state, tribal and local education and law enforcement agencies to encourage educational institutions to improve their anti-harassment policies and procedures and to assist students and their parents to work with schools to enhance the schools' anti-harassment capability
- B. Coordinate with the U.S. Department of Education-Office of Civil Rights (OCR) to conduct an assessment of violence, racial conflicts and bullying occurring in Nevada schools which involve American Indian and Alaskan Native as the offender and as victim for development of a state policy, best practice and programs to address current issues and prevent future problems of racial conflict in the school system.
- C. Initiate development of statewide cooperative tribal-school-state programs with funding from Title IV – 21st Century Schools, Part A – Safe and Drug-Free Schools for Nevada

With enactment of Title IV—21st Century Schools, Part A – Safe and Drug-Free Schools and Communities Act Sec. 4002. 4002, there was concern at the national level for the need to support programs that prevent violence in and around schools; that prevent the illegal use of alcohol, tobacco, and drugs; that involve parents and communities; and that are coordinated with related Federal, State, school, and community efforts and resources to foster a safe and drug-free learning environment that supports student academic achievement” throughout the country. Much work is still needed to implement the provisions and obtain funding for programs in our home state.

- D. Specifically include Tribes for project funding from State Tobacco Settlement funds to develop collaborative partnerships with entities and people groups throughout the community.
- E. Consider best practice models for development of statewide program for Student/Staff/Community Character Building and Collaborative projects where tribal communities are within service area
- F. Request the Nevada Department of Education and all school districts in the state to specifically address how to improve education curricular, testing levels, academic achievement and graduation rates, more emphasis needs to address building character traits, development of inter-personal relationships, mutual respect, kindness or how to establish friendships and promote an overall cooperative school environment for all students regardless of race, color, ethnic background or gender.
- G. Require training on American Indian and Alaskan Native Studies (Historical and current) as well as Multicultural Education which will include examples of the following components:
 - state requirement for education administrators, staff and teachers complete 40 hours of training and education on cultural competency, character building, American Indian and Alaskan Native studies (1400-Current) prior to licensing or certification
 - Training to include on-site visit to a host reservation and direct participation in local tribal education project for gaining experience on working with American Indian and Alaskan Native youth
 - develop curricula on American Indian and Alaskan Native History and Indian Affairs
 - address the psychological aspects of prejudice and assimilation of racial minorities into the mainstream
 - develop a module of activities for elementary school students against prejudice includes curriculum materials and public relations strategies organized by schools, the media, and community groups to celebrate the differences among people
 - develop activities and curricula to raise the self-esteem of minorities and to improve their success in the local school district
 - education labeled "multicultural" evades the explicit issue of racism by diverting attention to milder topics like differences in cultural heritage and social values. Thus the more relevant, although uncomfortable,

topics are avoided

- some school districts without small or no minority group students do not promote the discussion of racial or ethnic differences
- all Nevada school districts should be required to comply
- teaching students about differences is not sufficient to change their beliefs and behavior
- at the University Level – Have Education major program requirements to require (in addition to courses on cultural differences) the students to participate in field experiences that put them in contact with different cultural groups
- **School Districts comply with requirements to promote more awareness and understanding of racism and human relations by creating learning environments that provide the opportunity for students and teachers to examine broad social perspectives of our multiracial society, and caution student and teachers about the dangers of extremism**

H. Consider best practice models for development of statewide program for Student/Staff/Community Character Building and Collaborative projects.

Using the Resolving Conflict Creatively (RCCP) model (attached), curriculum and instruction will be developed to specifically reduce racial conflict and includes the following components of the model program:

- mediation component, with the sole goal of cutting down on student violence
- conflict resolution curriculum that calls for more active student participation
- adopt conflict resolution with efforts anchored to a curriculum
- provide student mediators / conflict managers- facilitating communication between disputants
- student mediators do not act as judges or police officers
- include teachers who regularly use the established or model curriculum developed
- provide training course for teachers; mediator training for interested students, parents, and staff and "outreach seminars" to help all students become aware that a nonviolent technique is available at the school for resolving conflicts
- parents attend workshops and then lead work-shops for others
- require all students to take a dispute resolution course in ninth or tenth grade
- develop and implement mandatory statewide mediation program
- conflict management curriculum to be provided in all schools (charter, home school, public, etc.)
- The programs emphasize learning from experience, with teachers serving as facilitators and coaches
- Through role-playing and a variety of team projects, students learn how to deal with anger and how to work with others to arrive at win-win solutions
- Schools with mediation programs use students as mediators so they can learn from experience how conflicts can be resolved peacefully.

G. Special Thoughts to Consider on Curriculum, Teaching and Policy development for conflict resolution

- Check textbooks and other resources for bias
- Reflect the cultural diversity of the school in teaching strategies
- Use the cultural arts to encourage critical thinking about social issues
- Affirm racial and cultural differences with regular and special activities, not only during a special time such as American Indian and Alaskan Native Heritage Month, Black History Month and the Chinese New Year, but throughout the school year – include elders, parents and adults to share on traditional teachings – not just be on display
- Issue policy statements concerning race, ethnicity, religion, and gender that cover broad school district philosophy, as well as hiring practices and the handling of bias motivated incidents.
- Maintain racial and cultural diversity among members of the administration, faculty, and staff.
- Provide services for victims of bias motivated violence.
- Report and monitor trends in racial attitudes.
- Establish committees on human relations that include students, faculty, and staff.
- Funding is need for developing curriculum and training programs for tribe's and local communities
- State to provide direct network and outreach to Tribes for developing 21st Century programs

Target Outcomes:

- ❖ Students report that they feel better about themselves and safer at school

- ❖ Students, Staff and Administrators handle conflicts quickly, sometimes taking only minutes to deal with situations
- ❖ Many schools report that student mediators help solve large numbers of disputes and disputes remain settled in the vast majority of cases
- ❖ Best student mediators are those who had been considered troublemakers
- ❖ Teachers report fewer fights and more caring student behavior
- ❖ Administrators, noticing improved attendance and a dramatic decline in the number of suspensions, find that they spend less time on disciplinary matters
- ❖ Students, teachers, and parents can arrive at a change in attitude toward conflict: they progress from seeing it as either a problem to be swept under the rug or an opening for confrontation (both of which are harmful) to seeing it as a process that defines values and leads to growth
- ❖ Tribal communities, parents and youth feel a sense of ownership and acceptance in the local school district and state education process. They no longer feel isolated and ignored.

Things to do and places to go for Youth - ideas to consider for the local community:

- Create alternative activities and spaces – teen centers, dances, youth space, art and drama programs, youth centers
- Consider native traditional/cultural youth wellness conferences
- Develop a “Camp Anytown” program specifically for Nevada youth – include any youth – don’t just focus on the academically successful.
- Promote leadership and team-building programs for multi-ethnic youth to participate together – learning how to work together as one (Rapport Team Leadership program was a good example)
- Promote a mini-youth retreat where multi-ethnic groups (no more than 15-18 youth in a group) can learn specific skills on interacting with others, making friends, learning how to be kind to others and develop ways to deter negative attitudes, comments or mistreatment of others – including fellow students, teachers, staff and administrators
- Promote a special graffiti-mural art competition day – with a special place designated for artwork coordinated in a constructive, positive and multi-ethnic manner. Provide information on graffiti deterrence. You could use a building or house that is scheduled for demolition – it could become a community event, or allow artwork to remain on a specified location for a week, month, etc.
- Promote inter-racial, inter-religious and inter-cultural opportunities. Promote activities that get youth involved with those outside of their social circle. Teach tolerance. Work to eliminate age profiling and other stereotyping
- Promote cultural exchange – swaps on the Internet, in-state and in-community exchanges, foreign exchanges, cultural pride group presentations, opportunities to travel, etc.
- Create opportunities for community service (e.g., working with senior citizens, providing child care to single parents so they can participate in school activities, etc.)
- Develop programs that teach social and emotional literacy; develop more mentoring and peer educator programs in communities
- Develop mentoring and other programs for detained or incarcerated youth; create opportunities for incarcerated youth to work with other youth on issues of social justice – humiliation of youth on work crews is counterproductive

MODEL PROGRAMS AND BEST PRACTICES TO CONSIDER

1. Resolving Conflict Creatively Program

Every school day, in public schools throughout New York City, young people are learning better ways to deal with conflict and cultural differences through the Resolving Conflict Creatively Program (RCCP).

The program uses engaging, interactive techniques to teach children skills in:

- communication
- anger management
- negotiation
- mediation
- cooperation
- intercultural understanding
- standing up to bias

A two-year study of the program by Columbia University researchers found that children receiving substantial RCCP instruction from their classroom teachers developed more positively than their peers: They saw their social world in a less hostile way, saw violence as an unacceptable option, and chose nonviolent ways to resolve conflict. They also scored higher on standardized tests in reading and math. To read the study, entitled "Teaching Conflict Resolution: An Effective School-Based Approach to Violence Prevention,".

The components of the RCCP include:

- a 3-5 day introductory training course to prepare teachers to implement the RCCP curriculum
- regular classroom instruction based on a K-12 curriculum
- classroom coaching of teachers by expert consultants
- peer mediation programs
- training for school administrators and parents

In 2002-2003, the RCCP provided professional development for about 551 teachers in 98 schools, classroom instruction in conflict resolution and intercultural understanding for 4,270 children; and trained and supported 571 peer mediators and peer leaders.

The RCCP is being replicated in other school systems around the country by the RCCP National Center, an initiative of national ESR based in Cambridge, MA.

For more information, visit www.esrnational.org.

For more information on ESR Metro's RCCP work, contact:

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Program Type: School-based instruction in conflict resolution and intergroup relations, emphasizing mediation, teacher training, and parental influence.

Target Population: Children ages 5-18 (grades K-12).

Setting: Schools in several school districts across the country, including Anchorage, Alaska; Vista, California; Atlanta, Georgia; New Orleans, Louisiana; South Orange-Maplewood, New Jersey; Lincoln County, Oregon; and New York City.

Information Source:

Provided by the National Institute of Justice (NIJ), the National Clearinghouse for Alcohol and Drug Information (NCADI) PREVline electronic data system, and the Centers for Disease Control and Prevention (CDC).

Evaluation Information:

The program was rated among the top 10 violence prevention programs in the Carnegie Report. Past assessments of RCCP have shown high teacher enthusiasm for the program, gains in student as well as teacher knowledge of conflict resolution concepts and skills, and reported changes in student behavior. In a May 1990 study report by Metis Associates, 71 percent of teachers reported moderate or great decreases in physical violence in the classroom, while 66 percent observed less name calling and fewer verbal "put downs." Funded by CDC in 1993, a multiyear outcome evaluation involving 9,000 children in 15 elementary schools in New York City is under way. The results will be available in 1997.

Annual Budget:

Estimated \$33 per student per year.

Sources of Funding:

Foundations and individual donors, contracts with school systems involved in the program, and sale of materials.

Program Description:

RCCP, an initiative of Educators for Social Responsibility, is a comprehensive conflict resolution program for about 150,000 students in grades K-12. RCCP includes curriculums for elementary, secondary, middle, and high school students; a peer mediation program; a parent component; and a component for school administrators. The curriculums are taught by regular classroom teachers, but each teacher receives 24 hours of professional training from RCCP staff plus ongoing technical assistance, consultation, and support throughout the year. The program focuses on creating school change in both the management of individual classrooms and the school overall so that students have a safe environment in which to explore peaceful ways of resolving conflict.

RCCP concentrates on teaching key component skills of conflict resolution and intergroup relations: active listening, assertiveness, expressing feelings, perspective taking, cooperation, negotiation, and ways of interrupting expressions of bias or prejudice. Teachers are encouraged to incorporate conflict resolution discussions and skill building into the regular academic program. The elementary school curriculum includes 51 lessons organized into 12 units, with separate activities for grades K-3, 4-6, and middle and high school grades. The secondary school curriculum covers similar material but at greater depth and sophistication, with an additional focus on ways of deescalating volatile situations that might lead to violent confrontation.

RCCP instructors provide 24 hours of introductory training to classroom teachers, with classroom visits between 6 and 10 times a year. A student mediation program is started only in schools that have been participating in RCCP for at least a year and have a group of teachers who regularly use the curriculum. The emphasis on student mediation as part of a larger schoolwide effort is considered a significant strength over mediation-only projects. All student mediators receive 3 full days of experiential learning plus additional coaching from teachers. Elementary school mediators, selected from grades 4-6, work in pairs and are on duty during the lunchtime recess. In middle and secondary schools, mediators work in teams, acting on referrals they receive from faculty or students themselves and conducting mediations in a room set aside for that purpose.

The program has an administrative component that introduces administrators to the concepts and skills of conflict resolution and bias awareness to show them how they can use their leadership to achieve effective implementation of the program.

The parent training component has two models. In one model, parents receive a series of four workshops. In the second model, parents are trained to train other parents. Potential parent trainers receive a total of 60 hours of training in conflict resolution and intergroup relations that prepares them to return to their schools and provide training for other parents. This program has been well received; parents are using the skills of conflict resolution and countering bias immediately at home with their children and reporting good results.

2. The 4Rs Program (Reading, Writing, Respect & Resolution)

Through our school-based conflict resolution programs, ESR Metro has been a leader in helping teachers prevent youth violence and develop children's emotional intelligence. With schools placing strong emphasis on meeting high academic standards, we need new approaches that incorporate conflict resolution into core academic subjects.

In January 1999, we launched the 4Rs Program (Reading, Writing, Respect, & Resolution) to address this need. Working closely with teachers, we have developed the 4Rs curriculum, which integrates conflict resolution into the language arts curriculum for grades K-5.

To foster high-quality instruction, we provide participating teachers with intensive professional development, including 25-hour introductory courses, classroom coaching, and advanced training.

The thrust of the 4Rs is creating a caring classroom community. Each grade, K-5, has its own teaching guide with seven units:

- Building community
- Dealing with feelings
- Becoming a better listener
- Learning to be assertive
- Dealing well with conflict
- Celebrating diversity & countering prejudice
- Making a difference

Each unit is based on a children's book, carefully chosen for its high literary quality and relevance to the theme. All of the units have two parts. Book Talk suggests activities--discussion, writing, and roleplay--for deepening students' understanding of the book and connecting it to their lives. Applied Learning consists of conflict resolution lessons related to the theme.

By highlighting universal themes of conflict, feelings, relationships, and community, the 4Rs curriculum adds meaning and depth to literacy instruction. Since reading and writing are excellent tools for exploring conflict, feelings, and problem-solving, the 4Rs approach enriches conflict resolution instruction as well.

In 2002-2003, The 4Rs was implemented in 25 schools. Through the program, we trained 150 teachers, who provided instruction to 4,500 students. A major scientific evaluation of The 4Rs is now underway.

For more information on The 4Rs, please contact:

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ESR Metro, 475 Riverside Dr., Rm. 554
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3. Project STOP

Project STOP provides training and support to teachers, students, parents, and administrators in 40 New York City middle schools to help them implement comprehensive programs in conflict resolution and intercultural understanding.

Project STOP is a collaboration of ESR Metro, Effective Alternative in Reconciliation Services (EARS), and Safe Horizon under the auspices of New Visions for Public Schools. EARS and Safe Horizon help schools develop peer mediation programs. ESR Metro works with 20 STOP schools to help them develop programs of classroom instruction for children.

ESR Metro provides:

- introductory training for teachers in conflict resolution and intercultural understanding
- on-site staff development to help teachers conduct weekly workshops in conflict resolution skills and concepts
- support for schools in developing a conflict resolution course that addresses their needs
- coaching to help teachers implement the new course in the program's second year in the school
- "Peace in the Family" workshops to help parents learn conflict resolution skills they can use at home

In 2002-2003, through Project STOP, ESR Metro trained 99 teachers, who taught conflict resolution to 5,064 youngsters. Over 190 parents participated in our "Peace in the Family" workshops.

For more information on Project STOP, please contact:

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4. Early Childhood Adventures in Peacemaking

Research shows that early childhood is a critical time for teaching children social and emotional skills. Through our Early Childhood Adventures in Peacemaking Program, ESR Metro helps pre-school educators teach these important life skills to young children.

Through the program and its special curriculum, early childhood center staff and parents use puppet plays, songs, story-telling, and other age-appropriate activities to teach children how to cooperate with each other better, resolve conflicts peaceably, and handle their anger. Children learn to see things through other people's eyes, be more caring, and steer away from name-calling and prejudice.

ESR Metro has a long track record of teaching young people and adults these skills. For the past 15 years, we have collaborated with the New York City Board of Education to develop and run one of the nation's most respected conflict resolution programs, the Resolving Conflict Creatively Program, in NYC public schools (grades K-12).

Early Childhood Adventures in Peacemaking has these components:

- Introductory training. Preschool teachers receive training to introduce them to Early Childhood Adventures in Peacemaking, our activity guide for early childhood teachers, which has received the Judges Award from the Association of Educational Publishers. Training is tailored to the issues staff are facing in their classrooms.

- Site-based professional development. A staff developer from ESR Metro makes regular visits to the preschool to coach teachers in implementing the curriculum in their classrooms. Coaching includes co-planning activities, observation, conferencing with staff, and demonstration lessons. Teachers begin implementing the program on a daily basis.
- Parent training. Since parents play such a crucial role in the life of a young child, the effectiveness of early childhood education depends on parents reinforcing the school's efforts. We offer parents site-based training and support in teaching their youngsters social and emotional skills.

For more information about ESR Metro's Early Childhood Adventures in Peacemaking Program, contact:

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5. PAZ After-School Program @ P.S. 24

The PAZ After-School Program (Peace from A to Z) provides instruction in conflict resolution, cooperative games and sports, and homework help for some 400 children at Brooklyn's P.S. 24. The program operates from 3 to 6 pm every school day. PAZ was launched in September 1999 by ESR Metro and P.S. 24 with funding from The After-School Corporation.

PAZ is the product of a shared commitment by P.S. 24 and ESR Metro to educating youngsters' hearts as well as their minds. In addition to providing academic support and physical education instruction, PAZ helps children learn to:

- communicate better
- identify and express feelings
- manage anger
- handle conflicts nonviolently
- cooperate with peers
- respect differences
- stand up to bias

In 2000, The After-School Corporation gave PAZ a "Promising Practices" award for its cooperative sports component. PAZ was also one of five after-school programs chosen by TASC to participate in their in-depth evaluation.

In addition to our ongoing work with PAZ, ESR Metro also provides training and support to other after-school programs around New York City that want to integrate conflict resolution into their work with youngsters.

For more information on PAZ, please contact:

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GENERAL INFORMATION ON AMERICAN INDIANS/ALASKAN NATIVES AND TRIBAL GOVERNMENTS

Indian Ancestry and Tribal Benefits

People often assume that being part Indian automatically entitles them to federal and/or tribal benefits. This is a misconception shared by Indians and non-Indians alike. Generally speaking, disbursements made to Indians represent income or benefits from the following sources:

1. An individual's share of tribal money from a compensation decision made by the Indian Claims Commission;
2. Property owned by an Indian that has been collected for him by an agent of the Federal Government;
3. A tribal claim for payment for lands taken many years ago or in connection with more recent transactions;
4. The use of tribal timber or other reservation resources, a percentage of which is distributed among tribal members;
5. The fulfillment of treaty obligations. These funds belong either to the tribe or the individual and are held in trust by the Federal Government;
6. An individual's share of membership royalties, revenues or per capita from tribal revenues generated from tribal businesses or other resources of their tribe;
7. Assistance to individuals for health care, education scholarships, general assistance and housing or other services provided by the tribe.

To be eligible for payments from federal or tribal funds, a person must be member of a federally recognized Indian tribe whose money is being distributed. Eligibility depends on proof of blood relationship (descendants) and requires tracing this relationship to an ancestor whose name appeared on a tribal census roll. If the ancestor's tribal name is known, eligibility assistance can be obtained from the National Archives and Records Service, 8th Street and Pennsylvania Ave., NW, Washington, D.C., 20408.

If the ancestor's tribe is unknown, considerable difficulty in tracing genealogy may be encountered. A good way to begin is by locating records of birth, adoption, baptism, marriage, death or items appearing in local newspapers. Records such as these can be found in churches, the city, county or state clerk's or records office, historical societies, newspaper archives and libraries. Most librarians and genealogical researchers can assist all locating depositories of such records.

If direct descent to a legally entitled member of a federally recognized tribe can be established, the tribe itself or the Bureau of Indian Affairs office, which has immediate federal responsibility over it, can provide the necessary membership requirements. A list of tribal governing bodies and their addresses can be obtained from the Bureau of Indian Affairs, U.S. Department of Interior, Washington, D.C., 20245 or contact the Nevada Indian Commission for assistance.

Who is a American Indian and Alaskan Native?

As a general principle an Indian is a person who is of some degree Indian blood and is recognized as an Indian by a tribe/village and/or the United States. There exists no universally accepted rule for establishing a person's identity as an Indian. The criteria for tribal membership differ from one tribe to the next. To determine a particular tribe's criteria, one must contact that tribe directly. For its own purposes, the

Bureau of the Census counts anyone as an Indian who declares to be such. By recent counts, there are currently more than two million American Indian and Alaskan Natives, including Native Alaskans and Native Hawaiians.

Why are Indians referred to as American Indian and Alaskan Natives?

When referring to American Indians or Alaska Natives, it is appropriate to use the terms American Indians and Alaska Natives. These terms denote the cultural distinction between the indigenous people of the continental United States and those of Alaska. While the term "American Indian and Alaskan Natives" came into usage in the 1960s out of respect for American Indians and Alaska Natives, usage of the term has expanded to include all Native people of the United States and its territories, including Native Hawaiians and American Samoans.

What is an Indian Tribe?

An Indian tribe was originally a body of people bound together by blood ties who were socially, politically, and religiously organized, who lived together in a defined territory and who spoke a common language or dialect. In the eyes of the U.S. government a body of people as described above must be officially recognized in order to be considered a tribe.

What does the term "federally recognized" mean?

Only tribes who maintain a legal relationship to the U.S. government through binding treaties, acts of Congress, executive orders, etc., are officially "recognized" by the federal government. Once "recognized" a tribe has a legal relationship with the United States. There are currently more than 550 federally recognized tribes in the United States, including some 200-village groups in Alaska. However, there are still hundreds of tribes undergoing the lengthy and tedious process of applying for federal recognition.

What does "tribal sovereignty" mean and why is it so important?

Tribal sovereignty describes the right of federally recognized tribes to govern themselves and the existence of a government-to-government relationship with the United States. Thus a tribe is described as dependant nations with the right to form its own government, adjudicate legal cases within its borders, levy taxes within its borders, establish its membership, and decide its own future fate. The federal government has a trust responsibility to protect tribal lands, assets, resources and treaty rights.

What is a reservation?

In the U.S., there are several kinds of reserved lands two more well known include military and Indian reservations. An Indian reservation is a land base that a tribe reserved for itself when it relinquished its other land areas to the U.S. through treaties. More recently, Congressional acts, executive orders and administrative acts have created reservations. Some reservations, today, have non-Indian residents and land owners.

Are Indians U.S. citizens?

Not until 1924 were all American Indian and Alaskan Natives granted citizenship. Before this juncture only individuals who were members of federally recognized tribes and "naturalized" individuals were given the rights of a United States citizen. Presently all American Indian and Alaskan Natives born within the territorial limits of the United States are by law citizens. American Indian and Alaskan Natives have had the privilege of voting in national elections since 1924; however, until recently some states prohibited American Indian and Alaskan Natives from voting in

local elections. New Mexico, for example, did not extend the vote to American Indian and Alaskan Natives until 1962. Most native people, of course, also are members of their respective sovereign tribes.

Are American Indian and Alaskan Natives exempt from military service?

American Indian and Alaskan Natives, despite tribal sovereignty, have the same obligations for military service as all other U.S. citizens.

Do Indians pay taxes?

All Indians are subject to federal income taxes. As sovereign entities, tribal governments have the power to levy taxes on reservation lands. Some tribes do and some don't. As a result, Indians and non-Indians may or may not pay sales taxes on goods and services purchased on the reservation depending on the tribe. However, whenever a member of an Indian tribe conducts business off the reservation, that person, like everyone else, pays both state and local taxes. State income taxes are not paid on reservation or trust lands.

Do American Indian and Alaskan Natives receive any special rights or benefits from the U.S. government?

Contrary to popular belief, Indians do not receive payments from the federal government simply because they have Indian blood. Funds distributed to a person of Indian descent may represent mineral lease income on property that is held in trust by the United States or compensation for lands taken in connection with governmental projects. Some Indian tribes receive benefits from the federal government in fulfillment of treaty obligations or for the extraction of tribal natural resources - a percentage of which may be distributed as per capita among the tribes membership.

Tribal Sovereignty

In 1832, Chief Justice John Marshall articulated the first representation on the doctrine of tribal sovereignty in the court's ruling in *Worcester v. Georgia*. The doctrine reflected that Indian governmental powers, with some exceptions, are not delegated powers granted by express acts of Congress, but are inherent powers of a limited sovereignty that have never been extinguished. Tribal governments possess inherent powers of self-government and sovereignty over both their members and their territory. Examples of tribal governmental powers include establishing a form of government, determining their membership, legislate or otherwise adopt civil and criminal laws for the reservation, power to administer justice, exclude persons from the reservation, charter business organizations, and like other sovereigns, tribes cannot be sued without an unequivocally expressed waiver of sovereign immunity.

The federal government, presidential executive orders and memorandums along with the backing of Supreme Court rulings over the years, have continually reaffirmed recognition of the sovereign status of federally recognized Indian tribes as separate and independent political communities within the United States. However, state governments, when engaging in activities or developing policies affecting state government have neglected to consider the interests of American Indian and Alaskan Native tribal rights or trust resources, which has not been consistent with the national policy on Indian affairs in the past. Efforts in many states are underway to change this where tribal sovereignty is being recognized and activities have been initiated towards building positive and stronger government-to-government relationships, which are respectful of tribal sovereignty, but the work has only just begun. A sharing of the federal policy "torch" to protect the promises the United States made to the Indian people is in its infancy, but positive results in some states can be seen.

The United States Constitution gives Congress the power "to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes" (Section 8, Article I, U.S. Const.) thus recognizing American Indian and Alaskan Native tribes as separate and independent political communities within the territorial boundaries of the United States. With this provision, the United States Constitution has been construed to recognize Indian sovereignty by classifying Indian treaties as part of the "supreme law of the land," and to establish Indian affairs as a unique area of federal concern.

Previous presidents have consistently affirmed tribal sovereignty and, thus, the rights of Indian nations in the following ways: President Lyndon B. Johnson recognized "the right of the first Americans ... to freedom of choice and self-determination"; President Nixon strongly encouraged "self-determination" among the Indian people; President Reagan pledged "to pursue the policy of self-government" for Indian tribes and reaffirmed "the government-to-government basis" for dealing with Indian tribes; and President Bush recognized that the federal government's "efforts to increase tribal self-governance have brought a renewed sense of pride and empowerment to this country's native peoples".

Federal Trust Relationship

The concept of tribal sovereignty, federal Indian policy and the federal trust responsibility is complex. Thousands of treaties, statutes, executive orders, supreme court decisions and agency rulings play integral roles pertaining to tribes and American Indian and Alaskan Native Indians throughout the country, leading some say that Indian people are the most governmentally regulated people in the world.

From the earliest days, the United States has recognized the sovereign status of Indian tribes as "domestic dependent nations." *Cherokee Nation v Georgia* (30 U.S., 1, 17 (1831)). The U.S. Constitution recognizes Indian sovereignty by classing Indian treaties among the "supreme law of the land" and establishes Indian affairs as a unique area of federal concern. The Supreme Court has reaffirmed a standing principle that has long dominated the government's dealings with Indians. The principle is "the undisputed existence of a general trust relationship" between the United States and the Indian people. This relationship is one of the most important concepts in Indian law.

The Supreme Court first recognized the existence of a trust relationship between the federal government and Indian people in its early decisions interpreting Indian treaties. Between 1787 and 1871, the United States entered into hundreds of treaties with Indian tribes. In almost all of these treaties, Indians gave up land in exchange for promises. The promises included a guarantee that the United States would create a permanent reservation for the tribe and would protect the safety and well being of tribal members. The Supreme Court has held that such promises create a trust relationship. This relationship is marked by peculiar and cardinal distinctions, which exist nowhere else and resembles that of a ward to his guardian. These promises created a duty of protection toward the Indian, which exists today but is continually threatened.

In 1977 a Senate commission expressed the obligation of the United States in relation to the trust responsibility as follows:

The purpose behind the trust doctrine is and always has been to ensure the survival and welfare of Indian tribes and people. This includes an obligation to provide those services required to protect and enhance Indian lands, resources, and self-government, and also includes those economic and social programs which are necessary to raise the standard of living and social well-being of the Indian people to a level comparable to the non-Indian society. (American Indian Policy Review Commission, Final Report p.130 (Washington D.C: Government Printing Office, 1977))

The Supreme Court has used such terms as “solemn,” “special”, and “trust” to describe the government’s relationship with Indian tribes. The federal government is the “fiduciary” of tribal resources, which means

“that it must act with good faith and utter loyalty to the best interests” of the Indians.

HISTORY OF FEDERAL INDIAN POLICY AND TRIBAL GOVERNMENTS

Federal Indian Policy can be defined as a course of action pursued by the Federal Government and adopted as expedient in its relations with American Indians. Expedient means action that is considered by the Federal Government to be advantageous or advisable under the particular circumstances or during a specific time span.

Throughout the history of the United States, Federal Indian Policy has shifted from regarding tribes as sovereign equals; to relocating tribes; establishing reservations; suppressing tribal governments; allotting land to individuals, assimilating Indians into the American mainstream; promoting tribal government; termination of Federal services; and encouraging self-determination. This affects the tribal working relationship with the Federal, State, County and Local governments, and other entities.

POLICY STATEMENTS OF U.S. PRESIDENTS

President Richard Nixon in 1970 set legislative agenda for Congress in Indian Affairs to strengthen tribal sovereignty, restore and protect Indian land base, and forever declare an end to involuntary tribal termination. This message represented a strong statement by the Federal Government.

President Ronald Reagan in 1983 issued an American Indian Policy statement reaffirming the government-to-government relationship or Indian Tribes with the United States and promoting self-determination.

President William J. Clinton in 1994 issued a memorandum to all heads of the Executive Departments and Agencies to strengthen the government-to-government relations with American Indian and Alaskan Native Tribal Governments. He outlined principles that executive departments and agencies are to follow in their interactions with American Indian and Alaskan Native tribal governments. He committed to building a more effective day-to-day working relationship reflecting respect for the right of self-government due sovereign tribal governments.

SPECIFIC TIME SPANS AND PERIODS

1. Colonial Times to 1820
2. The Cherokee Cases and Indian Removal, 1820 to 1850
3. Movement to the Reservations, 1850 to 1887
4. Allotments and Attempted Assimilation, 1887 to 1934
5. Indian Reorganization and Preservation of the Tribes, 1934 to 1953
6. Termination and Relocations, 1953 to 1968
7. Tribal Self-Determination, 1968 to present

1. Colonial. Times to 1820

- British Crown dealt with Indian Tribes as Foreign Sovereign Nations
- Treaties were entered into with Tribes by the President with consent of the U.S. Senate. The first Treaty signed between the Delaware Tribe and U.S. in was in 1778.
- Congress granted power to regulate commerce/trade with Indian Tribes

- Congress set basic pattern of Federal Indian Law in a series of Trade and Intercourse Acts passed between 1790 and 1834. These Acts established boundaries of Indian Country; protected against incursion by non-Indians; non-Indians prohibited from acquiring Indian lands by purchase or treaty; trading subject to Federal regulation; prohibited Non-Indians from hunting and grazing on Indian lands; Federal government dealt with Indian Tribes by Treaty; and Indian agents appointed as Federal government liaison under War Department.

2. The Cherokee Cases and Indian Removal. 1820 to 1850

- Despite the Trade and Intercourse Acts, friction continued with non-Indians. As a consequence, Presidents Monroe, John Quincy Adams and Andrew Jackson endorsed solution for removal of Indian Tribes beyond the Mississippi.
- The Indian Removal Act of 1830 forced removal of Indians to Reservations. The Trail of Tears and other removal efforts. Hundreds of Indians evicted forcibly from their ancestral lands.

3. Movement to the Reservations, 1850 to 1882

- Non-Indians continued to move westward.
- Federal policy restricting tribes to specific reservations accomplished by Treaty. Movement of tribes away from their ancestral lands to distant reservations.
- 1871, Congress passes legislation providing that no tribe should thereafter be recognized as an Independent Nation with which the United States could make Treaties. Existing Treaties were not affected.
- Reservations established and each reservation placed under an Indian Agent. His mission was to supervise.
- 1878, Off-reservation boarding schools were established to educate of Indian children away from their family and tribal culture. Children were forcibly removed from their homes.
- 1883, establishment of the Court of Indian Offenses (later called the Indian Claims Commission)
- 1883, U.S. Supreme Court decision of Ex parte Crow Dog. Murder of one Indian by another Indian in Indian Country was within the sole jurisdiction of the Tribe. Congress reacted to this decision by passing the Major Crimes Act declaring murder and other serious crimes committed by an Indian in Indian Country a Federal offense with decision made in Federal Court.

4. Allotments and Attempted Assimilation, 1887 to 1934

- Tribal economies in shambles, Indians living in poverty and no progress being made to overcome these conditions.
- Large tracts of Indian lands were excluded from white settlements.

- Combination of the two issues resulted in the passage of the General Allotment Act of 1887 - also known as the Dawes Act. The purpose of the Act was to break up tribal governments, abolish Indian Reservations, and force Indians to assimilate into white society.
- Indians were given plots of land to cultivate in order to assimilate in the mainstream as farmers.
- Authorized the President to allot portions of (reservation land to individual Indians in 160-acre allotments (head of family), 80 acres to others, and double those amounts if land was suitable for grazing. Allotments were to remain in trust for 15 years and longer if extended by President.
- The Act also authorized the Secretary of the Interior to negotiate with Tribes for the disposition of excess lands to non-Indian settlements.
- Decline of Indian held land from 138 million acres to 48 million in 1934. Of the 48 million, 20 million was desert land.
- Much of the land was lost by sale as tribal surplus and remainder was passed out to allottees.
- After 25 years, lands subject to State property taxation-forcing sales of allotments.
- Leasing of allotted trust land to non-Indians became common, defeating the purpose and intent of providing land to Indians.
- Checkerboard reservations were created.
- 1928 Meriam Report was issued identifying the failure of the Indian Policy

1. Indian Reorganization and Preservation of the Tribes, 1934 to 1953

- Change in Federal Policy. Passage of the Indian Reorganization Act of 1934, also known as the Wheeler-Howard Act.
- Permitted Tribes to set legal procedures of self-government.
- Protected tribal land base and prevented further erosion of tribal lands. Ended practice of allotment and extended indefinitely the trust period for existing allotments held in trust.
- Authorized the Secretary of the Interior to restore to tribal ownership any surplus lands acquired from tribes under the Allotment Act.
- Tribes were authorized to: Acquire land and water rights, Adopt Constitutions and Bylaws, Adopt Charters
- This legislation did not apply to tribes that voted against it.

2. Termination and Relocation, 1953 to 1968

- 1950, Federal Indian Policy again beginning to change.
- 1953, the 83rd Congress adopted a policy of termination making Indians subject to State laws and ended their status as wards of the United States. Pursuant to this policy, several tribes were forced into termination ending their special relationship with the

Federal government. They were made subject to State Laws and lands were converted into private ownership and sold. Federal benefits and services to various Indian Tribes ended.

- P.L. 83-280, 67 Stat. 588 (1953), extended civil and criminal jurisdiction to Indian Country. Five specific States; California, Nebraska, Minnesota (except Red Lake Reservation), Oregon (except Warm Springs Tribe), Wisconsin. Also provided that any other State could assume jurisdiction by Statute or State Constitutional amendment. Alaska was added in 1958. Partial jurisdiction to these States: Arizona, Florida, Idaho, Iowa, Montana, Nevada, North Dakota, South Dakota, Utah, and Washington.
- More than 100 Tribes were stripped of Federal-Tribal relationships. Also during this termination era, relocation, work in metropolitan areas. Some Indians were successful and some not.

7. Tribal Self Determination, 1968 to Present

- Late 1960's, the termination policy was regarded as a failure.
- Congress passed the Indian Civil Rights Act of 1968:
 - Imposed upon tribes the requirements of the Bill of Rights.
 - Traditionally tribes were not subject to constitutional restraints in their governmental actions.
 - Amended P.L.280 so states could no longer assume civil or criminal jurisdiction over Indian country unless affected tribes consented through a special election;
 - States could retrocede jurisdiction to Federal government, Nevada retro ceded in 1975.
- 1970, President Nixon issued statement that clearly set direction for Federal Indian Policy.
- 1975, Congress passed the Indian Self-Determination and Education Assistance Act, P.L. 93-638.
 - This Law authorized Secretaries of the Interior and Health, Education and Welfare to enter into contracts with Indian Tribes. Tribes to assume responsibility for the administration of Federal Indian programs.
- 1978, the U.S. Supreme Court decides Santa Clara Pueblo v. Martinez:
 - This decision dealt with an enrollment issue stating that Tribes have the right to determine their own membership.
 - Federal involvement was limited.
- 1978, Congress passed the Indian Child Welfare Act. The Act was designed to remedy a shameful situation that existed for many years; the wholesale removal of reservation Indian children by state welfare agencies and state courts. The purpose of ICWA is to protect the best interests of Indian children and to promote the stability and security of Indian tribes and families.
- 1988, Congress passed P.L. 100-472, amendments to the Indian Self-Determination and Assistance Act. Added Title III, Self-Governance Project.
- 1994, Congress passed P.L. 103-412, amendments to the Indian Self-Determination and Assistance Act. Added Title IV, Self-Governance.

Major Federal Statutes
(Applicable to American Indian and Alaskan Natives and Tribal Governments)

Title	Citation	Purpose
Nonintercourse Act of 1790	25 USC § 177	Purchases or grants of lands from Indians
Treaties Statute of 1871	25 USC § 71	Future treaties with Indian tribes
General Allotment (or Dawes) Act of 1887	25 USC §§ 331-381	Allotments on reservations; irrigable and nonirrigable lands
Indian Citizenship Act	8 USC § 1401	Provided Indian people to be citizens of the United States
Indian Reorganization Act of 1934	25 USC § 461-479	Allotment of land on Indian reservations; existing periods of trust and restrictions on alienation extended; restoration of lands to tribal ownership; protection of existing rights; Organization of Indian tribes, constitution and bylaws, special election, incorporation of Indian tribes, charter, ratification by election; acceptance of sections 461-479 optional, definitions of Indian, tribe.
Indian Claims Commission Act of 1946	25 USC § 70	Established the Indian Claims Commission
Indian Country, State of 1948	18 USC § 1151	Defined Indian Country
House Concurrent Resolution 108 of 1953	67 Stat. B132	Congressional policy "make the Indians within the territorial limits of the US subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and wherein ... should assume their full responsibilities as American citizens"
Public Law 280 of 1953	18 USC §§ 1162, 1323, 1324	State jurisdiction over offenses committed by or against Indians in Indian country; Retrocession of jurisdiction by State; amendment of state constitutions or statutes to remove legal impediment
Indian Civil Rights Act of 1968	25 USC §§ 1301-1341	Constitutional rights of individual Indians; habeas corpus
Indian Self-Determination and Education Assistance Act of 1975	25 USC §§ 450-451n, 455-458e	Congressional declaration of policy; contracts by Secretary of Interior with tribal organizations, grants to tribes and tribal organizations
Indian Child Welfare Act of 1978	25 USC §§ 1901-1963	Protection for Indian children; to promote the stability and security of Indian tribes and families by establishing provisions for removing Indian children from their families and foster care placement
American Indian Religious Freedom Act of 1978	92 Stat. 469 (1978)	Established the protection and preservation of traditional religions of Indian people ensuring the freedom to believe, express and exercise traditional religions including access to sites, use and possession of sacred objects and freedom to worship through ceremonial and traditional rights.
Indian Gaming Regulatory Act	25 USC 2701-2721	Provides regulation of Indian gaming
American Indian and Alaskan Native Grave Protection and Repatriation Act	25 USC 3001 (1990)	Provides for the protection of American Indian and Alaskan Native graves and repatriation of burial remains and funerary objects; notification of findings
Memoranda of the President	April 24, 1994	Government-to-Government Relations with American Indian and Alaskan Native Tribal Governments
Executive Order #13007	May 24, 1996	Indian Sacred Sites – protect and preserve
Executive Order #13084	May 14, 1998	Consultation and Coordination with Indian Tribal Governments

State of Nevada Indian Commission

The Nevada Indian Commission (NIC) is a State agency created by statute in 1965 to, “study matters affecting the social and economic welfare and well-being of American Indians residing in Nevada, including, but not limited to, matters and problems relating to Indian affairs and to federal and state control, responsibility, policy and operations affecting such Indians.

The Indian Commission was established to be a mediator for tribal-state relations and the entity through which tribal concerns and issues affecting American Indian and Alaskan Native Indians could be directly addressed with the Governor. The Commission serves as a liaison between the State and the federally recognized tribes comprised of 28 separate tribes, bands and community councils (including the Woodfords Community located in California which is a part of the Washoe Tribe of Nevada & California). The Commission has assisted State agencies and Tribes on issues affecting Nevada’s American Indian constituency and serves as a forum in which Indian needs and issues are considered. The Commission is a conduit by which concerns involving American Indian and Alaskan Native Indians or Tribal interests are channeled through the appropriate network and serves as the point of access for Tribes to find out about state government programs and policies.

Commission activities are aimed at developing and improving cooperation and communications between the Tribes, State, local governments, and related public agencies with the purpose of improving, education, employment, health, well-being and socio-economic status of Nevada’s American Indian citizens and enhancing tribal sovereignty, economic opportunities and community development.

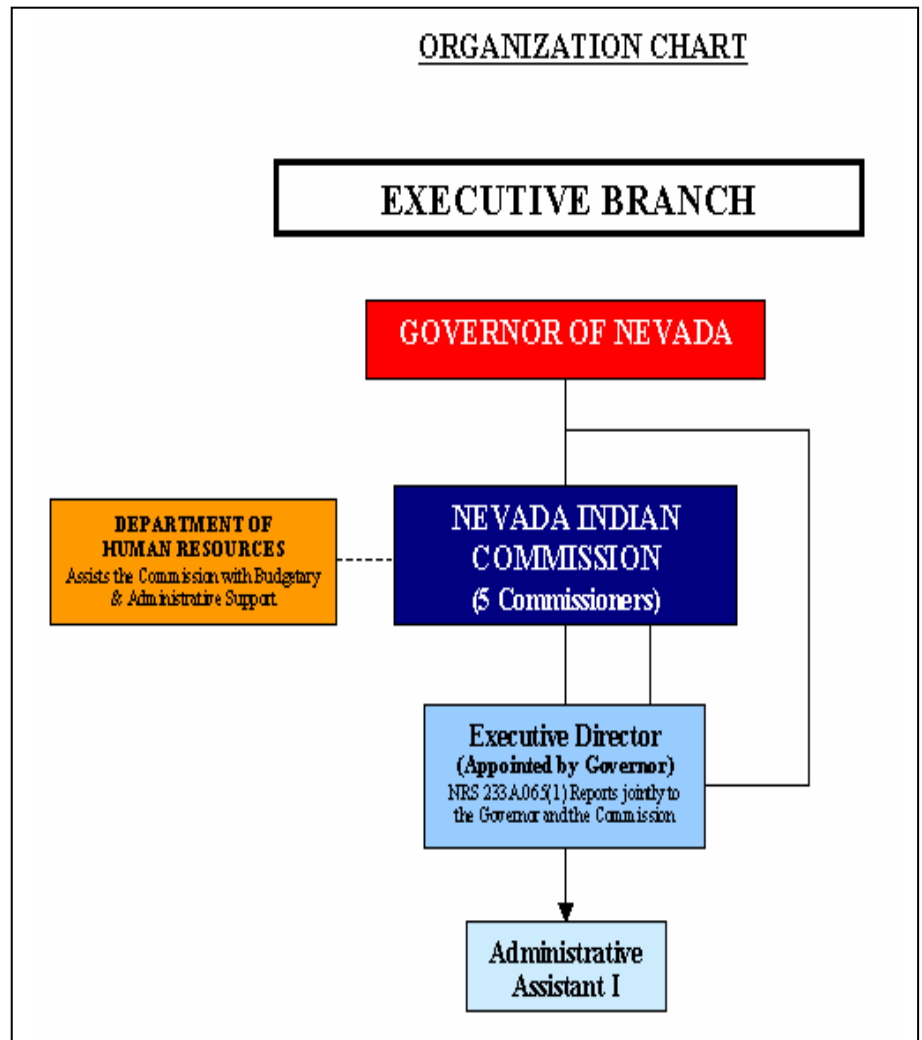
The Commission, as a stand-alone agency is comprised of five (5) Commissioners appointed by the Governor, meets at least quarterly. Three Commissioners are American Indian, and two Commissioners are of the general public. Staff for the Commission includes an Executive Director appointed by the Governor and an Administrative Assistant I. The Executive Director, by statute, is jointly responsible to the governor and the commission and directs and supervises all the technical and administrative activities of the commission.

Statutory Authority: NRS 233A

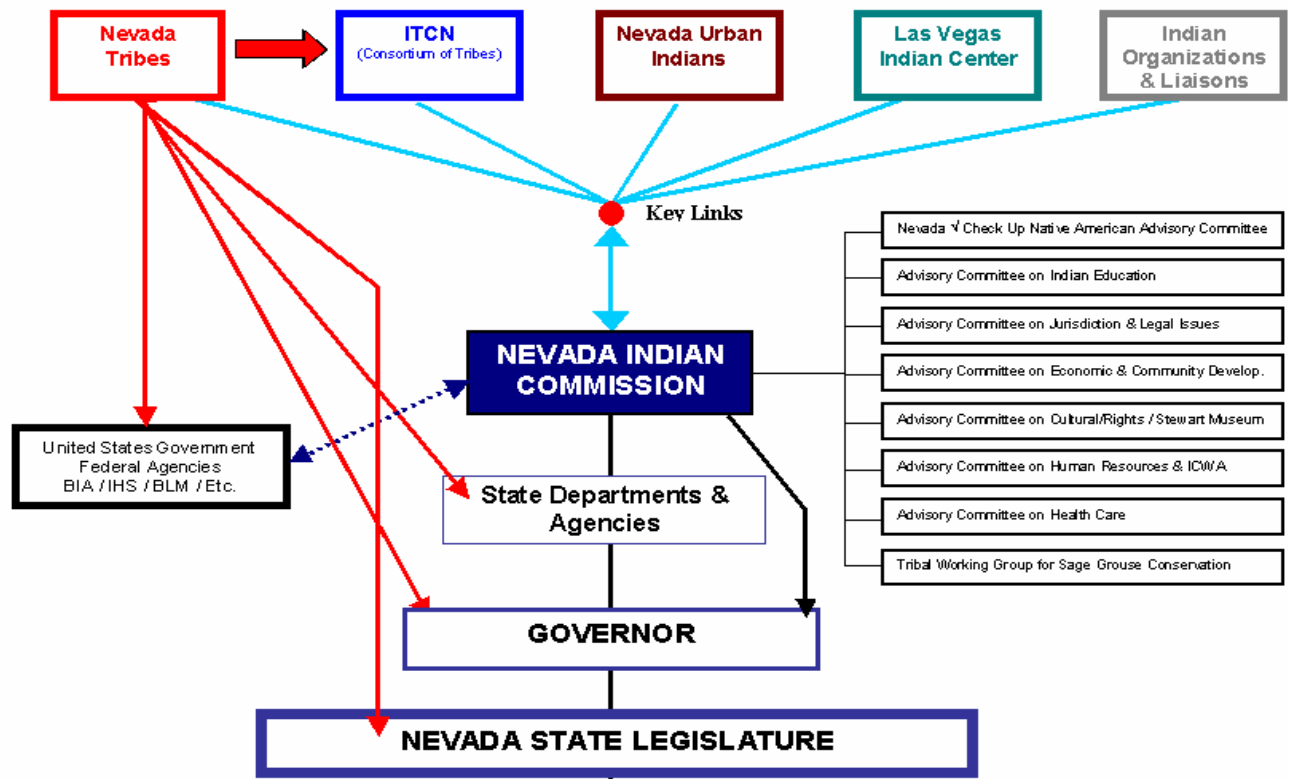
Specific statutory responsibilities of the Commission include: 1) recommending necessary or appropriate action, policy and legislation or revision of legislation and administrative agency regulations pertaining to American Indian and Alaskan Native Indians; 2) makes and reports its findings and recommendations to the legislature, to the governor and to the public.

Statutory powers of the Commission include: 1) the power to appoint advisory committees; 2) negotiate and contract with agencies, public or private as necessary or appropriate for services, facilities and studies; and 3) cooperates with and secures the cooperation of state, county, city and other agencies, including Indian Tribes, Bands, Colonies and groups and inter-tribal organizations in connection with its studies or investigations.

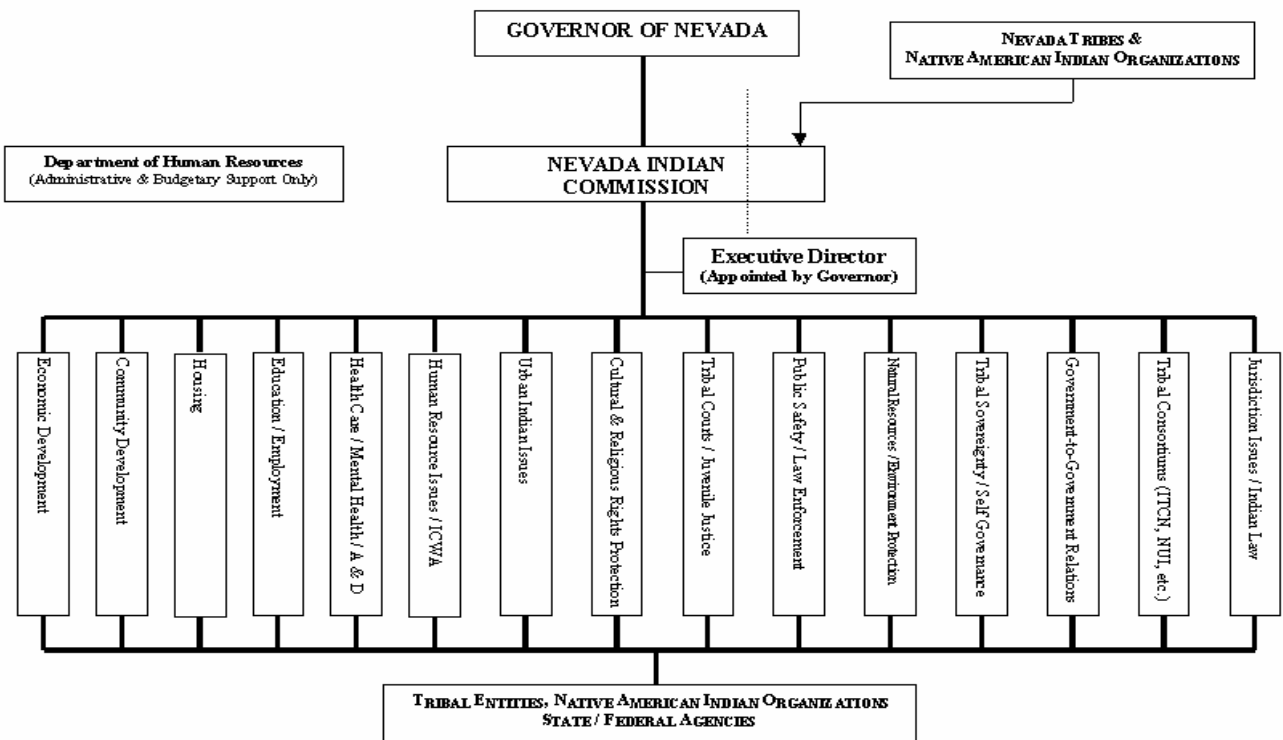
The following Charts provide an example of the linkages and interactions with tribal, state and federal agencies. The second chart reflects issues addressed by the Commission in relation to Indian Affairs in Nevada and the third chart is the organizational chart for the Commission.



**CHART OF INTER-GOVERNMENTAL RELATIONSHIPS AND LINKAGES
WITH NEVADA TRIBES AND STATE GOVERNMENT**



NEVADA INDIAN COMMISSION
ISSUE / ORGANIZATION CHART



ATTACHMENT A

BY-LAWS OF THE ADVISORY COMMITTEE ON INDIAN EDUCATION IN NEVADA FOR THE NEVADA INDIAN COMMISSION

Introduction:

The Nevada Indian Commission, pursuant to NRS 233A.100 Powers of commission is authorized to appoint advisory committees whenever necessary or appropriate to assist and advise the commission in the performance of its duties and responsibilities. At a meeting duly held on June 20, 2001, the Commission authorized the formation of an advisory committee on Indian Education.

"Committee" defined. Unless the context otherwise requires, "committee " means the Advisory Committee on Indian Education in Nevada.

ARTICLE I - MISSION

The mission of the Committee is to support, promote and assure optimum educational opportunity that is based on tribal cultures, and maximizing participation in the education of American Indians and Alaskan Natives (American Indian and Alaskan Native) in Nevada.

ARTICLE II – PURPOSE

The purpose of the Committee is to advocate for American Indian children; act as an advisory body, general office and strategist to the Nevada Indian Commission; serve as a link between the State Superintendent of Public Instruction, Office of Special Education, Elementary & Secondary Education and School Improvement Programs and the appointed Consultant of School Improvement Programs, State Board of Education, Colleges and Universities, State Department of Education, Governor's Office, State Legislature, State Attorney Generals Office, American Indian Tribes, and other advocates of Indian education.

The Committee is responsible for promoting quality education for Indian students in Nevada through accountability of basic instruction as well as Indian Set-aside, JOM, impact aid and other programs. The Committee may assist, as requested, in the planning, development, implementation, monitoring, and evaluation of appropriate curricula for Indian students.

The Committee disseminates information that reflects current legislation, theory, methodology, and practices in Indian education. The Committee also plans sessions with tribal entities, parents, and community members to discuss needs and develop and implement workshops or conferences for Indian education.

1. Promote the belief and practices that support no child shall be left behind.
2. Promote equality to ensure all children including American Indian and Alaskan Native children are considered in the delivery of education.
3. Enhance the cultural awareness necessary to ensure American Indian and Alaskan Native children are afforded learning opportunities conducive to their learning style and experiences.
4. Lobby education policy makers for what is needed to improve American Indian and Alaskan Native children's achievement.
5. Encourage and support efforts to ensure all American Indian and Alaskan Native children meet or exceed the State's achievement standards, and to provide American Indian perspective in creation and maintenance of State's achievement standards.

ARTICLE III - MEMBERSHIP

Appointment of members; meetings.

1. Members of the committee shall be selected from among residents, agencies, tribes and communities of this state who are familiar with education of Indian children.
2. The committee consisting of members appointed by the Commission upon recommendation of the Advisory Committee is hereby created. The advisory committee consists of
 - a. one representative from each of the 21 Tribes having a population and land base in Nevada (See list shown as Attachment A)
 - b. one representative from the Nevada Urban Indians, Inc.
 - c. one representative from the Las Vegas Indian Center, Inc.
 - d. one representative from the Inter-Tribal Council of Nevada
 - e. one consultant from the Nevada Department of Education
 - f. one representative from Title VII Tribal Programs
 - g. one representative from each Title VII school district program of American Indian and Alaskan Native standing
 - h. three representatives at large from Southern Nevada
 - i. one member from each school district in Nevada
 - j. one member from each UCCSN institution: UNR, UNLV, Truckee Meadows Community College, Community College of Southern Nevada, Western Nevada Community College, and Sierra Nevada College
3. Each member serves a term of 2 years. A member may be re-appointed for additional terms of 2 years in the same manner as the original appointment.

4. A vacancy occurring in the membership of the advisory committee must be filled in the same manner as the original appointment. The committee, upon a majority vote may recommend a member to fill a vacant position until the next regular scheduled meeting of the Nevada Indian Commission where an appointment will be held to fill the position for a two (2) year term.
5. The advisory committee shall meet at least quarterly and may meet at such times and places as it considers necessary to carry out its purposes.
6. At its first meeting and annually thereafter, the advisory committee shall elect a chairman and vice-chairman from among its members.
7. The Executive Director of the Nevada Indian Commission serves as the Executive Director of the Committee, and that individual's administrative assistant serves as the Executive Secretary, both of which are ex-officio positions. Ex-officio members do not have voting privileges.
8. QUORUM: Ten of the Committee members entitled to vote, represented in person or by proxy or by designee, shall constitute a quorum at a meeting of the Committee membership.
9. PROXY: Every Committee member shall have the right to cast his/her vote either in person, by designee, or by proxy. All proxies must be in writing, executed by the Committee member, and must be filed with the Chairperson at or prior to the meeting of the Committee. Only one vote per proxy.

ARTICLE IV - OFFICERS

DUTIES:

1. Executive Director:
 - a. Prepares the agenda with input from the Committee chair and Committee membership.
 - b. Prepare, keep current, and present the Committee budget.
 - c. Advisory to the Chair and the Committee
 - d. Liaison between Committee and State Department of Education, State Board of Education, education policy makers, Colleges and Universities, and other stakeholders.
2. Executive Secretary:
 - a. Notifies Committee membership of upcoming meetings and other communications.
 - b. Records, publishes and disseminates minutes of Committee meetings.
 - c. Make necessary meeting accommodations for Committee members.
 - d. Communicates with Committee and other advocates for Indian education
3. Chairperson: Conducts the Committee business and the Committee meetings.
4. Vice-Chairperson: Acts on behalf of the Chairperson in the Chairperson's absence.
5. Committee as a whole:

The Committee serves as the Advisory Committee for the State Department of Education. The Committee also provides guidance where appropriate, on matters concerning Impact Aid, Title VII, and other American Indian and Alaskan Native education issues.

ARTICLE V - OFFICER or MEMBER REMOVAL

After just cause has been determined by the membership of the Committee, an official recommendation to the appointing authority may be made to remove and replace an appointed member.

REMOVAL OF OFFICERS:

By a vote of the majority of the Committee members present at a regularly scheduled meeting, an officer may be removed with or without cause, and such action shall be conclusive on the officer so removed.

ARTICLE VI - MEETINGS and TRAVEL

The Committee will meet quarterly unless otherwise determined by the Committee membership.

A meeting agenda will be prepared by the Executive Director for each meeting.

Members may request in writing to the Executive Director items to include on the agenda. An opportunity to add or delete agenda items will be provided at the start of each meeting. Once the meeting has started the agenda may not be changed.

Meetings will be conducted under Roberts Rules of Order and in compliance with Nevada's Open Meeting Law requirements.

Decisions requiring a vote will be decided by a simple majority vote.

Minutes of each meeting will be recorded by the Executive Secretary. Meeting minutes will be published and disseminated in draft form to Committee members as soon as possible after each meeting, for review of content accuracy. Meeting minutes in final form will then be presented for Committee approval at the next regularly scheduled Committee meeting.

Provided funds are available, Committee member business travel expenses for attending quarterly committee meetings will be reimbursed at the State of Nevada rates.

ARTICLE VII - AMENDMENTS

These By-Laws may be amended, repealed, or replaced by new By-Laws adopted by a majority vote of the Committee members present at a regularly scheduled meeting. There must be at least a thirty (30) day written notice to committee members and a first reading at a regularly scheduled meeting of all changes to the By-Laws before the By-Laws can be amended, repealed, or replaced.

Whenever any amendment or new By-Law is adopted, it shall be permanently recorded as an update to the original By-Laws. If any By-Laws are repealed, the fact of repeal with the date of the meeting at which the repeal was enacted shall be stated in the minutes of that meeting and included in the By-Laws. Whether any provision of the By-Law is either amended or repealed, a marginal note shall be made thereon indicating the place or page where the amendment or repeal may be found.

Attachment A

Tribes in Nevada with Population and Land Base

1	Battle Mountain Band Council	12	Pyramid Lake Paiute Tribe
2	Duck Valley Shoshone-Paiute Tribe	13	Reno-Sparks Indian Colony
3	Duckwater Shoshone Tribe	14	South Fork Band Council
4	Elko Band Council	15	Summit Lake Paiute Tribe
5	Ely Shoshone Tribe	16	Te-Moak Shoshone Tribe
6	Fallon Paiute-Shoshone Tribe	17	Walker River Paiute Tribe
7	Ft. McDermitt Paiute-Shoshone Tribe	18	Washoe Tribe of Nevada & California
8	Goshute Business Council	19	Wells Band Council
9	Las Vegas Paiute Tribe	20	Yerington Paiute Tribe
10	Lovelock Paiute Tribe	21	Yomba Shoshone Tribe
11	Moapa Band of Paiutes		

Record of Review and Approvals:

1. Approval by Review Committee
Approved by the review committee members on March 14, 2003 with a motion to approve the By-Laws made by David Heath, Yerington Paiute Tribe Education Department, second by Bernadette Harry, Student Liaison with the Washoe County School District, Title VII Program. By-laws were approved with a vote of 15 (10 present on location, 2 present via video conference in Las Vegas and 3 present via video conference in Fallon).
2. Review by Attorney General's Office
By-Laws submitted for review by Deputy Attorney General Wayne Howle
3. Approval by Nevada Indian Commission
By-Laws submitted for approval and ratification by the Nevada Indian Commission at a board meeting duly held on May 30, 2003. Commissioner Richard Harjo motioned to approve, second by Commissioner Davis Gonzales. The motion carried with a vote of 3 for, 0 against, 0 abstentions (1 Absent, 1 Vacant Seat).
/S/ Sherrada James, Executive Director
State of Nevada Indian Commission

ATTACHMENT A TO BYLAWS – Advisory Committee Membership Roster

Tribal Representatives

Battle Mountain Band Council
Duck Valley Shoshone-Paiute Tribe
Duckwater Shoshone Tribe
Elko Band Council
Ely Shoshone Tribe
Fallon Paiute-Shoshone Tribe
Ft. McDermitt Paiute-Shoshone Tribe
Goshute Business Council
Las Vegas Paiute Tribe
Lovelock Paiute Tribe
Moapa Band of Paiutes
Pyramid Lake Paiute Tribe

School Districts - Title VII Programs

Carson City School District (at Washoe Tribe)
Churchill County School District:
Clark County School District
Douglas County School District
Elko County School District
Esmeralda County School District
Eureka County School District
Humboldt County School District
Lander County School District
Lincoln County School District
Lyon County School District
Mineral County School District

Reno-Sparks Indian Colony
South Fork Band Council
Summit Lake Paiute Tribe
Te-Moak Shoshone Tribe
Walker River Paiute Tribe
Washoe Tribe of Nevada & California
Wells Band Council
Yerington Paiute Tribe
Yomba Shoshone Tribe

Tribal Title VII Program Representatives

Battle Mountain Band Council
Duck Valley Shoshone-Paiute Tribe
Duckwater Shoshone Tribe
Elko Band Council
Ely Shoshone Tribe
Fallon Paiute-Shoshone Tribe
Ft. McDermitt Paiute-Shoshone Tribe
Goshute Business Council
Las Vegas Paiute Tribe
Lovelock Paiute Tribe
Moapa Band of Paiutes
Pyramid Lake Paiute Tribe
Reno-Sparks Indian Colony
South Fork Band Council
Summit Lake Paiute Tribe
Te-Moak Shoshone Tribe
Walker River Paiute Tribe
Washoe Tribe of Nevada & California
Wells Band Council
Yerington Paiute Tribe
Yomba Shoshone Tribe

Inter-Tribal Council of Nevada
Nevada Urban Indians, Inc.
Las Vegas Indian Center, Inc.

Nye County School District
Pershing County School District
Storey County School District
Washoe County School District
White Pine County School District
University & Community College Representatives

University of Nevada - Reno
University of Nevada - Las Vegas
Truckee Meadows Community College
Community College of Southern Nevada
Western Nevada Community College
Sierra Nevada College

School District Representatives

Carson City School District
Churchill County School District:
Clark County School District
Douglas County School District
Elko County School District
Esmeralda County School District
Eureka County School District
Humboldt County School District
Lander County School District
Lincoln County School District
Lyon County School District
Mineral County School District
Nye County School District
Pershing County School District
Storey County School District
Washoe County School District
White Pine County School District

Other Agency Representatives

Nevada Department of Education
3 - Southern Nevada Members at large

ATTACHMENT B

Issues and needs identified by tribal representatives, education programs and others during a Caucus meeting facilitated by the Nevada Indian Commission to discuss Indian Education.

1. PRIORITY ISSUES

- A. Establish an Indian Education Advisory Board to address American Indian and Alaskan Native Education needs and issues but needs to be continually supported – possibly through funding through the NV Dept. of Education /Legislation
- B. Establish a Tribal Job Corp Program or Vocational School in Nevada / for Western US
- C. New State testing requirements set by state dramatically impact American Indian and Alaskan Native students, special emphasis is needed to assist Native students to prepare for new standards
- D. Support for the establishment of a Tribal College in Nevada
- E. Develop a American Indian and Alaskan Native Alternative Education & Vocational Training Program (for struggling youth) like the Regional Technical Institute in Reno
- F. Encourage the National Indian Education Conference to be held in Nevada
- G. Hold a Nevada American Indian and Alaskan Native Education Conference annually
- H. Seek sufficient funding for Higher Education & Vocational Training for American Indian and Alaskan Natives in Nevada
- I. Provide adequate transportation and operational funding for tribal schools and school districts to insure native youth and native communities are able to access school functions
- J. Develop recommendation on plan for addressing statewide conflict resolution and violence
- K. Develop strategies to address federal funding levels to commensurate with actual number of American Indian and Alaskan Native students as reported by school districts and tribes.

2. INTER-GOVERNMENTAL AGREEMENTS NEEDED

- A. FERPA – Memorandum of Agreement needed by Tribe with local school district for truancy issues (may need special legislation to address)
- B. School Districts need to initiate consultation and collaboration with Tribes in service area - check on mandate because of federal funding.

3. ISSUES / NEEDS

- A. Identify what Impact Aid funding is paid to school districts to determine amount and what funds are used for in assisting Native youth
- B. Tribe's need technical assistance and grant-writing to improve education programs and services
- C. More recruitment of American Indian and Alaskan Native teachers and counselors in schools
- D. Need more Alternative Education programs for American Indian and Alaskan Natives across Nevada (What happens to those students who graduate from high school but have nowhere to work and end up as lifetime welfare recipients?)
- E. Hold workshop on educating Indian youth and cultural diversity at Annual State Education Conference
- F. Wellness Coordinators needed at school level to address personal youth issues/needs that impact American Indian and Alaskan Native and Alaskan native youth and their education
- G. Educational needs of special kids with drug/alcohol, mental health issues need to be considered and included under the Human Resources/Mental Health/Alcohol & Drug forum
- H. Need more American Indian and Alaskan Native Role models for youth

- I. Need innovative ideas to improve parental involvement
- J. Need programs for youth/adult offenders in job search, vocational education and GED programs
- K. Have our own American Indian and Alaskan Native Upward Bound Program
- L. Develop programs for youth who have problems/special needs (like the Warrior Program at Pyramid Lake High School)
- M. Have at least 1 American Indian and Alaskan Native Liaison in school where larger population of Indian students are to help to coordinate Indian club, help the Native students, etc. (Needs funding, People, Volunteers, etc.) Similar to the Washoe County Student Liaison positions
- N. Education is not only to learn reading, writing, science and math but it should also target life and social skills to prepare youth for employability – specifically for Indian youth
- O. Conduct a research study to identify how many American Indian and Alaskan Native youth are placed in special education programs and what levels of success is achieved to “get out” of special ed
- P. Tribes need to meet to discuss new HR1 Regulations and impacts
- Q. Scholarship Funding for Higher Education for American Indian and Alaskan Native youth (State Millennium, Gear-Up Program, Internet Resources)
 - Need more \$\$ to fund College/University/Vocational Education
 - Need \$\$ to fund Post-Graduate Education
 - Need \$\$ to fund Professional level education
- R. Support United Native Inter-Tribal Youth (UNITY) Programs on reservation and incorporate into education programs
 - Need support funding for youth activities (grants or contributions)
 - Role models / Professionals who can share with youth
 - Volunteers

4. CURRICULUM CHANGES / NEEDS / ISSUES

- A. Improve NA/AI test scores
- B. Provide support for students taking Proficiency Tests
- C. Nevada University & Colleges are increasing admissions standards
- D. State Summer Teaching Program
 - Have American Indian and Alaskan Native teachers there to share and educate other non-Indian teachers
 - Share materials on Indian culture and history
- E. Curriculum and programs on conflict resolution (racial/ethnic conflict/alienation)

5. TRIBAL PRIORITIES FOR STATE AMERICAN INDIAN AND ALASKAN NATIVE CONSULTANT

- A. Increase retention and graduation rates of American Indian students in high school, state colleges and universities
- B. Encourage and request participation of Indian students, parents, tribal leaders, Indian organizations and agencies in the education of Indian students
- C. Establish a friendly atmosphere that respects, and promotes American Indian values, languages and tradition
- D. Develop, support and encourage self-esteem and cultural pride amongst the Indian students as parents and teachers are the key to healthy self-esteem. Researchers indicate youth with high self-esteem do better in school, resist peer pressure more often, are less violent and abuse alcohol and drugs less frequently
- E. Develop and maintain a guidance and counseling program to cover all areas

- F. Develop a curriculum of Indian History past and present well as, accomplishments and achievements of the American Indians
- G. Expand adult basic education (GED) programs to include Indian History that will benefit the Indians
- H. Prepare and develop' curricula and styles of learning and teaching methods for Indian students and other cultures
- I. Prepare and provide early childhood education programs that are culturally relevant for Indian children
- J. Encourage and request that each school district one school board members position for a American Indian and Alaskan Native representative
- K. Train and educate teachers to be more culturally sensitive to Indian students or request that State Department of Education hire more Indian teachers as role models
- L. Establish Exemplary Programs that have already been developed and proven by and for Indians and Alaska Natives
- M. Develop curricula on the styles of learning and teaching methods for educating American Indian and Alaskan Native and Alaskan native youth
- N. Establish Student Attendance Review Boards in more populated areas where Indian students attend
- O. Consultant is limited to working with the Department of Education and school districts – but is not authorized to directly assist and work with the tribes and cannot advocate for Indian Education needs. This needs to be addressed to best utilize the position to assist to improve education for American Indian and Alaskan Native and Alaskan natives.

6. URBAN INDIAN EDUCATION NEEDS

- A. Need assistance from tribes to provide cultural awareness for off-reservation students
- B. Need additional funding for more tutors and counseling

7. OTHER IDEAS TO CONSIDER

- A. Nevada American Indian and Alaskan Native Youth Conference
- B. American Indian and Alaskan Native Academic Olympics (Teen Competition)
- C. Establish Recognition /Awards statewide for American Indian and Alaskan Native Students for academics and sports / other (Tribal/Urban – Statewide)
- D. Formation of Native Boys & Girls Club – reservation by reservation – like UNITY
- E. Develop GRIP Programs
- F. Consider need for developing a specific American Indian and Alaskan Native Resolving Conflict Creatively Program for Nevada

ATTACHMENT C

SAMPLE INDIAN POLICIES AND PROCEDURES FOR LOCAL SCHOOL DISTRICTS

Below is a sample Indian Policies and Procedures (IPPs) are provided to assist school districts in the formulation and implementation of IPPs that are appropriate to local circumstances.

Please bear the following in mind:

1. Current regulations require specific procedures for each of the eight listed "Policies."
2. Regulatory citations are provided (e.g. [34 CFR 222.94(a)(I)]), but are not required as part of the IPPs
3. Depending on the make-up of the local tribal organization(s), school districts should attempt to enlist the assistance of a broad representation from the Indian community. Examples given include, but are not limited to, the Title IX Parent Committee, an IPP Committee made up of concerned parents and/or Tribal officials, and the staff of local Indian Education Centers.
4. Modifications to school programs and services should be made in conjunction with on-going or anticipated school reform activities.
5. Questions or concerns can be addressed to the Impact Aid staff.

INDIAN POLICIES AND PROCEDURES (IPPs) ANYTOWN SCHOOL DISTRICT

It is the intent of the Anytown School District that all American Indian children of school age have equal access to all programs, services, and activities offered in the school district.

It is the intent of the Anytown School District to fully comply with all requirements of Title VIII (Impact Aid Program) of the Elementary and Secondary Education Act of 11965 (formerly Public Law 81-874), and to that end, the Governing Board has adopted as policy these Indian Policies and Procedures (IPPs). The IPPs by intent and by Board action supersede all previous Board action and are intended to the Governing Board, administration, and staff of the District.

POLICIES AND PROCEDURES:

1. POLICY

Tribal officials and parents of Indian children shall be provided an opportunity to comment on the participation of Indian children on an equal basis in all programs and activities offered by the Anytown School District [34CFR222.94(a)(I)]

PROCEDURES

- 1.1 The Anytown School District Superintendent and/or principal and/or Anytown Title IX Education Parent Committee and/or IPP Committee will meet two or three times annually with Tribal official, parents of Indian children, Indian Education Parent Committee members and staff. The purpose of these meetings shall be to inform and to address comments and concerns regarding Indian children's equal participation in the educational programs of the District.

Generally, at least the following meetings will occur annually:

1. Anytown Title IX Indian Education Parent Committee & General Membership meeting in October,

2. Board of Education public hearing on Title VIII (Impact Aid) Indian policies and procedures, (Usually held in January)
3. Board of Education public hearing on the new or continuing Title IX program, (Usually in March but may vary per Federal guidelines)
4. Other meetings may be organized by the Title IX Parent Committee and/or requested by Tribal officials and/or parents of Indian children.

2. POLICY

The District will annually assess the extent to which Indian students are participating on an equal basis in the educational programs and activities of the District. [34CFR222.94(a)(2)]

PROCEDURES

- 2.1 The Superintendent and/or principal, in conjunction with the Title IX Parent Committee and/or the IPP Committee, will review school data and comments with the Tribal officials, Indian Education Parent Committee, Indian community, and staff regarding the assessment and extent of Indian student's participation and progress in the educational services and programs of the District.

3. POLICY

The District shall seek input from the Title IX Parent Committee and/or IPP Committee, when necessary, in order to modify educational programs and services when progress is not being made or there appears to be a lack of equal participation for Indian students. [34CFR222.94(a)(3)]

PROCEDURES

- 3.1 When assessment data indicate Indian students do not participate on an equal basis with non-Indian students, or make appropriate progress, the Title IX Parent Committee and/or IPP Committee will be asked to recommend a plan or suggestions to modify the educational programs or services in order to attain equal participation or appropriate progress. Recommendations will be presented to the Anytown School District Board for action.

4. POLICY

The following materials will annually be disseminated to Tribal officials and Indian parents:

- Title VIII Application;
- Evaluation of programs assisted with Title VIII funds;
- Program plans and information related to the education programs of the School District
- Assessment data for Indian students and non-Indian students in the District.

Adequate time and opportunity will be provided by Tribal officials and/or the Title IX Parent Committee and/or the IPP Committee and Indian parents to present views and comments regarding the disseminated documents. [34CFR222.94(a)(4)]

Nevada's Tribes, Bands and Colonies

Battle Mountain Band Council

37 Mountain View Drive, #C
Battle Mountain, NV 89820
Ph: 775-635-2004
Fx: 775-635-8016

Carson Colony Community Council

2900 South Curry St.
Carson City, NV 89703
Ph: 775-883-6459
Fx: 775-883-6467

Dresslerville Community Council

1585 Watasheamu Drive
Gardnerville, NV 89410
Ph: 775-265-5645
Fx: 775-265-6240

Duck Valley Shoshone-Paiute Tribe

P.O. Box 219
Owyhee, NV 89832
Ph: 775-757-3211
Fx: 775-757-3212

Duckwater Shoshone Tribe

P.O. Box 140068
Duckwater, NV 89314
Ph: 775-863-0227
Fx: 775-863-0301

Elko Band Council

1745 Silver Eagle Drive
Elko, NV 89801
Ph: 775-738-8889
Fx: 775-753-5439

Ely Shoshone Tribe

16 Shoshone Circle
Ely, NV 89301
Ph: 775-289-3013
Fx: 775-289-3156

Fallon Paiute Shoshone Tribe

8955 Mission Road
Fallon, NV 89406
Ph: 775-423-6075
Fx: 775-423-5202

Fort Mojave Indian Tribe

500 Merriman St.
Needles, NV 92363
Ph: 760-629-4591
Fx: 760-629-5767

Ft. McDermitt Paiute-Shoshone Tribe

P.O. Box 457
McDermitt, NV 89421
Ph: 775-532-8259
Fx: 775-532-8903

Goshute Business Council

P.O. Box 6104
Ibapah, UT 84034
Ph: 435-234-1138
Fx: 435-234-1162

Las Vegas Paiute Tribe

1 Paiute Drive
Las Vegas, NV 89106-3261
Ph: 702-386-3926
Fx: 702-383-4019

Lovelock Paiute Tribe

P.O. Box 878
Lovelock, NV 89419
Ph: 775-273-7861
Fx: 775-273-1144

Moapa Band of Paiutes

P.O. Box 340
Moapa, NV 89025
Ph: 702-865-2787
Fx: 702-865-2875

Pyramid Lake Paiute Tribe

P.O. Box 256
Nixon, NV 89424
Ph: 775-574-1000
Fx: 775-574-1008

Reno-Sparks Indian Colony

98 Colony Road
Reno, NV 89502
Ph: 775-329-2936
Fx: 775-329-8710

South Fork Band Council

HC 30 B-13, Spring Creek
Lee, NV 89815
Ph: 775-744-4273
Fx: 775-744-4523

Stewart Community Council

5300 Snyder Avenue
Carson City, NV 89701
Ph: 775-883-7767
Fx: 775-883-5679

Summit Lake Paiute Tribe

655 Anderson Street
Winnemucca, NV 89445
Ph: 775-623-5151
Fx: 775-623-0558

Te-Moak Shoshone Tribe

525 Sunset St.
Elko, NV 89801
Ph: 775-738-9251
Fx: 775-738-2345

Timbisha Shoshone Tribe

P.O. Box 206
Death Valley, CA 92328
Ph: 760-786-2374
Fx: 760-786-2376

Walker River Paiute Tribe

P.O. Box 220
Schurz, NV 89427
Ph: 775-773-2306
Fx: 775-773-2585

Washoe Tribe of Nevada & California

919 Highway 395 South
Gardnerville, NV 89410
Ph: 775-265-4191
Fx: 775-265-6240

Wells Band Council

P.O. Box 808
Wells, NV 89835
Ph: 775-752-3045
Fx: 775-752-2179

Winnemucca Colony Council

P.O. Box 1370
Winnemucca, NV 89446
Ph: 775-623-0888
Fx: 775-623-6918

Woodfords Community Council

96 Washoe Blvd.
Markleeville, CA 95120
Ph: 530-694-2170
Fx: 530-694-1890

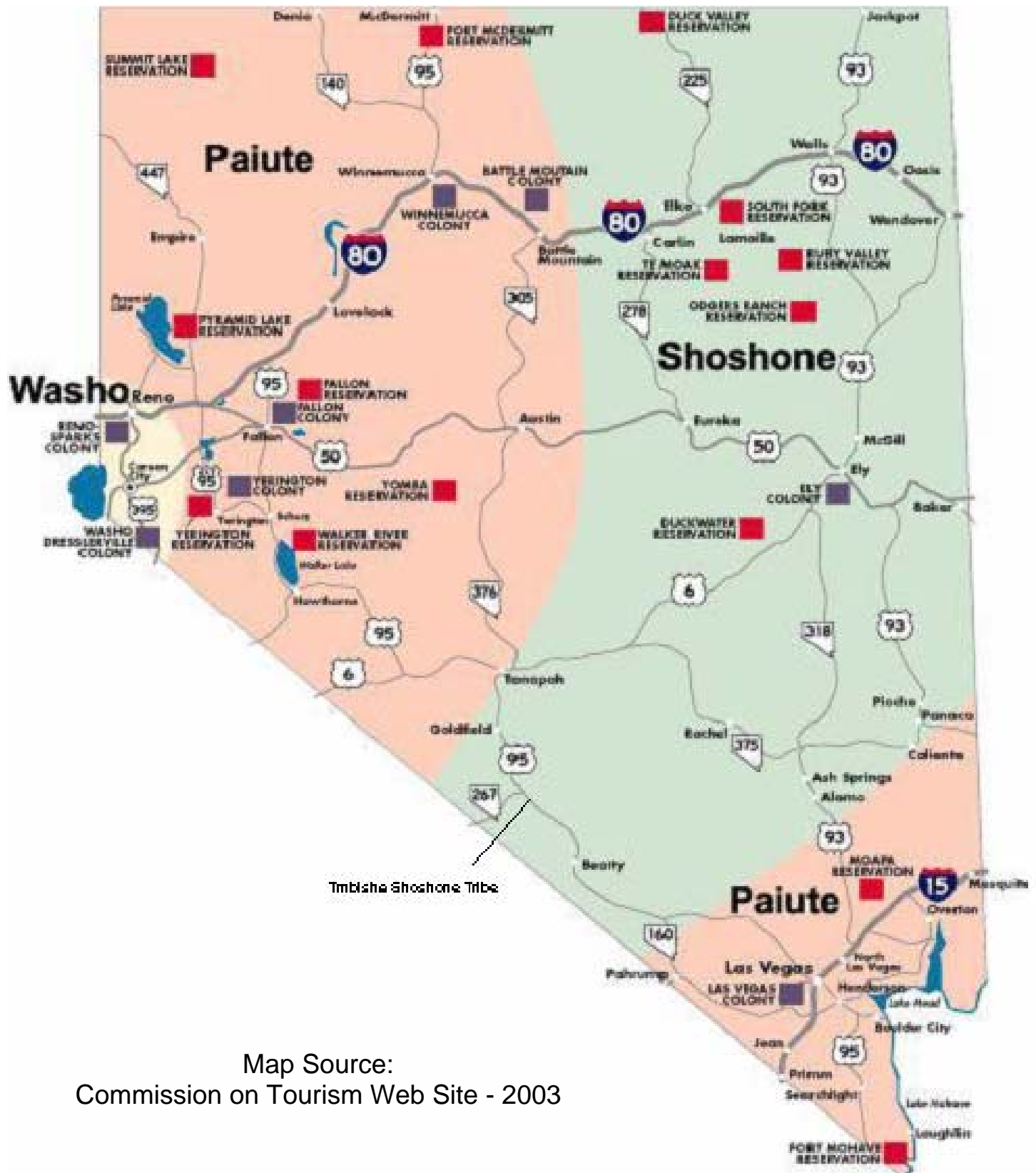
Yerington Paiute Tribe

171 Campbell Lane
Yerington, NV 89447
Ph: 775-463-3301
Fx: 775-463-2416

Yomba Shoshone Tribe

HC61 Box 6275
Austin, NV 89310
Ph: 775-964-2463
Fx: 775-964-2443

Location of Tribes in Nevada



Map Source:
Commission on Tourism Web Site - 2003

Tribal Land Base

Tribal lands are diverse and have been reduced from their original base located throughout Nevada.
Tribal lands include: Colonies, Reservations, Allotments, Ranch, Tribal Fee Land, Federal Land, Government Owned Land and Trust Lease Lands. Tribal sovereignty encompasses lands within the exterior bounds of Tribal land held in trust by the federal government for the Tribes and their members.

Tribe	County	Total Tribal Land	Land in Nevada	Land in Neighboring State	Comments
Duck Valley Shoshone Tribe	Elko	289,819	144,274	145,545	Land also in Idaho
Duckwater Shoshone Tribe	Nye	3,815	3,815		
Ely Shoshone Tribe	White Pine	111	111		
Fallon Paiute-Shoshone Tribe	Churchill	3,549	3,549		
Ft. McDermitt	Humboldt	35,488	16,660	18,829	Land also in Oregon
Fort Mojave Indian Tribe	Clark	34,998	3,998	31,000	Land also in California and Arizona
Confederated Tribes of the Goshute Reservation	White Pine	108,932.70	70,489	38,443.70	Land also in Utah
Las Vegas Paiute Tribe	Clark	3,897.93	3,897.93		
Lovelock Paiute Tribe	Pershing	20	20		
Moapa Paiute Band	Clark	71,954	71,954		
Pyramid Lake Paiute Tribe	Washoe, Lyon & Storey	475,000	475,000		112,000 acres of lake surface included in 475,000
Reno/Sparks Indian Colony	Washoe	2056	2056		
Summit Lake Paiute Tribe	Humboldt	10,098	10,098		560 acres of lake surface included in 10,097.97
Te-Moak Tribe of Western Shoshone		16,636	16,636		Te-Moak Tribe is comprised of four Bands:
- Battle Mountain Band	Lander		-----		Battle Mountain, Elko,
- Elko Band	Elko		-----		South Fork and Wells
- South Fork Band	Elko		-----		
- Wells Band	Elko		-----		
Timbisha Shoshone Tribe	Nye	7,453.99	5,500	1,953.99	California
Walker River Paiute Tribe	Churchill, Lyon	323,386	323,386		
Washoe Tribe of Nevada & California		4,234	3,834	320	The Washoe Tribe is comprised of four
- Carson Colony	Carson City		-----		Colonies: Carson,
- Dresslerville Colony	Douglas		-----		Dresslerville Stewart
- Stewart Colony	Carson		-----		Communities. The
- Woodfords Colony	Alpine Co., CA		-----	80	Woodfords Colony is in California
Winnemucca Colony Council	Humboldt	340	340		
Yerington Paiute Tribe	Lyon	1,635.07	1,635.07		
Yomba Shoshone Tribe	Nye	4,718	4,718		
Total:		1,398,143.62	1,161,972.14	236,171.48	

Resource: Tribal Profiles and Bureau of Indian Affairs

SAMPLE TRIBAL STRUCTURE / ORGANIZATION CHART

