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TRIBAL EDUCATION: THE MISSING LINK

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The cultural onslaught that began with the arrival of Columbus came close to nearly eradicating indigenous cultures. Five centuries later, native peoples throughout the hemisphere are struggling to restore their heritage. A principal instrument of this revival has been education of the younger generations. Tribal participation in education has recently come to the forefront as a viable means of ensuring maximum allocation of reservation resources into education services. Tribes are beginning to realize the value of direct regulation of their children's education as a means of protecting, preserving, and perpetuating tribal lifestyles and homelands. Tribes have seen a value in asserting their sovereign authority in the area of education. One of the tribes in the forefront of this movement is the Rosebud Sioux Tribe in South Dakota.

Historically, tribes were compelled to turn over control of their children's formal education to the federal government, state government, and various churches. The tribes later came to view formal education as a means of genocide employed by governments and Christian churches in an attempt to "civilize" and "christianize" native peoples. Assimilation was the primary goal of this formal education which would allow the native people to fully participate in the "Great American Dream."¹ In Sioux country, formal education has been a dismal failure even though the Lakota people value education as a means of survival for their tribes.²

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¹ ROBERT J. HAVIGHURST, *THE NATIONAL STUDY OF AMERICAN INDIAN EDUCATION. EDUCATION OF YOUTH. SUMMARY REPORT AND RECOMMENDATIONS I* (1970).

² See INDIAN NATIONS AT RISK TASK FORCE, U.S. DEP'T OF EDUC., *INDIAN NATIONS AT RISK: AN EDUCATIONAL STRATEGY FOR ACTION I* (1991) [hereinafter *TASK FORCE*] (examples of failure of formal education include high attrition rates, negative attitudes towards school, and declining interest in Native languages and cultures); see also CHRISTINE BOLT, *AMERICAN INDIAN POLICY AND AMERICAN REFORM* 249 (1987). The Indian Education Act of 1972 aided development of Indian-controlled schools by allocating funds and setting up an Office of Indian Education. *Id.* In 1975, the American Indian Policy Review Commission recom-

Tribes have seen more and more evidence of the failure of school systems to meet the needs of native students.³ As a result, tribal governments are seeking ways of making schools accountable for the education of their young people and for monitoring the success of schools in meeting their children's educational needs.⁴ Tribes are beginning to provide guidance in the identification of what Indian education *is*, and which tribal values and traditions can be enhanced by formal education.

In 1987, the Rosebud Sioux Tribal Education Committee contacted the Native American Rights Fund in Boulder, Colorado, with a request for assistance in the development of a Tribal Code of Education. The Native American Rights Fund accepted the case and began to research the Tribe's authority over education. The Native American Rights Fund's staff attorney gave the tribe a legal opinion substantiating the Tribe's right to assert such authority, and the Tribe decided to pursue the development of a Code of Education.

The Rosebud Sioux Tribe identified problem areas that needed to be addressed. These areas were high drop-out rates, low achievement scores on nationally normed tests, extensive substance abuse, parental passivity, lack of Native personnel in education programs, and culturally irrelevant curriculum.

The Rosebud Sioux Tribe Code of Education was drafted and reviewed by the Tribal Education Committee. Following numerous revisions and reviews, the committee decided that further input from schools, local education agencies, parents, students, and other tribal members was needed in order to develop the Code

mended that control of Indian education be placed in the hands of the tribe, rather than the state and local governments, with an emphasis on providing for the study of Indian history, culture, and language. *Id.* at 250.

³ See BOLT, *supra* note 2, at 5-10. Native American children must overcome many educational barriers including unfriendly school climate, limited library and learning resources, low expectations, lack of parental and community participation, loss of Native language ability, teachers lacking skills necessary to teach Native children, limited funding for college, and extremely high attrition rates. *Id.*: see also Rhonda Lankford & James D. Riley, *Native American Reading Disability*, J. OF AM. INDIAN EDUC., May 1986, at 1, 1 (discussing "high rate of reading failure" for Native American children).

⁴ TASK FORCE, *supra* note 2, at 11-13 (discussing progress made in Native education, noting increase in number of Indian-controlled public schools, increase in number of Native students attending college, and development of curriculum materials with Native perspective).

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into a working document that would indeed fulfill its purpose—educational reform which would lead to culturally appropriate, quality education for young people. In January 1990, the Tribal Education Department was established by the Rosebud Sioux Tribal Council.⁵ The Department did not begin operation until September 1990 because of the difficulty it had finding a qualified director for the program, which the Tribe believed was essential to the success of the project.

The Tribal Council designed a process to facilitate the final development of the Code of Education for the Rosebud Sioux. The process incorporated strategic planning methods involving networking and collaboration among all the schools; state, federal, and tribal agencies; parents and students. Sinte Gleska University, the Rosebud Sioux tribal college, took a leadership role in facilitating the process.

The Rosebud Sioux Tribal Code of Education was enacted by the Rosebud Sioux Tribal Council as Ordinance No. 91-04 in October 1991.⁶ The Code of Education established the legal authority for the regulation of education on the Rosebud Sioux Reservation. The Code provides a framework for establishing tribal education standards, developing tribal curriculum requirements, maintaining an Indian preference in hiring and certifying professional education staff, creating tribe-approved substance-abuse education for students and parents, and establishing a process for tribal monitoring of all aspects of the education of tribal members.⁷

On the Rosebud Sioux Reservation, tribal regulation of education came about because of a dire need for preservation, perpetuation, and protection of the tribal language, cultural values, lands and spiritual beliefs. However, there are many other roles which tribes can assume to meet educational goals. Tribes have the authority and ability to pull together all of the educational systems within their reservations to address common concerns of all

⁵ Rosebud Sioux Tribal Council, Ordinance 91-04 (Oct. 9, 1991).

⁶ *Id.* Ordinance No. 91-04 regulates reservation education and coordinates resources to improve student opportunities, while maintaining the cultural identity of the Sioux Tribe. *Id.*

⁷ ROSEBUD SIOUX TRIBE. CODE OF EDUCATION §§ 401-402, 501, 601 (1991).

schools, and work with the schools and existing tribal resources to identify and solve problems. Tribal education departments can serve as lead agencies in developing long range education plans, identifying appropriate evaluation models for Native American students, and setting educational priorities.

Tribes have the resources available to enhance the total development of their tribal members. Today, we are looking to holistic education as the most viable method of attaining meaningful learning. We look to providing this education within the complex environment of tribal life. There is a need in schools for sources, other than normal education resources, to address the physical, emotional and spiritual well-being, as well as the intellectual development of our student population.⁸ Tribal education departments would have the ability to access resources and to mobilize other agencies and organizations in support of the basic education process. In addition, tribes have the authority as nations to influence the education of citizens who reside off the reservation, and may utilize their education departments and codes to effectuate that influence.

In addition to working with education systems, tribal education departments can work effectively with parents and communities. Research demonstrates that in order for schools to succeed in their mission, they must re-link with communities and families.⁹ Tribal education departments can be designed to work with and encourage parental involvement and community support. Positive and effective parental participation in the education process is a primary factor in the success of a child in school. Family and community expectations provide validity for education processes. Public tribal positions on education can also provide this validity. Tribal education departments can provide the missing link between schools, communities and tribes.

Within most tribes the well-being of the child is of primary significance. It is the responsibility of tribal education departments to ensure that schools are structured to provide tribal members

⁸ See TASK FORCE, *supra* note 2, at 13 (noting that "restructuring models" and "alternative assessment methodologies" should be used to address needs of Native students).

⁹ NORTHWEST REGIONAL LIBRARY. EFFECTIVE SCHOOLING PRACTICES: A RESEARCH SYNTHESIS 1990 UPDATE 1.

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with quality education and programs which are culturally appropriate and have a child-centered approach. Education goals and expected student outcomes must be consistent with tribal lifestyles and insure that tribal members can be productive members of the society in which they live.

Tribal education departments should be charged with the responsibility of reviewing school evaluations, applications for funding, program plans, annual budgets, and the philosophy of each local school serving tribal members. This process would ensure that overall education goals of the tribes are being given appropriate weight, and that Indian students are being treated equally by public school districts. This review promotes accountability and strengthens tribal sovereignty. Tribal education departments can also facilitate potential consolidation of education funds. Tribal education codes provide the legal basis for standards for Indian education. They serve as guides, which are enforceable through the courts, and greatly enhance local control of Indian education processes and programs.

Tribes have fought a constant battle for five hundred years to protect their native homelands and retain their status as sovereign nations. A commitment by tribes to protect, preserve, and perpetuate their land, culture, and language must be made now. Laws must be developed by tribes to provide a legal basis for regulation of all facets of tribal life. It is the belief of tribal educators that formal education is the missing link that would insure the survival of tribal lifestyles and the protection of tribal homelands.¹⁰

¹⁰ See TASK FORCE, *supra* note 2, at 32-33 (stressing that partnerships between schools and Native communities must be of highest priority).

