NAS 486 American Indian Educational Law and Leadership
Winter Semester 2012
3 Credits

Instructor: Dr. Martin Reinhardt

Office Location: 112 Whitman, Center for Native American Studies

Office Hours: Monday and Wednesday 1-3pm, Tuesday and Thursday 9-11am and 1-3pm, or by appointment.

Class Location: Online via EduCat

Contact Information: Students are encouraged to utilize email (mreinhar@nmu.edu) as their primary method of communication with course instructor. For emergencies or situations requiring direct communication, please call 906-227-1397.

Course Schedule – Participants will be expected to complete each module as scheduled, and must have all work completed by the end of the semester. Plan to attend online chats via Educat chat room from 6-9pm on the following dates: 1/18, 2/1, 2/15, 2/29, 3/14, 3/28, 4/11, and 4/25.

Course Description – This course is focused on the unique legal educational leadership relationships between American Indian tribes, federal and state governments, and k-12 schools. We will discuss aboriginal and treaty rights to education, federal and state Indian education laws, and contemporary tribal laws regarding American Indian Education. The course uses primarily asynchronous delivery and text-based discussions. Occasional live chats with American Indian Educational Professionals will be announced. The opportunity to interact with some key leaders in American Indian Education is valuable.

Course Goals – The primary goal for this course is to familiarize educators with the current laws and leadership responsibilities regarding administration and supervision of tribal, federal, and state-level American Indian Education programs.

Objectives:

Objective 1: Discuss the importance of aboriginal rights to education.
Objective 2: Understand how Indian education is linked to the US Constitution and treaty rights.
Objective 3: Investigate the effects of major court cases and policy decisions on tribal schools, boarding schools, and Bureau of Indian Education programs on reservations and in urban K-12 settings.
Objective 4: Develop a statistical abstract of Indian education on a statewide basis.
Objective 5: Demonstrate a working knowledge of tribal, federal, and state agencies and laws regarding American Indian education.
Objective 6: Develop a community education project regarding American Indian education law and leadership.
Objective 7: Graduate students must develop an evaluation plan and timeline of the project and share outcomes with federal, state, tribal, and local leadership.

**Required Materials:** McCoy, Melody. *Tribalizing Indian Education*. Series. Available from the National Indian Law Library, Native American Rights Fund, 1522 Broadway, Boulder, CO 80302, (303)447-8760 dselden@narf.org. (Reading list is in Appendix A.)

Other materials will be available within EduCat and will link to external websites.

**Grading System Undergraduate:**

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A = 94-100  
A- = 90-93   
B+ = 86-89   
B = 83-85    
B- = 80-82   
C+ = 76-79   
C = 73-75    
C- = 70-72   
D+ = 66-69   
D = 63-65    
D- = 60-62   
F = 59 and below

**Module 1: Aboriginal Rights**

While aboriginal rights to education have not been articulated to the same extent that aboriginal title to land has, we can get a sense of what these rights consist of by considering pre-colonial educational practices. Your task for this module is to select an American Indian cultural group and begin researching their traditional education system.
You will need to post your selection in the discussion forum by the end of the first week so that others are aware of which cultural group you are focusing on. Consider the following questions as you do your research:

1. What is the pre-colonial or traditional name of the cultural group you are researching and how are they known today?
2. What language was used as their primary language prior to colonization? Try to find out how they would say “education” and “teacher” in their language and what the terms actually translate to in English.
3. Where did they live prior to colonization (include terrain and climate) and where are they primarily located today?
4. What kind of housing and transportation did they use prior to colonization?
5. What were the major food items available to them prior to colonization?
6. What kinds of traditional games did/do they play?
7. What were/are some of their traditional gatherings/ceremonies like?
8. What was considered primary male and female roles prior to colonization?
9. How were their communities governed and how were their families structured?
10. When did they first encounter non-Indigenous colonists?

Module 1 is the first step in putting together a research paper, which will serve as your final project for this course. As we progress through each module, you will continue to add to your paper. Be sure to cite where you find information and create a bibliography for your work in each module. Utilize APA style for your paper.

Reading assignments for this module include NARF Presentation/Workshop Materials. Answer the questions related to the reading assignments under Quiz 1.

Participate in discussion forums as posted by the instructor.

Graduate students will read the Introduction of the National Science Foundation’s “The 2002 User-Friendly Handbook for Project Evaluation”.

Module 2: The US Constitution, Treaty Educational Provisions, and Court Cases

Your first job for this module is to read the US Constitution located at http://www.law.cornell.edu/constitution/constitution.table.html#articlei and determine how and where American Indian education fits. Post your analysis in the discussion forum by the end of the 3rd week. In the subject line, type your first name and Constitution Reflections. You must then read and respond to at least two of your peers’ postings. Indicate whether you agree or disagree with their analysis and why.

Your second job is to complete the Treaty Analysis Exercise: The following excerpt is taken from the Treaty with the Wyandot, Etc., 1817, Article 16:

“Some of the Ottawa, Chippewa, and Potawotomy tribes, being attached to the Catholic religion, and believing they may wish some of their children hereafter educated, do grant
to the rector of the Catholic church of St. Anne of Detroit, for the use of said church, and
to the corporation of the college at Detroit, for the use of the said college, to be retained
or sold, as the said rector and corporation may judge expedient, each, one half of three
sections of land, to contain six hundred and forty acres, on the river Raisin, at a place
called Macon; and three sections of land not yet located, which tracts were reserved, for
the use of the said Indians, by the treaty of Detroit, in one thousand eight hundred and
seven; and the superintendent of Indian affairs, in the territory of Michigan, is authorized,
on the part of the said Indians, to select the said tracts of land.” (Kappler, 1972, p. 150)

Answer the following questions related to this excerpt:

1. Which tribes are included in this article?
2. What is being exchanged?
3. The term “some” is used twice, what could it mean?
4. The term “children” as it is used in this article could mean what?
5. The term “educated” as it is used in this article could mean what?

Post your answers in the discussion forum by the end of the 3rd week. The title of your
posting should be “(your first name) Treaty Analysis”. Read each of your peers’ postings
and reflect on their responses relative to your response. Reply to at least two of your
peers’ postings and let them know how your answers were similar or different.

Your third job for this module is to visit the Indian Affairs, Laws, and Treaties website at
http://digital.library.okstate.edu/kappler/ and determine which of the treaties and
agreements are applicable to the tribal group you selected for your project. After you
have figured out which ones are applicable, you must read the treaties and agreements
and determine if any provisions exist regarding education. Make note of these provisions
in your paper as appropriate. Cite all of sources in APA style.

Reading assignments for this module include “The Treaty Basis of Michigan Indian
Education”.

Answer the questions related to the reading assignments under Quiz 2.

Participate in discussion forums as posted by the instructor.

Graduate students will read Section 1 of the National Science Foundation’s “The 2002
User-Friendly Handbook for Project Evaluation”.

Module 3: Boarding Schools, Reservations, and Urbanization

Your first job for this module is to research how boarding schools, reservation, and
urbanization policies impacted the education of the cultural group you selected. Add your
findings to your paper.
Statistical data is often what drives policy development. Your second job is to develop a statistical abstract of American Indian education in the state (or one of the states if multiple states) where the cultural group you selected is primarily located. Utilizing the most current information available, your abstract should include the following:

1. Total number of American Indian / Alaska Native students in the state. Include both American Indian alone counts and American Indian in combination with other counts.
2. Number of AI/AN females versus males.
3. Number of reservations and tribes in the state. Include the names of the tribes and if they are state or federally recognized.
4. Number of schools that have Title VII Indian Education programs.
5. Number of BIA or tribal schools if any.
6. Names of higher education institutions that have an American Indian program and whether or not the programs are student service or academically oriented.
7. AI/AN graduation rates from high school and college in your state.

Submit your statistical abstract via email and add the information to your paper by the end of the 5th week.

Reading assignments for this module include “NARF The Evolution of Tribal Sovereignty over Education in Federal Law since 1965”. Answer the questions related to the reading assignments under Quiz 3.

Participate in discussion forums as posted by the instructor.

Graduate students will read Section 2 of the National Science Foundation’s “The 2002 User-Friendly Handbook for Project Evaluation”.

**Module 4: Federal Indian Education Laws and Agencies**

Three primary federal agencies deal with American Indian education:

1. Bureau of Indian Education (formerly the Office of Indian Education Programs of the Bureau of Indian Affairs) in the Department of the Interior,
2. Office of Indian Education in the Department of Education, and

Your first job for this module is to visit their official websites and familiarize yourself with each agency. Second, you must find out which programs and how much funding is provided by each agency to the cultural group you selected for your project. Submit your findings to the instructor and add this information to your paper. Submit this assignment by the end of the 7th week.

Your second job is to look up and review each of the federal Indian education laws below. Develop a summary of each law. Submit one file with all of your summaries as an
attachment to an e-mail to the instructor. Submit this assignment by the end of the 7th week also. Include in your summary:

1. Purpose of the law.
2. Intended recipients.
3. Amount authorized.
4. Agency or agencies that oversee and implement the law.
5. How these laws may affect the tribal cultural group you have selected

The laws are the following:
- Snyder Act (1921)
- Johnson O’Malley Act (1934)
- Title VII Indian Education Act (1972)
- Indian Self-Determination & Education Assistance Act (1975)
- Tribally Controlled Community College Assistance Act (1978)
- Native American Languages Act (1990)

Reading assignments for this module include “NARF Federal Indian Law and Policy Affecting American Indian and Alaska Native Education”.

Answer the questions related to the reading assignments under Quiz 4.

Participate in discussion forums as posted by the instructor.

Graduate students will read Section 3 of the National Science Foundation’s “The 2002 User-Friendly Handbook for Project Evaluation”.

Module 5: State Indian Education Laws and Agencies

Your first job for this module is to find out if any American Indian education agencies exist in the state that corresponds with the cultural group you selected. Indicate your findings in your paper, including the names of any agencies, a brief description of when the agency was formed, and what the agency is supposed to do.

Your second job for this module is to look-up the Indian education laws in the state corresponding to the cultural group you selected and summarize the state laws as you did with the federal laws. Submit one file with all of your summaries as an attachment to an e-mail to the instructor. Submit this assignment by the end of the 9th week.

Reading assignments for this module include NARF Compilation of State Indian Education Laws (as assigned). Answer the questions related to the reading assignments under Quiz 5.

Participate in discussion forums as posted by the instructor.
Graduate students will read Section 4 of the National Science Foundation’s “The 2002 User-Friendly Handbook for Project Evaluation” and will read two previous evaluations of the agency, if available.

**Module 6: Tribal Education Laws and Agencies**

In this module, you must research information about the educational system currently being implemented by the tribal cultural group you selected. You should find out the following information by reviewing the website or contacting the tribal cultural group directly:

1. Does the tribe have an education department?
2. Do they have a tribal education director?
3. Are they members of the Tribal Education Departments National Assembly?
4. What kinds of programs do they have?
5. Do they have their own tribal laws regarding education?

Submit this information as an attachment via email to the instructor and add this information to your paper by the end of the 10th week.

Reading assignments for this module are based on current media reports.

Answer the questions related to the reading assignments under Quiz 6.

Participate in discussion forums as posted by the instructor.

Graduate students will include applicable Module 6 information to their evaluation plans and will research previous evaluations of the tribal agencies, where applicable.

**Module 7: Designing a community education activity based on your research paper**

You are tasked with developing a community education activity based on your research paper. Use standard outline format and post your outline in the discussion forum as “(your first name) Community Ed”. Post your outline by the end of the 11th week. Review at least two of your peers’ outlines and provide them feedback on what you thought were the strengths of the unit outline and also areas that may need strengthening or that are missing.

Participate in discussion forums as posted by the instructor.

Graduate students will read Section 5 (“Strategies that address culturally responsive evaluations”) of the National Science Foundation’s “The 2002 User-Friendly Handbook for Project Evaluation” and include feedback from appropriate American Indian leaders regarding the plan.

**Module 8: Wrap-up**
For this module, you must put the finishing touches on your research paper and submit your paper on cd and paper copy to the appropriate federal, state, local and tribal representatives along with a cover letter explaining how you were involved in this course and that you wanted to share your findings with representatives. Post a copy of your cover letter “(your first name) Letter” and your paper “(your first name) Research Paper” in the discussion forum by the end of the 13th week. Review at least two of your peers’ papers and provide feedback on what you thought were the strengths of the paper.

Participate in discussion forums as posted by the instructor.

Graduate students will add their evaluation plans to their community education project paper and upload to the discussion forum in one document.

**NMU’s Non-Discrimination Statement:** Northern Michigan University does not unlawfully discriminate on the basis of race, color, religion, sex, national origin, age, height, weight, marital status, familial status, handicap/disability, sexual orientation, or veteran status in employment or the provision of services, and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities an equal opportunity to participate in all programs and activities. Anyone having civil rights inquiries may contact the Equal Opportunity Office, 502 Cohodas Hall, telephone number 906-227-2420.

**ADA Statement:** If you have a need for disability related accommodations or services, please inform the Coordinator of Disability Services in the Dean of Students office located in 2001 Hedgcock Building (227-1700). Reasonable and effective services and accommodations will be provided to students if request are made in a timely manner, with appropriate documentation, and in accordance with federal, state, and University guidelines.

**Online Assistance:** Contact the NMU helpdesk (906-227-2468) for help with EduCat.

Appendix A
By Melody McCoy

Free PDF copies below:

1. Draft Materials for Tribal Governance in Education (Red book)
   Prepared by Melody McCoy, October 1994
   $5.00 - bound copy

2. Presentation/Workshop Materials (Yellow book)
   Prepared by Melody McCoy, October 1993, updated October 1997
   $5.00 - bound copy

3. Cooperative Agreements in Indian Education (Green book)
   Prepared by Melody McCoy, October 1998
   $10.00 - bound copy

   Prepared by Melody McCoy, October 1999
   $10.00 - bound copy

   Prepared by Melody McCoy, October 2000
   $10.00 - bound copy

6. An Historical Analysis of Requests for Direct Federal Funding for Tribal Education Departments for Fiscal Years 1989-2004 (Maroon Book)
   Prepared by Melody McCoy, September 2003
   $10.00 - bound copy
7. **A Compilation of Federal and State Education Laws regarding Native Language in Curriculum and Certification of Teachers of Native Languages (Pink Book)**
Prepared by Melody McCoy, November 2003
$10.00 - bound copy

8. **Major Federal Programs for American Indian, Alaska Native, and Native Hawaiian Education: What Are They and How Do They Involve Tribes? Part II: Programs Under the No Child Left Behind Act of 2001, Titles VII (Indian Education Act); VIII (Impact Aid); and, X (Bureau of Indian Affairs) (Turquoise Book)**
Prepared by Melody McCoy, June 2004
$13.00 - bound copy

Prepared by Melody McCoy, January 2005
$10.00 - bound copy

10. **Compilation of State Indian Education Laws (Blue Book)**
Prepared by Melody McCoy, October 1997, updated October 2005
$20.00 - bound copy