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AN ANALYSIS OF THE IMPLEMENTATION OF THE
INDIAN STUDIES LAW OF 1973

By
Janice Lee Midyett
B.A., University of Montana, 1978

Presented in partial fulfillment of the requirements
for the degree of
Master of Public Administration
University of Montana
1988

Approved by:


Chairman, Board of Examiners


Dean, Graduate School


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CHAPTER I
INTRODUCTION

In 1972, the state of Montana adopted a new constitution. Article X guarantees "equality of educational opportunity to each person of the state"¹ and reads:

The state recognizes the distinct and unique cultural heritage of the American Indians and is committed in its educational goals to the preservation of their cultural integrity.²

In response to this constitutional mandate, the 1973 Montana Legislature enacted House Bill 343 (HB 343), which became popularly known as the "Indian Studies Law." This law directed all certified personnel on or in the vicinity of Montana's seven Indian reservations to complete instruction "pertaining to history, traditions, customs, values, beliefs, ethics, and contemporary affairs"³ of Indian people by July 1, 1979.

The following year the 1974 Legislature passed House Joint Resolution 60 (HJR 60), which directed the "Board of Public Education and the Board of Regents to develop a master plan [later known as the Indian Culture Master Plan] for enriching the background of all public school teachers in American Indian Culture."⁴ HJR 60 specified a longer period for implementation than HB 343, 1984 as compared to 1979, and it extended the requirement to all public school teachers, not just those teaching on or near Indian reservations. HJR 60 also directed the Board of Public Education, which has jurisdiction over teacher certification, and the Board of Regents, which has jurisdiction over teacher education programs, to devise the plan of implementation.

The commitment to preserve Indian culture was significant because a constitution represents a community's values at a given time in history. In 1972, Montana was the only state with a specific constitutional reference to Native Americans.⁵ The Indian Studies Law was the statutory response to this concern of the people of Montana for the preservation of

Indian culture. Because a major educational reform became rooted in fundamental law, its background and implementation are worthy of examination.

The Indian Studies Law provided four choices for teachers to fulfill the training in Indian culture:

- (1) In-service training developed by the Office of Public Instruction at the local school district's request;
- (2) In-service training developed by local school districts according to specific guidelines in the Indian Culture Master Plan;
- (3) Completion of approved college coursework; and
- (4) A combination of in-service training and college coursework.

Under option one, the Office of Public Instruction (OPI) prepared an in-service model entitled, "American Indian History and Culture: An In-Service Training Course for Teachers."⁶ This model established four goals a teacher should accomplish through the in-service training: awareness and appreciation for cultural diversity, skills for more effective teaching of Indian students, an unbiased non-stereotyped understanding of American Indian history to impart to all students, and increased understanding and improved relations among all people of Montana.⁷ Local Indian people were to be used as primary resources for tribal history and culture. Thirty hours of classroom instruction and two additional hours of study for each hour of instruction were required. Teachers were encouraged to continue the learning process on their own by further reading, research and contact with local Indian people. The in-service course had four components: Cross-Cultural Awareness, American Indian History and Culture: Overview, Specific Tribal and Community Orientations, and Classroom Strategy.⁸ OPI guidelines for in-service training developed by the local school district dictated the same four components. A resource list, bibliography and a directory of resource people to act as possible consultants accompanied each component. Adaptation of the course to the uniqueness of a specific tribe and community was encouraged.

Under option two, a local school district developing its own in-service model was required to furnish the following information to the Superintendent of Public Instruction:

- (1) Evidence of local Indian involvement in the planning and design of the proposed training;

- (2) Specific objectives to be accomplished in the training;
- (3) An outline of the proposed course;
- (4) A list of the instructors and resource people who will conduct the training; including resumes, if possible;
- (5) A bibliography of materials to be used in the training;
- (6) Evidence of Indian participation in the implementation of the training;
- (7) The actual number of instructional contact hours and the number of additional activities planned for the course;
- (8) The number of participants expected; and
- (9) A description of the evaluation method to be used in measuring the effectiveness of the training.⁹

After reviewing the material the Superintendent of Public Instruction would then issue a letter to the school district approving or rejecting the in-service course.

The formal college course option required completion of six college credits. Each of the state institutions offering teacher education programs developed courses to meet the intent of the law. Authority for approval of these courses as to whether they met the intent of the law rested with the school's Dean of Education and the Native American Studies director. The courses were developed with the advice and assistance of Indian people.

The fourth option, a combination of in-service and college coursework, followed the guidelines for in-service and college coursework previously stated.

Strong lobbying by educational interest groups during the 1979 legislative session produced an amendment to the Indian Studies Bill, House Bill 219, which nullified the mandatory component of the law and made the whole program voluntary and at the discretion of the individual school district. It had taken nearly three years to implement the mandates of the bill, so the law was operational for less than three years. A concern that had been included in the fundamental law of the state--education in Indian culture--now had no statutory base for enforcement.

The philosophy behind the Indian Studies Law can be tied to the national social reforms of the 1960's which culminated in the passage of the 1964 Civil Rights Act. Congress became concerned with the education being provided to the nation's minority groups. There was broader

recognition that assimilation into the dominant culture was not equal educational opportunity for all. This departure from the "melting pot" theory represented a radical change in American educational philosophy. Montana became part of this movement for educational reform when it included a guarantee of equal educational opportunity and commitment to preserve Indian culture in the new state constitution.

The purpose of this paper was to analyze the implementation and ultimate failure of the Indian Studies Law. Specifically, the study looked at the implementing roles of the Office of Public Instruction, the local school districts and the University System. The principal questions asked were: (1) What factors influenced the failure; (2) Were there any lasting effects on teacher education; and (3) Would there have been a better way of implementing this educational reform?

The research approach was historical analysis and a case study comparing implementation of the Indian Studies Law by completion of college coursework and in-service training. Data collection included: examination of public records, state publications, newspaper accounts, college catalogs and correspondence concerning the law. Also, extensive interviews were conducted with key individuals regarding the program's implementation, opposition, and modification.

The paper is divided into the following chapters:

- I. Introduction: Purpose and Method
- II. Constitutional Convention, Legislation and Indian Culture Master Plan
- III. Case Study: Modes of Implementation
- IV. Reaction to the Law and Change in Requirement
- V. Conclusion and Assessment

NOTES

1. James J. Lopach, ed., We the People of Montana...The Workings of a Popular Government (Missoula, Montana: Mountain Press Publishing Company, 1983), 306.
2. Ibid.
3. "Montana's Indian Studies Law," (Helena, Montana: Office of Public Instruction, 1977).
4. "Indian Culture Master Plan," (Helena, Montana: State Board of Education, 1975) 1.
5. Ibid.
6. "Preface," (Helena, Montana: Office of Public Instruction), 1.
7. Ibid., 2, 3.
8. Ibid., 5, 6.
9. Indian Studies Guidelines, (Helena, Montana: Board of Public Education and Office of Public Instruction, 1976), 3.

CHAPTER II
CONSTITUTIONAL CONVENTION, LEGISLATION
AND INDIAN CULTURE MASTER PLAN

Indian people and their supporters came before the 1972 Constitutional Convention with two concerns they wished addressed by the new constitution. They wanted a statement assuring preservation of Indian culture and they wanted commitment to a goal of equal educational opportunity for Indian people. Supporters of these interests testified before the Bill of Rights Committee and the Education Committee.

In testimony before the Education Committee, Earl Barlow, Indian Education Supervisor at the Office of Public Instruction, presented an overview of the Indian situation in Montana. He established the Indian population at five percent of the population of Montana. He cited 1969 - 1971 Office of Public Instruction statistics which placed the Indian student enrollment in public schools at 10,343. Mr. Barlow related the results of a 1969 regional study which placed the Indian high school drop-out rate at forty-seven percent compared to the national average for all high school students of twenty-six percent.¹ He said schools must begin to be responsive to the special needs of Indian students. He ended his presentation by saying, "Education is probably the single most important function of government and I strongly urge the Constitutional Convention delegates to adopt a provision committing the people of Montana to the principle of equal educational opportunity for the Indian people of Montana."²

Testimony supporting Indian concerns continued throughout February, the first month of the Constitutional Convention. Area newspapers gave substantial coverage to the testimony as shown in the following newspaper accounts:

Frances Satterthwaite, a lobbyist for the Montana Intertribal Policy Board and a member of the National Indian Health Advisory Board, complained that Americans don't understand Indian culture and for years were intent on "making Indians non-Indians."

"Somewhere in the constitution there should be something that would preserve the cultural integrity of our Indian people," she said.³

Indian students came before the Constitutional Convention's Education Committee to ask for a constitutional statement promising equal educational opportunity to Indian students. Dave Kindness, a Crow student, spoke in his native language to illustrate problems an Indian child might encounter when entering school to hear only English spoken for the first time.⁴

Carson Boyd Brockton, representing the Montana Intertribal Policy Board, presented a proposal before the Bill of Rights Committee which read: "The state of Montana recognizes the distinct and unique cultural heritage and identity of American Indians, and the state of Montana shall be forever committed to the preservation of the cultural integrity of the American Indians." He also suggested a policy statement be part of the new constitution which would read, "American Indians in the state of Montana shall forever enjoy the right of equal educational opportunity in all public institutions."⁵

Delegates to the Constitutional Convention were not opposed to including a statement in the constitution regarding Indian culture and educational opportunity. Discussion centered on whether a statement should be placed in the Bill of Rights or be included in the Education Article. Although testimony before both committees was extensive, neither committee included a statement in its final draft presented to the Committee-of-the-Whole meeting. Dorothy Eck, a delegate from Bozeman and a member of the Bill of Rights Committee, proposed an amendment to the Education Article from the floor, during the Committee-of-the-Whole debate on March 10, 1972, fourteen days before the convention adjourned. Her amendment read:

The state recognizes the distinct and unique cultural heritage of the American Indians and is committed to the preservation of their cultural integrity.⁶

Delegate Eck explained her proposal with the following statement:

Mr. Chairman and delegates: During one of our very early hearings on the Bill of Rights Committee, there appeared before us two young Indian students representing student groups of the Fort Peck Reservation. They came asking what we could do, or what the Convention could do, to assure them that they would have the opportunity--and their schools--to study their own culture, perhaps their own language, and to develop a real feeling of pride in themselves for their own heritage and culture and also a hope that other students all over Montana would recognize the importance and real dignity of American Indians in the life of Montana. After that time, our committee, as well as the Education Committee, were visited by a large number of Indians coming with pretty much the same plea.

We considered substituting a special article in the Constitution for Article Number II which we have now, which was military reservations. But after a good deal of discussion and talking with Indians and their representatives, it appears that the area that they are most concerned about is that of education, and after consultation with members of the Education Committee, we agreed that we would like to present this amendment to the Education Article.⁷

Testimony from the floor for inclusion of the statement in the Education Article was favorable. Delegate Richard Champoux, chairman of the Education Committee spoke in favor of the amendment:

We like to think of ourselves as a great melting pot where everyone becomes a--quote--"typical American," a homogenized society. We are, in fact, a heterogeneous country, a mixing bowl, made up of a colorful patch full of people with different cultural backgrounds. And each group has contributed and woven into the pattern of American customs from their respective homelands. These people are good Americans, but the emotional tie still remains; the identification with the countries of their origin. The argument has been made that it is not possible to single out one ethnic group as a special group. For our Indian people, it is impossible not to mention them as a special group. The State of Montana is composed of the sovereign State of Montana and five [sic] autonomous self-governing Indian nations whose people have a dual citizenship. Every other ethnic group in this country has a country of origin to relate to in their pride of heritage, and we have learned in our schools about their countries. All of us have taken Greek history, Roman history, English history, French history and so forth. Why not Indian history? The Irish have a national day. Try to deny the Irish in this country or in Butte (Laughter) the celebration of that national day. I hope I can be there next Friday to celebrate it with them. (Laughter) We'd have a revolution on our hands. Why not a Chief Charlo Day, Chief Joseph, Chief Hungry Horse, and so forth? What is the country of origin for our American Indians? It is America. What have the average Americans learned in our schools about our American people? Very little, if not nothing[sic]. How many delegates sitting in this assembly could answer these questions? Who were the Indians of the Iroquois nation? Which Indians belonged to the five civilized tribes? Now, those are easy questions. They're eastern questions but they're easy ones. Which--what happened to them? How about the native tribes? How many of us here can name the native tribes of Montana and tell me about their history and native cultures? We've all heard of George Kaplan, the great painter. Some of his works are to be found around this very Capitol. How many have heard this statement by George Kaplan about the Montana Indians? And I quote: "I love a people who are honest without laws, who have no jails and no poorhouses. I love a people who keep the commandments without ever having read them or heard them preached from a pulpit." Are we to tell the Indian people that their history has no place in our schools? Are we to tell them--the Indian people that their ways, their governments were wrong and that they must accept ours because ours are better? Or will we help them to retain their ethnic identity

and make their adaptation as Americans? If there is ever to be a solution to the Indian problem in this country, it will only come about when our educational system provides the knowledge which is needed to understand. And I agree here with Mr. Harper-- Reverend Harper wholeheartedly. It will only come when our educational system provides the knowledge which is needed to understand and respect the cultural difference between us and the state helps to preserve and protect their cultural integrity.⁸

Archie Wilson, a rancher from Hysham, was the only person to speak in opposition to the amendment. He believed that equal educational opportunity already existed for Indians if they would only take advantage of it. He said Indians should not be singled out and specially referred to in the constitution since they were American like everyone else. During the debate, no other delegates spoke in support of Mr. Wilson's philosophy. Delegate Gene Harbaugh from Poplar strongly disagreed with Mr. Wilson in his testimony from the floor supporting the amendment:

Mr. Chairman. I hope this is in accord with the intent of the persons who made the amendment. In speaking on the amendment itself, I also would speak in favor of the amendment. I think what Mr. Champoux said is correct, that the Indian people felt--who came to testify before our committees--that they were getting the runaround, that they were getting sent back and forth between one committee and another. And I think it is important, perhaps, to have something like this in here even though, in my interpretation of subsection 1, by granting equal opportunity--when I think of equal opportunity and when I interpret that phrase, to me it means that we recognize the distinctiveness of various groups within our society. And I would have to take very serious issue with Mr. Wilson on this particular thing. I have lived for almost 7 years on the Fort Peck Reservation at Poplar, which is the tribal headquarters for the Sioux and Assiniboine Tribes; and make no mistake, the Indian people are different from us "Wasituse" as they call us. There is a difference. And the fact that our culture for many, many years has failed to recognize the cultural differences has led to some very deep misunderstandings about how we ought to relate ourselves and our society to the Indian people. I'm very much in accord with the idea that the Indian culture ought to be upheld and that it ought to be protected as over and against the dominant society. While I feel that, really, this is the intention of the Education Committee's report in setting forth equal educational opportunity, I do not resist the amendment here which makes this specific, and I would speak in favor of it.⁹

Delegate Harbaugh proposed the words "in its educational goals" be inserted in the amendment. The amendment was changed from:

The state recognizes the distinct and unique cultural heritage of the American Indians and is committed to the preservation of their cultural integrity.

to:

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

On March 10, 1972, eighty-three of the one hundred Constitutional Convention delegates (eighty-four were present) voted for the amendment to be included in the Education Article, section 1, subsection 2. A specific commitment to preserve the cultural integrity of the Indian people became part of the fundamental law of the state. With this accomplishment in hand, Indian leaders directed their attention to planning for the 1973 legislative session.

Indian educators and leaders met before the 1973 legislative session to prepare a list of recommendations and goals they wished to accomplish during the session. High on the priority list was special preparation for teachers teaching Indian children. Indian people believed that instruction in American Indian history including contributions made by American Indians to Montana and the United States should be included in the curriculum of public elementary and secondary schools. Two goals were very specific in this respect. They read:

To require that all public Montana teacher training institutions have programs to prepare teachers to teach Indian children.¹⁰

and

To require that courses of instruction on American Indian history, contemporary Indian affairs, and contributions made by American Indians to the development of Montana and the United States be included in the curriculum of every public elementary and secondary school in Montana and all courses of studies, materials, and media for such courses of instruction must be approved by a committee of Indian people.¹¹

Another goal for public schools addressed a need felt by Indian people for greater involvement by teachers in the lives of Indian students.

It read:

That public schools institute programs to orient and acquaint teachers with the Indian community and Indian parents.¹²

Several pieces of legislation evolved from these proposals. The most significant was House Bill 343 (HB 343) passed during the 1973 legislative session. HB 343 became known as the "Indian Studies Law." This bill specified that certified teachers¹³ on or near Indian reservations

would within five years complete preparation in American Indian Studies (see appendix A for full text of the bill). The bill's primary sponsor was Polly Holmes, a representative from Billings. Representative Holmes felt that Indian children had little chance of receiving an equal education without their teachers having some understanding of Indian values and mores.¹⁴ There was no lobbying against the bill. The American Federation of Teachers supported the bill and the Montana Education Association did not oppose it. Several teachers testified for the bill.¹⁵

HB 343 was itself a compromise bill. House Bill 501 (HB 501) (see appendix B), an alternate bill which did not pass, required all Montana teachers to complete Indian Studies coursework within ten years regardless of where they were teaching. The 1973 legislature also passed Senate Joint Resolution No. 17 (SJR 17) which stated in part:

A Joint Resolution of the Senate and the House of Representatives of the state of Montana encouraging the public schools to include in their curricula courses on Indian history, culture and contemporary affairs and teacher training institutions to provide programs specifically designed to prepare teachers to teach Indian children.¹⁶

Because it was a resolution, SJR 17 did not have the force of law.

It was not until the 1974 legislative session that an implementing measure for HB 343 was passed. The measure, House Joint Resolution 60 (HJR 60), was introduced by five of the people who introduced HB 343. HJR 60 directed the Board of Public Education and the Board of Regents of Higher Education to compose a master plan within a year to implement the Indian Studies Law (see appendix C). HJR 60 allowed a longer time period for implementation than HB 343, but it applied the requirements to all teachers. There was no opposition to HJR 60 in committee.

Authority and responsibility for development of the master plan was vested in the Joint Ad Hoc Curriculum Committee of the Board of Regents and the Board of Public Education. Financial resources for the plan were authorized by House Bill 746 passed during the 1974 legislative session. The committee was administratively assigned to the Office of the Commissioner of Higher Education. The study to develop the plan became known as the Indian Studies Project.¹⁷ The time allowed for the project was July 2, 1974, until June 30, 1975.

Ken Harwood, a Blackfeet Indian, was appointed head of the state committee with an advisory committee of forty-five to assist him. Members of the committee were educational leaders from throughout the state and included attorneys, teachers, students, legislators, and university and tribal representatives. Forty-one of the members were Native American. Co-chairs were Joan Kennerly, a former principal from Browning, Montana and a member of the Government Commission on Post Secondary Education, and Elmer Main, Education Specialist for the Fort Belknap Agency.¹⁸

The task for the committee was first to complete a thorough study of current and potential Indian Studies programs in Montana. Mr. Harwood and his committee spent a year collecting background material, consulting with Indian people, and investigating ways of implementing the intent of HB 343 and HJR 60. Seventeen recommendations resulted from the Harwood study. Summaries of these recommendations follow; for the full text of the recommendations see appendix D.

- (1) Funding be allocated to support the Master Plan recommendations and a permanent staff position be created and maintained until the legislation is fully implemented.
- (2) The Board of Regents establish a fiscal policy to provide adequate faculty and support to insure quality of instruction commensurate with the educational goals outlined in the Master Plan.
- (3) The State Board of Education acknowledge and support the position statements expressed in the new Montana constitution, in the final report of the Postsecondary Education Commission and in House Joint Rule No. 28 passed during the 1975 Legislature.
- (4) The Board of Regents and Board of Public Education establish a joint policy to require three to six credit hours in Native American studies for students seeking teacher certification, certified teachers and non-certified educational personnel.
- (5) The Board of Regents and Board of Public Education direct teacher training institutions to develop criteria that Indian and non-Indian faculty and consultants must meet before teaching courses as specified in the Indian Culture Master Plan.
- (6) The Board of Regents formulate a policy statement directing teacher training institutions to implement certain principles and guidelines when developing Indian Culture Master Plan courses of study.
- (7) The Board of Regents and Board of Public Education establish a Master Plan Education Review Committee and make funds available for travel, per diem, and mileage.

- (8) The Board of Public Education formulate a policy directing Montana public schools to implement specific principles and guidelines when developing in-service training.
- (9) The Board of Public Education formulate a policy directing Montana public schools to include specific elements when developing programs of study on Indian culture.
- (10) The State Board of Regents and the Board of Public Education establish "special recruitment procedures" at their institutions to hire additional qualified Indian faculty, teachers and consultants to make presentations on Indian courses of study, in-service requests, and programs of study.
- (11) The State Board of Regents encourage teacher training institutions to establish bilingual and bicultural education programs to insure elementary and high school teachers understand Indian students' cultural frame of reference.
- (12) The Superintendent of Public Instruction publish a report semi-annually reflecting enrollment figures of Indian students attending public schools and present pertinent data and information to public schools informing them of financial entitlement under the Indian Education Act, Title IV, Part A.
- (13) The Board of Public Education direct public schools located on or adjacent to Montana Indian reservations to employ only certified personnel who have successfully completed an Indian Culture Master Plan approved course of study.
- (14) The Superintendent of Public Instruction seek funds for the development of special education programs which focus on the strengthening of language skills and enhancement of self-concept in Indian children.
- (15) The Superintendent of Public Instruction provide teachers with an official certificate of completion after satisfying the requirements of the Indian Culture Master Plan.
- (16) The Board of Education request the Montana State Library Commission to create an American Indian Media Committee to review and distribute literature and other media purchased about Native American and Montana Indian cultures.
- (17) The Governor contact Montana's congressional delegation informing them of the Indian Culture Master Plan and requesting them to assist the State of Montana in requesting needed funds.¹⁹

Ken Harwood's state committee developed the Indian Culture Master Plan (ICMP) from the seventeen recommendations. Three overall objectives evolved as most important in guiding the development of the plan: (1) The Native American perspective be emphasized in course offerings in the Montana University System and in public schools; (2) the plan provide methods for presenting accurate information about Native Americans and Montana Indians in particular; and (3) the plan become a tool for helping

non-Indians develop an appreciation and awareness of Native Americans.²⁰ Indian people felt four prerequisites were needed to facilitate these objectives:

- (1) teachers knowledgeable about Montana Indians and Indian cultures;
- (2) teachers able to demonstrate their sensitivities and concerns for Montana Indian people to students through educational programs;
- (3) the development of programs of study and course offerings that include Indian history, traditions, customs, values, beliefs, ethics and contemporary affairs as seen from the tribal perspective; and
- (4) the participation and assistance of Native American people.²¹

Creators of the Master Plan expressed an ideal objective would be to have Native American people conduct all courses in Native American Studies. However, they recognized that qualified applicants were too few for this to be a reality.

For the University System, the plan recommended a Native American Studies director be appointed at each teacher training institution. Six quarter credits in Native American Studies were established as the minimum requirement for fulfillment of the Indian Studies Law by completion of college coursework. The Native American Studies director and Dean of Education at each institution were directed to designate courses which would fulfill the requirement of the law. Courses were to be available for graduate credit. The Native American Studies director was to develop a list of Native American consultants to act as resource people for faculty teaching Native American Studies courses. The ICMP suggested that each campus develop an Indian Education Committee to evaluate courses proposed by faculty as appropriate for fulfillment of the Indian Studies Law. Involvement of Indian people as emphasized in HB 343 and HJR 60 was stressed.

At the public school district level, the ICMP recommended that the State Superintendent of Schools work closely with the school districts to develop standards of competency for people wishing to conduct Native American studies in-service programs. A basic competency mentioned was a knowledge of Native American studies and an appreciation of Indian Culture.²¹ The ICMP recommended that the State Superintendent's Office develop and disseminate guidelines for in-service to local boards of

trustees, school district officials, and teachers. Guidelines in the Johnson-O'Malley Act programs were suggested as appropriate for in-service guidelines. They included:

Indian parental involvement in the development of programs of study; the use of appropriate Indian ceremonies and cultural events; preference for bilingual or biculturally trained teachers in schools with concentrations of enrolled Indian students; the use of tribal representatives and other culturally knowledgeable people; the utilization of Indian books, films, artifacts and other Indian culture resource materials for instruction purposes; and the use of Indian parents and teachers and parent-teacher committees in the evaluation of Native American programs of study.

The ICMP also recommended existing organizations and committees, such as tribal councils and local Indian education committees, be utilized in advisory and review capacities for implementation of Native American Studies programs.²³

Responsibility for compliance with the directives of House Bill 343 and the Indian Culture Master Plan was left with the local school board. Procedures were established for school districts to provide evidence of completion of requirements to the individual boards of trustees. Options for providing the evidence were:

- (1) A transcript from a unit of the Montana University System showing completion of Native American Studies coursework;
- (2) A letter from the board of trustees of the school district to the participant certifying completion of the in-service training program developed by the Superintendent of Public Instruction;
- (3) A letter from the board of trustees of the school district to the participant certifying completion of a locally developed and approved in-service training.²⁴

The Indian Culture Master Plan concluded by stating that its broad goal was to develop better understanding between the Indian and non-Indian populations of Montana through the education process. It was felt that this could best be accomplished by enabling teachers to become aware of and sensitive to Native American concerns; supporting development of programs in public schools which emphasized Native American contributions; supporting development of University System courses which presented accurate information about Native Americans; and insuring participation and assistance of Indian people in all of these efforts.²⁵

NOTES

1. Montana Constitutional Convention, Testimony on Indian Education in Montana, before the Education Committee, (3 February 1972).
2. Ibid., 8.
3. Missoulian, 4 February 1972.
4. Butte Standard, 5 February 1972.
5. Great Falls Tribune, 10 February 1972.
6. Montana Constitutional Convention Proceedings, Vol. VI, (Helena, Montana: Constitutional Convention Editing and Publishing Committee, Montana Legislature, 1972), 1950.
7. Ibid., 1950, 1951.
8. Ibid., 1951.
9. Ibid., 1953.
10. "Legislative Proposals for 1973 Montana Legislature," (Helena, Montana: Polly Holmes file, November 1973).
11. Ibid.
12. "Recommendations for Public Schools," (Polly Holmes file, November, 1972).
13. HB 343 and the codified statute used the terms "certified personnel" which included school administrators as well as teachers. HJR 60 used the term "public school teachers." In popular usage the Indian Studies Law was referred to as applying to "teachers." However, school administrators were never excluded from the application of the law.
14. Polly Holmes to Tom Alexander, 17 April 1978.
15. Ibid.
16. Senate Joint Resolutions, Forty-third Legislature, (Helena, Montana, 1974).
17. "Montana Indian Culture Master Plan, Staff Draft Report," (Helena, Montana: Office of Public Instruction file, April 1975).
18. "Indian Culture Master Plan," (Helena, Montana: State Board of Education, 1975), 3.
19. "Recommendations, State Indian Studies Project," (Helena, Montana: Office of Public Instruction).
20. "Indian Culture Master Plan," 3.
21. Ibid., 3.

22. Ibid., 4.
23. Ibid., 4.
24. Ibid., 5.
25. Ibid., 7.

CHAPTER III

CASE STUDY: MODES OF IMPLEMENTATION

As stated in the previous chapter, directives of the Indian Culture Master Plan allowed in-service teachers to fulfill the Indian Studies requirement by completing college coursework in Native American Studies, by completing in-service training, or by completing a combination of college coursework and in-service training. Authority for approval of courses to meet the intent of the Indian Studies Law was left to the Dean of Education and the Native American Studies Director at each institution. An Inter-Unit Committee of Native American Studies Directors made recommendations to the Board of Regents and to their respective institutions concerning implementation of the law, but local institutions made the final decision on the appropriateness of coursework.

The Office of Public Instruction (OPI) developed guidelines for in-service training for individuals wishing to fulfill the law by completion of local school district in-service. OPI retained final authority for approval of local school district in-service. OPI personnel and educational resources were available to assist school districts in the planning and execution of in-service programs.

College Coursework Option

How were the teacher education institutions equipped to handle teachers and teacher education students seeking to fulfill the Indian Studies Law by completion of college coursework? A review of the eight educational institutions in Montana with teacher education programs shows three of the institutions offered courses in Native American Studies (NAS) in 1973, the year the Indian Studies Law passed: The University of Montana, Eastern Montana College and Western Montana College.¹ Eastern Montana College and the University of Montana saw considerable growth in NAS offerings during the years the Indian Studies Law was in force. To illustrate, in 1973 Eastern Montana College offered nine courses in Native American Studies. By 1975 there were seventeen offerings.² The

University of Montana catalogs from 1971 - 1974 list four courses in Native American Studies. The 1974 - 1976 catalog lists eight NAS courses, and the 1976 - 1978 catalog lists fifteen.³ Western Montana College offered one course in Native American Studies in 1973, a 400-level course entitled "Indian Culture." A 500-level course, "Indian White Relations," was added in 1980.⁴ Because the University of Montana and Eastern Montana College were within a two hundred mile radius of many affected school districts, the demand for these institutions to establish courses to meet the intent of the law was substantial.

The five remaining teacher education institutions: Montana State University, Northern Montana College, Carroll College, College of Great Falls, and Rocky Mountain College, did not have Native American Studies programs, as such, in place in 1973. Montana State University offered three "American Indian" courses from 1970 - 1972. The courses were taught through other disciplines and not under an "American Indian" rubric. For example, Indian Economic Development was taught under Agricultural Economics and Economics; Cheyenne Language was taught through Modern Languages; and Indian Ceramics was taught out of Engineering. There was a Director of Indian Programs who coordinated the coursework. The Director was administratively housed in the Center for Intercultural Programs. During the 1975 - 1976 academic year, M.S.U. taught six courses with an Indian emphasis under the rubric "Intercultural Studies." Educational Foundations 580, American Indian Education, was offered as a graduate course in the Summer of 1975 and was specifically designed to meet the requirements of the Indian Studies Law. M.S.U. created the Center for Native American Studies as an autonomous unit in the Fall of 1976 within the College of Letters and Sciences. By the 1976 - 1977 academic year the course offerings increased as a result of the Indian Studies Law. Designated courses fulfilled the Indian Studies Law and some courses developed out of the personal interest of the faculty. Robert Peregoy, the Center's first director, chaired the Inter-Unit Committee of Native American Studies Directors for the University System during the 1976 - 1977 year.⁵

Northern Montana College first offered courses under a Native American heading in 1978.⁶ Courses in Native American Studies were irregularly held prior to the 1978 - 1979 school year at Carroll College.⁷

Since 1979 was the deadline for implementation of the Indian Studies Law, it appears that Northern Montana College and Carroll College added NAS courses to their curriculum to be in compliance with the law. Courses were in the planning stages in 1973 at the College of Great Falls, and they first offered courses in 1974 under "Indian Education" and "Indian Studies."⁸ Catalogs from Rocky Mountain College in the 1970s list a Center for Indian Studies but do not list specific courses in Native American Studies. NAS courses were taught through the Sociology and Anthropology Departments.⁹

The following pages will examine the Native American Studies Program at the University of Montana and the effect of the Indian Studies legislation on that program as well as the strengths and weaknesses of the coursework mode of implementation. Native American Studies was established as a program at the University of Montana in 1970; Alonzo Spang was the first director. The program originated in the Liberal Arts Department of the College of Arts and Sciences. The following four courses and descriptions were listed in the 1971 University catalog:

- NAS 230 Contemporary Issues of the American Indian
Survey of the modern American Indian on the reservation and in the urban setting. (3 credits)
- NAS 231 The Reservation Indian
Study of the Reservation Indian with special emphasis on the Montana Indian. (3 credits)
- NAS 233 History of Indian Affairs
Survey of the relationship between American Indians and the State and Federal Government. (3 credits)
- NAS 490 Independent Study
Selected topics on Indians conducted under the guidance of a staff member. (variable credit)¹⁰

As stated earlier, by 1974, the year following passage of the Indian Studies Law, NAS course offerings doubled.

The Indian Culture Master Plan (ICMP) recommended that each campus organize an Indian Education Committee to establish which NAS courses would fulfill requirements of the Indian Studies Law. The University of Montana Indian Education Committee included Henrietta Whiteman and Gary Kimble, both of whom were NAS faculty members. The following U of M courses were designated to fulfill requirements of the Law:

Major laws, statutes and development of modern tribal government; federal, state and tribal relations; education and health; assimilation; forced acculturation and social change. (3 credits)

NAS 242 Contemporary Issues of the American Indian

Tribal self-government and self-determination; Indian rights; assimilation and the goals of Indians in a white dominated society. (3 credits)

NAS 300 American Indian Education

A study of Indian education from the Parochial Period to the Self-Determination Period; examination of Johnson O'Malley funding for Indian education; and a look at the unique needs of the Indian child. (3 credits)¹¹

Teachers in schools operating in districts that were partially or totally within a reservation and had an enrollment of ten Indian children or an enrollment of fifty percent Indian children were required to comply with the Indian Studies Law. Teachers in individual schools which shared a common border with an Indian reservation were required to comply if there were ten Indian children enrolled or the school had a fifty percent enrollment of Indian children.¹² Because of their proximity to the Blackfeet and Flathead Reservations, many schools and school districts within two hundred miles of Missoula fell in one of the affected categories. Districts partially or totally within a reservation included Browning, Cut Bank, East Glacier, Kalispell, Kila, Charlo, Arlee, Elmo, Polson, St. Ignatius, Ronan, Upper West Shore, Valley View, Dixon, Camas Prairie, Hot Springs, Heart Butte, and Valier. Schools sharing a common border with Indian reservations included Columbia Falls, Bigfork, Swan Lake, Alberton, Missoula, De Smet, Swan Valley, Seeley Lake, Plains, and Paradise.¹³ There were 771 certified personnel in school districts that were partially or totally within a reservation with the required number of Indian children in 1973 and an additional 766 certified personnel in schools that shared a common border with Indian reservations.¹⁴

There were approximately four hundred students (pre-service teachers) completing teacher certification requirements at the University of Montana in 1973. Pre-service teachers were not required to complete Native American Studies coursework with the exception of the 1977 - 1978 academic year. That year, on September 12, 1977, the Board of Regents adopted a mandatory six credit Native American Studies graduation require-

ment for all students completing teacher education programs. The requirement was rescinded July 10, 1978.¹⁵ Since first year teachers rarely knew the location of their first teaching position in advance, many through consultation with advisors, elected to complete NAS coursework. A statement explaining the Indian Studies Law was included in the School of Education section of the 1978 University of Montana catalog.¹⁶ With the large number of certified personnel affected by the law within a short geographical distance of the University and the large number of pre-service teachers enrolled at the University, it is easy to see that the NAS Program potentially faced a large demand for their courses by these groups.

Statistics from the Registrar's Office and the Office of Continuing Education in table 1 show enrollment figures from 1971 - 1979. With the exception of the 1975 - 1976 year, figures from the Registrar's Office show a steady increase in enrollment in NAS courses.

Table 1

Enrollment in NAS courses

<u>Registrar</u>	<u>Continuing Education</u>
1971 - 1972.....71	
1972 - 1973.....90	1972 - 1973.....103
1973 - 1974.....209	1973 - 1974.....33
1974 - 1975.....611	1974 - 1975.....38
1975 - 1976.....460	1975 - 1976.....29
1976 - 1977.....578	1976 - 1977.....10
1977 - 1978.....1026	1977 - 1978.....855
1978 - 1979.....667	1978 - 1979.....165

Was the Native American Studies Program prepared to handle the students the Indian Studies legislation might generate? In 1973 Native American Studies employed 1.75 full-time faculty. Henrietta Whiteman, the director, served .5 as an administrator and .5 as a teaching faculty member. Gary Kimble served as 1.0 teaching faculty and Robert Swan served as assistant director, counselor and .25 teaching faculty. A number of federally and privately funded projects related to NAS were housed with the NAS Program. A list of projects follows:

Hill Foundation Program: "Self-Determination Through Education."

The main function of this program was to educate Native American adults in school finance, administration and curriculum. Three or four workshops were offered each year on reservations. Yearly cost of the program: \$80,500 with a staff of director, assistant

director and a secretary.

Native American Cultural Institute

The objective was "To sensitize and make aware school personnel in the service area, of the uniqueness of the American Indian student; to bring about an elimination of segregation; to bring about an awareness and recognition of the existing cultural gap; and to provide school personnel with some solutions and approaches to problems of Indian and non-Indian relationships by means of technical assistance and training."

The objective was accomplished by the development of new curricular techniques, new administrative structures and counseling techniques. Technical assistance was available for school districts within the state. The staff included the project director and assistant director, secretary and work study students. The NACI was funded by the United States Office of Education at \$90,407.

National Institute of Health

The objective was to develop health recruitment and support services to prepare Indian students to enter health professional schools and compete on an educationally equal basis.

Funding was divided into three parts: Recruitment, \$49,000; Summer Institute for Indian students, \$18,000; and student stipends, \$14,622.

Indian Careers in Health

A recruitment and retention project funded by the Department of Health, Education and Welfare through the School of Pharmacy. Recruitment consisted of visitations to reservations, urban high schools and colleges. Retention consisted of hiring tutors and a health career counselor for a total cost of \$33,742.

Upward Bound/Special Services

The objective was to help students with poor academic backgrounds prepare for post-secondary education. The Upward Bound program consisted of a summer teaching program to improve academic skills and Special Services including personal, academic and financial counseling and tutoring and day care. Staff included a director, a follow-up coordinator, two counselors and a secretary. Total budget was \$140,000.¹⁷

The Native American Studies portion of the University of Montana budget for 1974 was \$36,421 and provided for an assistant professor/director, advisor/assistant director and a secretary.¹⁸ The 1975 budget was \$51,933 and provided for a director/assistant professor and a secretary.¹⁹

Native American Studies evaluated their program in 1974 and wrote a position paper with recommendations they felt must be enacted to insure the survival and development of their program. The position paper is undated and unsigned and titled simply "Native American Studies Position Paper."²⁰ Henrietta Whiteman, current director of NAS and also director

during the time the position paper was presented, does not recall whether the paper was written specifically in response to the Indian Studies legislation.²¹ Academic recommendations in the NAS paper read as follows:

- (1) Five new faculty positions and additional course offerings. These positions should be created over a five year period.
- (2) Increase state commitment to meet the requirements of HB 343 and HJR 60. This commitment can be met with new faculty positions.
- (3) Graduate credit for NAS 350 and 490. This is needed to meet the needs of graduate students in disciplines other than education.
- (4) A Native American Studies major at the secondary level in the School of Education to be developed with the close consultation of Native American Studies Curriculum Committee and students.
- (5) Increase office space for NAS including all federal and private programs. The ultimate goal should be to have a building that houses all programs.
- (6) Develop a resource study center for Native American Studies including archival, audio-visual materials, library and museum.²²

The position paper also stated that NAS wished to develop a major within five years and with the development of the major obtain departmental status. A number of non-academic recommendations related to student services: additional counselors, tutors, work study funds and non-resident fee waivers. Since HB 343 (the Indian Studies Law) and HJR 60 (the implementing legislation) are mentioned as justification for new faculty lines and the granting of graduate credit, it appears that the NAS Position Paper was written in response to the Indian Studies Law.

The paper was presented to the Executive Committee of the Faculty Senate in the Spring of 1974. May 29, 1974, responding to the position paper, Howard Reinhardt, Chair of the Executive Committee, appointed an ad hoc committee to consider the needs of the NAS Program on campus.²³

Serving on the committee were:

Roger Dunsmore, Humanities
 Henrietta Whiteman, Indian Studies
 Duane Hampton, History
 Robert Lange, Forestry
 George Woodbury, Chemistry
 Tom Acevedo, Student
 Anson "Skip" Baker, Student

George Woodbury was elected chairman. Professor Woodbury recalls that

the ad hoc committee was formed partly in response to the NAS position paper and partly because a similar committee had completed a study of the Black Studies Program.²⁴ According to the charge to the committee, the following items should be investigated:

- (1) The academic nature and requirements of a viable NAS program at the University of Montana. (Implicit in this charge is a request that the committee investigate the academic strengths and possible weaknesses of the present program and those special requirements which such a program may have.)
- (2) The general needs of Native American students. (Implicit in this charge is a belief that the University community is not aware of and hence, not serving all of the special needs of its Native American students.)²⁵

The committee was to respond to the Faculty Senate by February 1, 1975.

The committee circulated a memorandum to all University departments asking the departments to list courses taught within those departments that were related to Native American Studies. A request to share any thoughts and concerns regarding the NAS Program with the ad hoc committee was included in the same memo. The following departments taught NAS related courses: Anthropology (25 courses), Art (3 courses), Education (1 course), Religious Studies (3 courses), Psychology (1 course), Sociology (3 courses), Humanities (1 course) and History (3 courses).²⁶

Response from faculty concerning the direction of NAS was varied. Some concern was expressed that adding NAS courses would duplicate course offerings taught through other departments, particularly Anthropology and Religious Studies. Most faculty favored an interdisciplinary approach. One suggestion was to combine Native American Studies, Black Studies and Women's Studies into a "Minority Studies" Program. Most faculty also favored a mechanism by which graduate credit could be offered without an actual graduate program.²⁷

While the response from faculty in general was supportive of the current NAS Program and some expansion, not all response was supportive. In a response entitled "Preliminary Statement Concerning Native American Studies," which is undated and unsigned, the author concedes, "The necessity to soon teach all teachers who teach on reservations will place a heavy burden upon the NAS faculty." But in response to the need for new faculty expressed by NAS, the author advises teachers to take courses from instructors knowledgeable about Native American Indians in disciplines

related to NAS to fulfill the requirements of the law. The author stresses that only after that alternative is exhausted should additional staff be added to NAS.²⁸ In another unsigned memo entitled "Response to NAS Position Paper," the author concedes as did the previous author that demands on NAS will increase with the implementation of HB 343; but this author stresses that NAS has not adequately substantiated their request for additional faculty. Responding to the request for graduate credit, the author states the following:

Request or recommendation [for graduate credit] lacks both substantiation and rationale. The statement that graduate credit is required by HB 343 and HJR 60 is false. No such requirements are in the law, nor implied by the law, and heaven forbid the legislature ever determining what specific courses should or shall carry graduate credit. Graduate credit may meet the needs of graduate students in other disciplines, but again, no substantiation exists by which one can test the truth of the assumption. Graduate credit is not - and should not - be given to courses due simply to supposed "student needs". Graduate credit implies and requires a quality not required in undergraduate credit and suggests research and application of knowledge not usually required in undergraduate courses. If graduate credit is desired, then a rationale for graduate credit (other than convenience) must be appended and defended.²⁹

The Faculty Senate Ad Hoc Committee on Indian Studies distributed their final report at the May 30, 1975, Faculty Senate Meeting. The report was accepted at the June 5, 1975, Faculty Senate meeting. Howard Reinhardt moved to accept the report as written and urged implementation of recommendations one through nine. The motion passed. In addition to maintaining present staff and faculty, the following recommendations were presented:

- (1) Addition of one full-time faculty member to satisfy present student demand; begin development of graduate level course.
- (2) Increase office space.
- (3) Addition of one full-time counselor to strengthen counseling effort and place less reliance on soft money.
- (4) Increase out-of-state fee waivers.
- (5) Seek state supported financing of tutoring program.
- (6) Develop improved remedial and academic advising programs for NAS.
- (7) Urge the University to hire qualified Native Americans for campus positions whenever possible.

(8) Improve relations between the Financial Aid Office and NAS.

(9) Initiate planning for a museum and Indian Resource Center.

The committee urged the implementation of the recommendations during the following year. The majority of the committee recommended departmental status for NAS at a later date contingent upon the continued growth of the program and University funding.³⁰

The previous discussion mentions an issue that was very important to NAS, that of establishing graduate level credit. As early as December 12, 1973, Henrietta Whiteman in a memo to the University Curriculum Committee, Graduate Council and Social Science Committee of the College of Arts and Sciences, requested graduate level distinction for Liberal Arts 490 (the rubric under which NAS courses were originally offered). Mrs. Whiteman cited a demand for Indian Studies graduate courses by education students as justification. The Graduate Council denied the request stating there was no specific course proposed and material to be covered was too open ended.³¹ Duane Pettersen, Chairman of the Social Science Curriculum Committee, supported the request for graduate credit for Liberal Arts 490. In a memo to Graduate School Dean, John Stewart, dated February 19, 1974, Professor Pettersen stated that requiring a specific course title for an Indian Studies course to be graduate level was inconsistent with curriculum policies in operation. He stated that in nearly all cases the difference between graduate and undergraduate work was based on extra work and extra papers and trust in the individual faculty member.³² The response from Dean Stewart was that a course relating to Indian problems and traditions for teachers in or near reservations was needed, not an open-ended problems course.³³

University of Montana Graduate School files contain many memos pertaining to the issue of graduate credit. The December 1973 memo from Mrs. Whiteman began the exchange of memos, phone calls and visits between Mrs. Whiteman (and other NAS faculty) and the Graduate School that spanned a six-year period and culminated in a complaint against the Graduate Council by Mrs. Whiteman alleging a violation of NAS civil rights.

In an August 21, 1974, memo to John Stewart, Robert Swan, Assistant Director of NAS, requested consideration for NAS 300, American Indian Education to be taught as a graduate level course. The course description

below was included:

NAS 300 A study of Indian education from the Parochial Period to the Self-Determination Period, examination of Johnson-O'Malley funding for Indian education, and a look at the unique needs of the Indian child. Prerequisite: NAS 240 or NAS 242

Robert Swan further stated:

The Montana State Legislature passed HB 343 in 1973 and the University of Montana Native American Studies Program would like to provide the type of courses to meet the intent of the law.

We realize that teachers who return to school during the Summer are also working on graduate degrees, and by offering graduate credit for NAS 300, we will be able to provide the type of course teachers could fit into their graduate program.³⁴

Dean Stewart replied in a subsequent memo that the Graduate Council was favorably disposed to working with NAS in developing a course to fulfill the intent of HB 343 and one that would qualify for graduate credit. He went on to say that because the University was not in session, it would be necessary to wait until faculty returned to campus Fall quarter since the request would necessitate approval of the Curriculum Committee and the Faculty Senate. Dean Stewart asked for a detailed description of the course and he expressed a concern that the course would need to be taught by someone with experience dealing with the needs of teachers teaching Indian children.³⁵

Mrs. Whiteman requested permission for NAS to visit the Graduate Council concerning NAS 300. The Graduate Council subsequently voted to approve the request but the Faculty Senate later denied the request.³⁶ Graduate School files show an absence of communication between NAS and the Graduate Council during Fall 1974 - Fall 1976. The Indian Studies Project with the resulting Indian Culture Master Plan was completed during that time. It may be that NAS people postponed pursuing the graduate credit issue until more definitive guidelines regarding coursework were formulated at the state level. Or it may be that evidence of formal communication between NAS and the Graduate School during that time have simply been lost. Enrollment figures from the Registrar shown in Table 1 illustrate continued growth in enrollment in NAS courses during that time.

Communication between Mrs. Whiteman and the Graduate School Dean resumed November 5, 1976, with a request for graduate level credit for

NAS 300, American Indian Education to be taught by Gary Kimble the following summer. Mrs. Whiteman also requested graduate credit for NAS 240, the prerequisite course, with consequent renumbering and course expansion. A copy of the Indian Studies Law was attached for justification. In the memo Mrs. Whiteman requested a list of the faculty members serving on the Graduate Council.³⁷ A specific response to this request is not on record, but the 1977 Summer Session Bulletin lists NAS 300 for undergraduate credit.

Graduate level credit was given for NAS 590 in 1977 and appears as such for the first time in the 1978 - 1979 University catalog. The Graduate Council instructed NAS to submit a course outline and desired amount of credit each time NAS 590 was used, for two years.³⁸ Additional memos in the Graduate School file document requests by NAS to utilize the 590 number.

On June 14, 1979, Mrs. Whiteman contacted Gilbert D. Roman, Region VIII Director of the Department of Health, Education and Welfare, with a complaint against the Graduate Council of the University of Montana whose actions, she alleged, were a violation of Title VI of the Civil Rights Act of 1964. An on-site investigation was conducted September 4, 1979, through September 9, 1979. The region office concluded that no violation of Title VI had occurred in the policies, procedures and practices of the Graduate Council. NAS was so notified on September 28, 1979.³⁹

Was there a need for graduate credit to implement the Indian Studies Law? Most teachers fulfilling requirements of the Indian Studies Law by college coursework definitely desired graduate credit. In-service teachers were required to renew teaching certificates every five years. Completion of six college credits was the renewal requirement for "initial" teaching certificates. Initial certificates were titled "Class 2" certificates and were issued after completion of a four-year teacher education program. The Office of Public Instruction guidelines for the six credits stated:

It [Class 2 certificate] is renewable every five years upon completion of one year of successful teaching at the elementary or secondary level during the five year period plus the presentation of acceptable evidence of 6 additional quarter

credits (4 semester credits) which will supplement and strengthen the teacher's preparation and generally will be upper division or graduate courses.⁴⁰

Many school districts specified that credit for advancement on salary scales must be graduate level. NAS graduate courses would have fulfilled this need. Another reason teachers sought graduate credit in disciplines outside "education" such as NAS was to fulfill master's degree cognate credit requirements. Completion of a master's degree allowed a teacher to move to a "Professional Class 1" teaching certificate. Renewal of a Class 1 teaching certificate did not require completion of college credit. There were then three areas of potential demand by teachers for NAS graduate credit: renewal of teaching certificates, movement on school district salary scales, and the attainment of an advanced level certificate. The Indian Culture Master Plan recommended the availability of graduate credit to fulfill the coursework option of compliance. It appears that the NAS Program understood and anticipated this need for graduate credit by teachers, but the need was not understood or supported by the Graduate School.

As expressed in the NAS Position Paper and supported by the Faculty Senate Ad Hoc Committee on NAS, the Native American Studies Program did not have the capability in human resources to accommodate in-service and pre-service teachers in the numbers the Indian Studies Law might generate. Director Whiteman's responsibilities as program director required her to function as an administrator as well as a faculty member. The state portion of the NAS budget during 1973 - 1974 was less than \$37,000. Mrs. Whiteman's credit load for the 1972 - 1973 academic year generated an average of 1,800 student credit hours. On February 26, 1974, Mrs. Whiteman testified before the Joint University Subcommittee of the Senate and House Finance and Claims Committee of the Montana Legislature regarding the Indian Studies Law and the need for additional appropriations. She requested a supplemental appropriation of \$18,750 to fund one full-time and one half-time faculty member for the 1974 - 1975 academic year.⁴¹ The request passed the House, but the amount was set at \$37,500 to be divided between the University of Montana, Montana State University and Eastern Montana College.⁴² An equal three-way split would have given U.M. \$12,500. The supplemental appropriations bill did not pass the Senate. Despite

documented need and general University support for additional faculty for NAS, the program remained at the status quo. 31

In-Service Option

The in-service mode of compliance with the law was appealing to teachers because it allowed them to fulfill the requirements of the law without the expense of going away to school. In April of 1978, there were 10,000 certified personnel in the state of Montana. Over 3,400 or a third were affected by the Indian Studies Law. By April of 1978, 1,324 had completed in-service sponsored by the Office of Public Instruction (OPI) or sponsored by the local school district.⁴³ Acceptable in-service met the following criteria:

- (1) In-service training developed by the Superintendent of Public Instruction and implemented by a local board of trustees, consisting of no less than thirty instructional contact hours and approximately two hours of additional study for each contact hour, containing the curriculum defined in the Indian Studies Law;
- (2) In-service training developed by a local board of trustees containing the curriculum defined in the Indian Studies Law and consisting of no less than thirty instructional contact hours and approximately two hours additional study for each contact hour.⁴⁴

The Office of Public Instruction's model for in-service as mentioned in the introduction to this paper was entitled, "American Indian History and Culture: An In-Service Training Course for Teachers," with the following four components: Cross-Cultural Awareness, American Indian History and Culture: Overview, Specific Tribal and Community Orientations and Classroom Strategy. The same four components were applied to local district developed in-service. The following information was to be furnished to the Indian Studies Review Panel within OPI by the local district:

- (1) Evidence of local Indian involvement in the planning and design of the proposed training;
- (2) Specific objectives to be accomplished in the training;
- (3) An outline of the proposed course;
- (4) A list of the instructors and resource people who will conduct the training, including resumes, if possible;
- (5) A bibliography of materials to be used in the training;
- (6) Evidence of Indian participation in the implementation of the training;

- (7) The actual number of instructional contact hours and the number of additional activities planned for the course;
- (8) The number of participants expected; and
- (9) A description of the evaluation method to be used in measuring the effectiveness of the training.⁴⁵

The Indian Studies Review Panel consisting of Dan Decker, Manager, Division of Equal Learning Opportunities; Carmen Taylor, Cultural Awareness Specialist, Division of Equal Learning Opportunities; Bob Parsley, Manager, Division of Indian Education; and John Voorhis, Manager, Teacher Education and Certification approved or disapproved in-service proposals. This panel also determined whether in-services offered for college credit were applicable for renewal of teaching certificates.

A school district interested in in-service training usually contacted OPI with initial questions and was referred to Carmen Taylor, Dan Decker or Bob Parsley. At the request of a school or district, these people traveled to the community and provided workshops and consultation, explaining the Indian Culture Master Plan, the Indian Studies Law and procedures to follow to set up an in-service. There was a need to train people to help districts establish the in-service programs. OPI made an effort to train a cross section of people from the reservation areas during the Winter and Spring of 1978. OPI, the Native American Culture Institute at the University of Montana, the General Assistance Center in Ogden, Utah, and the Center for Cross Cultural Awareness in Denver, Colorado, co-sponsored a program which trained people in skills of facilitation, cross-cultural awareness and classroom strategies. The trainees returned to their school districts to assist the districts setting up in-services.⁴⁶

By the end of 1977 - 1978, schools or districts in the following towns had offered in-service training for their teachers at a per person cost of \$20.00: Bigfork, Billings, Lockwood, Charlo, Columbia Falls, Cut Bank, Frenchtown, Hardin, Havre, Hot Springs, Kalispell, Lame Deer, Medicine Lake, Missoula, Ronan, Seeley Lake and Busby. Busby was the first district to comply with the law by establishing in-service.

Reaction to in-service training was both positive and negative. Some very negative responses were observed by a Missoulian reporter attending a session for Missoula teachers as illustrated by the following

account:

"Many teachers complain that they were neither consulted nor warned and suddenly were forced to spend three hours each Thursday evening listening to Indian lectures. To say nothing of 60 additional hours on outside activities related to Native Americans..."

"Teachers stomped and booed when Flathead Chairman Tom Bearhead Swaney delivered an impassioned speech about Flathead Indian Tribal politics."

"Teachers yawned, talked to each other and corrected papers while another speaker tried to tell them about Indian culture."

"Evaluation sheets collected at the end of the course, contained 'The people speaking had to put in their quota of guilt-trips for the non-Indians. We are NOT personally responsible.' Or, 'I would like to apologize for some of the creeps in the class.'⁴⁷

The Missoula school district set up their own in-service and participation was mandatory.

A very positive in-service experience occurred in Libby School District No. 4. Libby School district was not an affected school district, so compliance with the law was not required. Interest in organizing an in-service came from Assistant Superintendent Don Waldron's involvement in the 1978 University of Montana summer Conference on American Indian Education and Culture. The conference theme was "Indians for Educational Opportunity" and was co-sponsored by Native American Studies, the School of Education, and Continuing Education at the U of M. The conference was co-directed by Henrietta Whiteman, NAS Director and Jon Wiles, Assistant Dean, School of Education. The conference began on June 12, 1978 and ended on June 23, 1978. Some six hundred people participated. The conference was available for three or six graduate or undergraduate credits and fulfilled mandates of the Indian Studies Law. A number of small group sessions, workshops and panel discussions were scheduled simultaneously and participants could choose which ones they wished to attend. One of the workshops was entitled "Designing In-Service Workshops under the Indian Studies Law," and was conducted by Dan Decker and Carmen Taylor. Don Waldron attended that session and chose to develop an in-service model for a graduate project. The conference was cross listed with NAS 590 and Educ 535. The last day ended with a Pow Wow with required attendance.⁴⁸

Mr. Waldron prepared his in-service for the required Fall in-service day for District 4 teachers, October 19, 1978. Teachers were informed

of the in-service and topic by memo the previous week. Teachers who had already fulfilled requirements of the Indian Studies Law were asked to call Mr. Waldron to arrange a different experience or make arrangements with their principal for a different experience. The possibility of college credit was mentioned. Cost for college credit was \$60.00. Presentors for the first day were Gary Kimble, professor at the University of Montana; Doug Allard, Flathead tribal secretary; and Tom "Bearhead" Swaney, chairman of the Flathead Tribal Council. Gary Kimble spoke on the "History of American Indians," and "Jurisdiction, Land and Water and Mineral Rights." Doug Allard spoke on "Economics of the Reservation," and Tom Swaney spoke on "Tribal Government." Raymond Carlisle, a former NAS employee, and Donald Waldron were co-facilitators. Additional presentations were scheduled for November and December to enable participants to complete the required thirty contact hours. The additional presentors were to be: Henrietta Whiteman; Pat Head, NAS Counselor; Joe MacDonald, President, Flathead-Salish-Kootenai Indian Community College; Johnny Arlee, Spiritual Leader, Confederated Salish and Kootenai Tribes; Lawrence Kenmille, Tribal Council member, Confederated Salish and Kootenai Tribes; Tom Thompson, Federal Programs Officer, Browning School District; and Dwight Billideaux, Director of Curriculum, Browning Public Schools.⁵⁰

The plan submitted to OPI included an additional three credit optional follow-up program. OPI approved the plan (with the additional three credit follow-up) for six credits to fulfill the Indian Studies requirements and count toward certificate renewal.⁵¹ At the close of the in-service, participants rated the presentations very high, close to excellent.⁵²

Summary

The teacher education institutions in Montana were not prepared to handle the deluge of students the Indian Studies Law had the potential of generating. The college coursework option to fulfill the law could have provided in-service teachers with an opportunity to complete Native American Studies coursework as part of their graduate degree programs, certificate renewal credit, and salary scale movement credit. However, as the study of the University of Montana shows, the implementation of this option was hampered by the inability of the Native American Studies

Program to offer graduate credit and hire additional faculty to teach and develop relevant courses. Despite the documentation furnished by NAS to show the need for additional faculty and resources needed, no money was provided by the state during the budgetary process.

The in-service option was attractive to teachers because programs were offered in their home towns, for nominal cost, and often for college credit. If the in-service were scheduled on a required in-service day, the teacher received an added bonus. Reaction to in-service was varied. The weakness of which many teachers complained was that the program was usually comprised of a number of guest speakers on different topics whose expertise and ability at "teaching" teachers varied from poor to excellent.

NOTES

1. University of Montana Bulletin, no. 545, (Missoula, Montana: University of Montana, January 1973), 206; Eastern Montana College General Bulletin, (Billings, Montana: Eastern Montana College, 1973), 240; Larry Hickethier, letter to author, 28 May 1986.
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CHAPTER IV

REACTION TO THE LAW AND CHANGE IN REQUIREMENTS

Chapter three examined methods by which teachers could fulfill requirements of the Indian Studies Law. This chapter will examine, by reviewing the events in the years following passage of the law, the reactions of the interest groups affected.

There was not a storm of protest when the law passed, nor was there a "mad rush" to comply. There was little objection from teachers in the field, and some teachers had testified in favor of the bill.¹ The Montana Federation of Teachers supported the bill as did the Montana School Board Association. The Montana Education Association and School Administrators of Montana did not actively oppose the bill, although both organizations were against legislative interference in curriculum matters and believed strongly in local control of schools.

Progress toward implementation of the law was slow. A year passed before implementing legislation in the form of House Joint Resolution 60 (HJR 60) was passed. Still another year passed during which time Ken Harwood from the Blackfeet Reservation directed a statewide committee charged with the responsibility of developing a master plan to formulate criteria to implement the law. The committee's study resulted in the Indian Culture Master Plan (ICMP or Master Plan). The ICMP was adopted December 15, 1975, by the Joint Curriculum Committee of the State Board of Education.² Initial implementation of the Master Plan was to be September, 1976. The deadline for compliance was July 1, 1979. This meant, then, that by the time a working plan to fulfill the tenets of the Indian Studies Law was in place, there remained only three years in which to complete requirements. Of the three, only the 1976 - 1977 and 1977 - 1978 school years afforded classroom teachers the opportunity of completing coursework or in-service during the summer.

There was confusion during this time as to which teachers were affected by the law. The original bill stated those affected were those

"employed on or adjacent to Indian Reservations."³ In 1975 the state Superintendent of Schools defined "those affected" by declaring districts with an enrollment of at least ten Indian children or an enrollment of at least fifty percent Indian children were affected districts.⁴ Another point of confusion was that many teachers thought they were "grandfathered" by the law. Since they were already certified, they did not think they were affected by the law. Tenured teachers did not think they could legally be forced to complete Indian Studies courses or face dismissal from their jobs. The tenure question was addressed in an eight page opinion to Superintendent of Public Instruction Georgia Ruth Rice by Attorney General Mike Greeley in October 1977. It read in part:

While the Indian Studies Act does not specifically mention tenured teachers, it broadly applies to 'certified personnel'A school district may employ only certified teachers and therefore 'certified personnel' refers to both tenured and non-tenured teachers.⁵

He further stated that the law does not violate the state's constitutional prohibition against obligation of contracts. Teachers were cautioned through their professional organizations that the Attorney General's opinion had the force and effect of law until the courts ruled differently or the law was changed.⁶

Montana Education Association's Initial Reaction

Teachers' reaction to the Indian Studies Law is most easily measured by studying actions taken by the Montana Education Association, the statewide teachers' union, through its governing bodies, the Delegate Assembly and the Board of Directors, and its official publications, the MEA Today, Montana Education and The Vigilante. The Delegate Assembly of the MEA establishes policies and programs of the Association and is composed of representatives of all the chartered units. The Board of Directors consists of the president and vice president of the Association and the chair and vice chair of each regional council. The Board of Directors implements policies and programs initiated by the Delegate Assembly and also employs the executive director of the Association. The Board meets three times a year and the Assembly meets once a year.⁷ Legislation affecting schools is carefully monitored by the Curriculum and Educational Development Committee and the Legislative Committee

within the Delegate Assembly. One of the fundamental beliefs of the organization is that curriculum should not be legislatively mandated. A resolution stating this is routinely adopted by the Delegate Assembly. However, the Delegate Assembly minutes from 1972 to 1976 display no reference to the Indian Studies Law as legislation to be monitored. The 1972 minutes include a statement of support for the new constitution's Education Article which pledged to preserve Indian culture and provided the impetus for the Indian Studies Law. President Wilfred Brown thanked delegate Rick Champoux for his work as chair of the Constitutional Convention's Education and Public Lands Committee. He stated: "...the Article on Education will serve the state of Montana and stand the test of time."⁸ Board of Director minutes from 1972 to 1976 do not mention the Indian Studies legislation.

MEA Today did not mention the Indian Studies Law until 1976. A statement in the November 30, 1972 issue reads:

The MEA believes that the determination of courses available in a school beyond basic requirements should be left to the local school board and the community itself.⁹

This statement again illustrated MEA's position against mandated curriculum in the schools. A September 1976 issue made a general reference to the Indian Studies Law by listing a panel discussion of the law as a scheduled event during the yearly October convention. Henrietta Whiteman, Native American Studies Director at the University of Montana; Bob Parsley, Indian Education Director for the Office of Public Instruction; and William Yellowtail, Education Division Director for the Crow Tribes were listed as panelists.¹⁰

MEA Today's April 1977 issue devoted a full page to explaining when the law was enacted and ways of meeting the requirements. The publication cautioned teachers to complete courses whether or not they were teaching in affected areas. It further stated: "While the MEA doesn't agree with this interpretation of the law, it is best to be safe."¹¹ The article cautioned that it was not known whether Indian Studies coursework could be used for movement on the salary scale and suggested the issue should be a negotiating item during the next contract talks. The Indian Studies issue dominated the June 1977 MEA Today. It listed affected school districts and all courses offered at Montana institutions ap-

proved as meeting the intent of the law.

Legislative Efforts

During this time political developments were underway in different parts of the state. Great Falls Citizens for the Cultural Enlightenment of Educators on Montana Indians met at the College of Great Falls in December of 1976 and again in Helena, January 13 and 14, 1977. The meetings were held to address issues Indian people should take to the 1977 Montana Legislature. This group proposed that a joint House and Senate Resolution be introduced to resist any and all efforts to amend or repeal the Indian Studies Law. The sponsor was to be Representative Steve Waldron of Missoula. The group drafted a list of individuals and groups which had gone on public record as opposing repeal or amendment of the law, including: the Republican Party; the Democratic Party; Governor Tom Judge; Superintendent of Public Instruction, Georgia Ruth Rice; Montana School Board Association; Montana United Scholarship Service, Inc.; Montana Inter-Tribal Policy Board; Rocky Boy Education Association (a unit of MEA); and the Rocky Boy Education Committee.¹²

In three letters to Earl Barlow, chairman of the Board of Public Education, from June 1978 to November 1978, state Representative Polly Holmes, chief sponsor of the Indian Studies Bill, referred to her teacher constituents in Billings as a "hotbed of angry teachers." She said she ran into about one in twenty who said he or she had learned something and did not resent taking the courses. Comments were: "They were a complete waste of time--a farce," "I needed six hours in my major subject and I had to take this junk instead," "I knew a lot more than the teacher did about Montana Indians," and, "Before this happened I had a better attitude toward Indians than I do now." Even her Indian friends told her many courses were poorly developed and they felt antagonism toward the law.¹³ The need for more worthwhile courses is repeatedly mentioned in correspondence between Representative Holmes and other people.

Mrs. Holmes joined with Representatives Ann Mary Dussault, Esther Bengston, Earl Lory, John Vincent and Art Lund to sponsor House Bill 463 (HB 463) during the 1977 Legislative Session. HB 463 proposed amending the Revised Codes of Montana concerning the Indian Studies Law in the following way: a one-year delay in meeting the Indian Studies require-

ment would be granted if a teacher could demonstrate a hardship in complying with the law; Indian Studies would be mandatory for all teachers by 1984; school boards would pay the costs of room, board, transportation, instructional material and loss of salary while a teacher was attending a college or university to take courses to fulfill requirements of the law; and local school boards would be allowed to offer in-service training or extension courses to comply. The bill also required the Board of Regents to provide full and adequate funding for the implementation of the law. HB 463 was not supported by the Indian community. Indian people felt there was ample time for teachers to take steps to comply with the law. They also felt, as did others, that requiring local school districts to pay for all cost of training would be too burdensome for the districts. Since the bill did not specify that coursework was to be taken at Montana institutions, teachers could conceivably take the courses in Hawaii or other states and have a paid vacation. HB 463 did not pass.¹⁴ Legislative efforts to repeal or rescind the Indian Studies Law during 1977 were unsuccessful.

Board of Regents

The directive for action at the state level came from the Indian Culture Master Plan. House Joint Resolution 60, passed in 1974, from which the ICMP evolved, directed development of a plan to "provide teacher training institutions in Montana with adequate resources to prepare teachers to understand the history, culture, sociology, and values of American Indians as seen by Indians."¹⁵ The ICMP was very specific in some of its directives but general in others. For example, it carefully defined "a formal course of study" as six quarter credits and outlined specific procedures for submission of transcripts and documentation showing completion of in-service credits. However, the section entitled "Funding for Implementation" was short and general.

The Master Plan recommended against setting up an administrative staff to implement the ICMP. Instead it recommended using existing staff in the Office of the Commissioner of Higher Education and the Office of the Superintendent of Public Instruction. Commissioner of Higher Education, Larry Pettit and Superintendent of Public Instruction, Dolores Colburg agreed. The intent of this reasoning was that money should be

put into the "delivery of services," not administrative costs. The funding section concluded by stating:

Although special funding for particular programs will continue to be sought from both state and federal government, eventually those programs which prove beneficial over the long term will be absorbed into regular budget requests. The Board of Regents will incorporate the costs of implementing the Master Plan into its 1977 and subsequent appropriation requests to the Montana Legislature.¹⁶

It was understood by the institutions that some courses would be offered in the Fall of 1976 without additional faculty, but thereafter costs for needed faculty would be incorporated into the Regents' budget.

The ICMP established an Inter-Unit Committee on Native American Studies to coordinate implementation of the Master Plan between the campuses and state offices. The Commissioner of Higher Education was to work closely with the Committee in coordinating the Master Plan. Native American Studies Director at the University of Montana, Henrietta White-man served as the first chair of the Inter-Unit Committee. Robert Peregoy, a Montana State University faculty member, served as the second chair.

By 1977 the Inter-Unit Committee was experiencing much frustration in trying to implement the Master Plan. In a lengthy August 24, 1977, memo to Lawrence Pettit, Robert Peregoy delineated the difficulties Native American Studies programs at the Montana institutions were having. He cited three areas of misunderstanding, which read:

1. There has been a misinterpretation by some administrators, faculty and students as to what the Regents intended when they adopted the Joint Curriculum Committee's recommendation that six quarter credits be the minimum number required to satisfy the intent of the legislation that resulted in the ICMP.
2. No additional funds have been allocated to NAS programs in order to accommodate the demands of the ICMP. As a result both implementation of the program and development of the regular NAS programs have been hampered.
3. There has been a lack of coordination and direction from the Commissioner's Office during the last year which has, in our opinion, contributed to the first two problems. Without support and coordination from your office, those problems cannot be resolved.¹⁷

Professor Peregoy explained that the confusion over the six quarter hours

had come about because of wording in the ICMP, which read: "It is further recommended that six quarter hours be established as the minimum requirement for teacher candidates in the Montana University System to satisfy the intent of relevant legislation.¹⁸ Students, faculty and administrators reading the ICMP interpreted the six quarter credits to be optional because of the word "recommendation." Peregoy pointed out that the "recommendation" was from the Joint Curriculum Committee to the Board of Regents not from the Board of Regents to the University System. He further stated: "During all staff and committee sessions concerning this program, there was a clear understanding that after a certain date no graduate of a Montana University System institution who wished to be recommended for certification would be recommended by the Dean of Education if he or she had not completed the six credits required by the ICMP.¹⁹ Another area of confusion was that there was no date listed in the ICMP by which the six credits were to be taken. Mr. Peregoy contended that the date was implicitly understood as July 1, 1979, since that was the date by which no student could be recommended for certification without the appropriate courses. He stated:

The lack of understanding concerning this requirement by administrators and faculty has resulted in both a failure to provide adequate resources in order to implement the ICMP and in inconsistent and often contradictory advice to students preparing to be teachers. During the last year, there has been no attempt by anyone in the Commissioner's Office to clarify these ambiguities. The attempts by Native American Studies directors to explain the requirements and build the programs necessary to implement the ICMP have consequently been ignored in some instances and in others regarded as self-serving and erroneous.²⁰

No additional funds had been made available to Native American Studies Programs according to Mr. Peregoy even though the ICMP specifically stated:

The Board of Regents will incorporate the costs of implementing the Master Plan into its 1977 and subsequent appropriations requests to the Montana Legislature.²¹

Mr. Peregoy alleged that the NAS programs had become service programs to students in teacher certification programs and were losing their own identity as well as losing sight of their goal of serving Indian students. He listed a series of efforts made by the Inter-Unit Committee to imple-

ment the Indian Studies Law. The List read:

- October 6, 1976 Committee met with Marshall Cook for direction on the way to proceed. (Marshall Cook was Assistant to the Montana Commissioner of Higher Education.)
- November 12, 1976 Committee met with Marshall Cook and Irving Dayton and were advised to (1) request a meeting with the Board of Regents to present their needs and (2) prepare documentation of needs generated by the ICMP to be forwarded to Marshall Cook for routing to the Board's Budget Committee.
- December 7, 1976 Letter and enclosures were sent to Marshall Cook specifically identifying the FTE needs for academic year 1977-78 at each institution based on information from Deans of Education.
- December 12, 1976 The committee met with Board of Regents Curriculum Committee and presented data. The Committee [Regents] requested documentation from campuses as to whether FTE faculty needs to implement the Indian Culture Master Plan were provided for in the total FTE requests of each campus and requested a progress report regarding implementation of the ICMP at the next meeting.
- February 14, 1977 The committee [Inter-Unit] presented a report to Board of Regents delineating the FTE needs. Bob Peregoy, Chairman of the Committee [Inter-Unit], made a presentation to the full Board again requesting assurances that funding needs would be met. He was directed by the Chairman of the Board to work with the Commissioner's Office.
- February 22, 1977 Bob Peregoy wrote a letter to Irving Dayton confirming Dr. Dayton's direction to NAS Committee members to work through individual campus administrations to secure funding for implementation.
- April 11, 1977 Committee [Inter-Unit] met with Irving Dayton and were again instructed to work with the campuses.
- April 11, 1977 Committee met with Sherry Matteucci [Legal Intern] to report that no additional FTE's had been allocated to date on any campus in order to implement the ICMP.²²

In November of 1976, Henrietta Whiteman, at that time chair of the Inter-Unit Native American Studies Committee, had directed Robert Peregoy to complete a study detailing the budgetary needs of each campus in implementing the ICMP. Mr. Peregoy concluded that \$153,619 was needed to fund ten full-time faculty positions. Two methods were used to determine need. One method multiplied the number of students enrolled in Education or teacher certification options by six credits and divided the amount by the number of credit hours a full-time faculty member was expected to generate. The second method multiplied the total number of students recommended for teacher certification per year by six credits and divided the total by the number of credit hours a full-time faculty member was expected to generate (as in method one). The full-time equivalent faculty (FTE) positions projected as needed by individual campuses were: Montana State University, 3.0; Eastern Montana College, 2.5; University of Montana, 2.4; Western Montana College 1.0; Northern Montana College .67; and Montana Tech, .5.²³

Additional FTE's for colleges are generally allotted on the basis of the previous year's enrollment in particular programs. Since the ICMP was new, the figures for enrollment in NAS courses did not reflect the projected growth in NAS Departments. When Mr. Peregoy returned to the MSU campus to push for funding for the MSU Center for Native American Studies, the President, Carl McIntosh, told him the Center was already included in the Regents' budget "to whatever extent the student credit hours produced [from the previous year] are reflected in this year's budget base." President McIntosh did concede that it was not unreasonable to consider some "start-up costs" for the program.²⁴

The Commissioner's Office had promised to devise and distribute a brochure in question and answer format to answer questions most often asked about the Indian Studies Law, such as: Who was affected by the law, what were the requirements, what kind of time line was there for compliance, and who should be contacted for information. Although plans for the brochure were drawn up, printing and distribution were not arranged as promised. Mr. Peregoy cited this incident as an example of lack of coordination and support from the Commissioner's Office.

Robert Peregoy's lengthy August 24, 1977, memo to Commissioner

Pettit was sent to the Regents for review prior to the September 12, 1977, meeting. At the September 12 meeting, Mr. Peregoy urged the Regents to allocate necessary funding to the campuses or direct the campuses to readjust their budgets to meet ICMP demands. He said the alternative would be to acknowledge that the Master Plan would not be satisfactorily implemented. Mr. Peregoy presented a resolution for adoption by the Board which stated that no person graduating from a Montana University System institution would be recommended for certification after July 1, 1979, without completion of NAS courses.²⁵ Debate on the resolution was heated. Mr. Peregoy told the Regents the campuses were "making a mockery" out of the Indian Studies Law and the Regents would be responsible if they did not do something. Finally, the Regents voted to adopt a resolution requiring six credits in NAS as a graduation requirement for those graduating in education or those graduating in another discipline but pursuing a teaching certificate.²⁶

When the NAS people returned to their campuses with the news of the new graduation requirement, a statewide effort to rescind the requirement, lead by John Kohl, an MSU Education professor, began. The campaign was successful and on July 10, 1978, the Regents rescinded the resolution.

Board of Public Education

The Board of Public Education's role in the Indian Studies Law evolved as a result of HJR 60, passed in 1974, which directed the Board of Public Education as part of the Joint State Board of Education (the Board of Regents and the Board of Public Education meeting as one board) to devise a Master Plan. The Board of Public Education (BPE) is responsible for general supervision of the public schools. Teacher certification requirements come under this umbrella of responsibility. Changes in teacher certification requirements generally come from this board, not from the Legislature. The BPE instructs the Superintendent of Schools and the Office of Public Instruction to carry out the directives of the BPE.²⁷ The Indian Culture Master Plan had been adopted by the Joint State Board, not the Board of Public Education acting as a separate body. Harriet Meloy, Chairperson of the Board of Public Education in 1979, testified on March 7, 1979, before the Senate Education Committee on House Bill 219, the bill to rescind the Indian Studies requirement, saying in

part: "when the legislature mandated that the Joint State Board of Education implement the law, they failed to understand that the Joint State Board had no staff, had questionable rule-making authority, and had no ability to require compliance."²⁸ The Board of Public Education, after repeated requests, adopted the provisions of the ICMP as an administrative rule. A hearing was held on February 4, 1978, in the conference room of the Commissioner of Higher Education's Office. The rule defined terms, defined applicability of the requirement, how the requirement was to be fulfilled, content of studies, methods of recording, monitoring and grace period. Fifty-five persons testified in favor of the proposed rule, twelve testified in opposition, and ten testified as neither for nor against.²⁹

The Board of Public Education received copious written testimony. The final rule adoption notice, May 15, 1978, answered the objections of those opposed to the rule. The objections and responses read as follows:

- (1) Objection: The rule is arbitrary. Response: This allegation is too general to allow a specific response, but it should be pointed out that the rule implements a law and many of the objections to the rule are, in fact, objections to the law. This Board has no control over the content of the law.
- (2) Objection: Rule goes beyond the intent of the law. Response: The law specifically provides that schools located on or in the vicinity of Indian reservations shall employ only those certified personnel who have satisfied the Indian studies requirement. That requirement is defined to include a formal course of study offered by a unit of higher education or in-service training. The Board rule has simply provided the details for the implementation of the law.
- (3) Objection: All teachers should be required to have Indian studies. Response: The law clearly applies only to certified personnel in public schools located on or in the vicinity of Indian reservations where the enrollment of Indian children qualified the school for federal funds for Indian education programs. Section 75-6132, R.C.M. 1947, does encourage other schools to meet the requirement of the Indian studies law, but it is clear that the legislature did not intend to require that.
- (4) Objection: [The] Board should require Indian studies for teacher certification. Response: This is an entirely separate issue and is not relevant to the matter of the Board policy pursuant to law. Nonetheless, it is true that the Board could make Indian studies a certification requirement. The Board has opted not to do that at this time, partially because the Board of Regents now requires six credits of Indian studies for graduation.

- (5) Objection: [The] University system is unwilling to accept certain Indian studies courses which were completed in the past. Response: The university system has discretion in this area and this is beyond the control of the Board. The Board has the responsibility of implementing the law.
- (6) Objection: It is unclear which teachers are affected by the rule. Response: The law and the rule are perfectly clear. The Office of Public Instruction has identified those school districts which are affected; all certified personnel, including tenured personnel, in those districts are affected. Section 2 of the rule, "Applicability," fully explicates which teachers are affected.
- (7) Objection: Six credit hours of university study is excessive. Response: The history, traditions, values, customs, beliefs, ethics and contemporary attitudes of Montana's Indians are sufficiently complex to require more than superficial treatment. That is why the Indian Culture Master Plan, adopted by the State Board of Education in 1975, suggested six credits of study and that is why six hours are specified in the rule.
- (8) Objection: Local trustees should be able to decide whether or not a teacher has complied with the law. Response: The Board feels that some uniformity in the requirement is desirable, but the rule also leaves considerable discretion at the local level in designing their inservice [sic] training courses.
- (9) Objection: Six-month grace period not long enough. Response: Since the proposed rule was published, the Board has amended the section on the grace period. The rule now provides that efforts at complying with the rule must begin within six months and must be completed within one year.
- (10) Objection: Presently certified teachers should be exempt from the requirement. Response: The Board is bound by the October 11, 1977, ruling of the Attorney General which held that the provisions of the Indian Studies Act apply to tenured teachers.
- (11) Objection: It is unfair to require compliance on the basis of head count of Indian children. Response: The law is clear on which schools are affected. (See objection No. 6.)
- (12) Objection: The July 1, 1979, compliance deadline is too early. Response: The date was established by law, not by Board policy. It should also be noted that the law has been in effect for several years; everyone knew the deadline was 1979; inservice[sic] guidelines for credit have been in effect since March 1976; there is still ample time for compliance.
- (13) Objection: [The] Wording of the rule is unclear as to how the grace period applies to schools not presently affected but which may be affected in the future. Response: [The] Rule has been amended since it was first proposed to correct this defect.³⁰

The Montana Federation of Teachers testified in favor of the rule.

Representative Polly Holmes urged the Board to compromise and adopt a less stringent rule. The Montana Education Association did not go on record as supporting or opposing the rule. Most testimony objecting was in written form. Approximately 3,400 certified personnel were affected by the Indian Studies Law. By June 1, 1978, 1,692 had satisfied the law by in-service. Another 1,229 had partially satisfied the requirement through extension coursework from a college or university.³¹

Office of Public Instruction

As the administrative arm of the Superintendent of Public Instruction and the Board of Public Education, the Office of Public Instruction (OPI) was responsible for distributing information to teachers regarding the Indian Studies Law on a day to day basis as teachers and administrators contacted OPI for information. OPI evaluated requests for approval of in-service for districts and also staffed the Indian Studies Equivalency Committee which determined whether coursework or in-service taken prior to 1973 met the intent of the Indian Studies Law. Carmen Taylor, Cultural Awareness Specialist, and Dan Decker, Manager of Equal Learning Opportunities, traveled to communities at the school districts' request and presented workshops and answered questions on the Master Plan.³² The OPI and the Board of Public Education published a book of guidelines and procedures for school boards, administrators, and teachers with grant money received from the United States Office of Education. More federal money than state money was used in implementation of the Indian Studies Law. Even salaries for the three OPI specialists working on the Indian Studies implementation, Carmen Taylor, Dan Decker, and Robert Parsley, Director of Indian Education, were paid by federal monies. Salaries for these three people were cut-off November 17, 1978, when Montana was found to be in violation of the Civil Rights Acts because it did not have a desegregation plan. Two different state superintendents dealt with the Indian Studies Law, Dorothy Colburg and Georgia Ruth Rice. Both superintendents were supportive of the law.

Montana Education Association's Later Reaction

By 1976, MEA was divided in its support of the Indian Studies Law. The Delegate Assembly met in April of 1976 and passed a resolution directing MEA to seek repeal of the law by legislative means. The MEA Board of

Directors met in August of that year and voted not to enact the resolution. MEA Vice President Nancy Walter cited Article II, Section 1, (d), (e), and (f) of the MEA constitution as justification for her recommendation to the Board not to follow the directive from the Delegate Assembly. Article II reads:

MEA means to emphasize

(d) Significant legislative support for public education;

(e) Human and civil rights in education and for children;
and

(f) Leadership in solving social problems.³³

Ms. Walter expressed the opinion that MEA would be open to charges of prejudice if they came out against the idea of incorporating Indian Studies and awareness programs into the schools. She told the Board that Congressman Max Baucus had called MEA state offices to ask what the organization's intent was regarding the law. The resolution was defeated. MEA Legislative goals for 1977 list: "obtain a better definition of the requirements for Indian Education."³⁴

The MEA leadership wanted to support the legislation but the rank and file members wanted it repealed. The leadership felt that to work actively for the repeal of the law would be against the beliefs of the organization. Recollections of John Board, a past Executive Director of MEA and an MEA staff person during the tenure of the Indian Studies Law, support this conclusion. John Board, at that time an MEA staff member, and Maurice Hickey, then Executive Director of MEA, met in Great Falls in the Autumn of 1976 with representatives of the Indian Tribes. Mr. Board felt that MEA should support the law but that it should apply to all teachers, not only those teaching adjacent to Indian reservations or with a certain percent of Indian children. He cited the example of Great Falls with its large population of landless Indians, yet it did not fall under the purview of the law, as an example of inequities in the law. Mr. Board recalled that the Indian leaders for the most part supported this position, but that there were two who did not and those two were able to sway the others in the group to support the legislation as it stood. He further stated that there were a number of MEA members with racist feelings, but not a majority. Most teachers seemed to see the merit of the law, but

objected to its unequal application. MEA found itself in a no-win situation; they supported the intent of the law but wanted a fairer application of it. They felt, too, that their members should not have to pay for the courses. Many teachers were complaining to MEA that there was a lack of worthwhile courses to fulfill the law.³⁵

Lengthy discussion occurred during the 1978 Delegate Assembly. Robert Savasten from Region 1 stated that members were concerned about the capability of teacher training institutions to provide the training mandated by the legislature. He wanted MEA officers to contact the Board of Regents and the Commissioner of Higher Education to express this concern. Someone suggested MEA request bulletins from teacher training institutions and list courses offered during 1978 and 1979 with dates and number of participants to be accommodated. Concern was expressed that school districts were not taking advantage of training available from the Superintendent of Public Instruction. A motion was made and passed for the MEA Legislative Committee to draft petitions that would be sent to Georgia Ruth Rice protesting the fact that MEA was not involved in drawing up the Indian Culture Master Plan. Local MEA units were to distribute, collect, and send petitions to Superintendent Rice. Robert Savasten made the following motion: "MEA design and support an amendment to the Indian Studies Bill to be submitted to the next Montana State Legislature that would: (1) Reduce the requirement for Indian Studies to two college credits or 30 in-service hours or through the equivalent, and (2) Postpone deadline for compliance to July 1, 1984."³⁶ This motion failed. Mr. Savasten then made this motion: [that the] "MEA Legislative Committee draft petitions to state legislators protesting the fact that the legislature appropriated no monies to fulfill the program legislated in House Bill 343 and as a result the main economic burden has fallen upon the teachers. In the future if this type of program is proposed the finances must be considered by the legislature. These petitions would be distributed to locals and sent directly to the local legislators."³⁷ This resolution passed. In August of 1978, Earl Barlow, Chair of the Board of Public Education, wrote to Representative Polly Holmes. His message was that John Board, the President of MEA, had assured Mr. Barlow, that MEA leaders would strive to preserve the Indian Studies Law, and that MEA

planned to support legislation to amend the law to include all certified personnel.³⁸

However, by the 1979 Legislative Session, those opposed to the Indian Studies Law had mobilized enough support to introduce a bill to amend the original legislation to make the law permissive rather than mandatory. The bill, House Bill 219, was introduced by Carl Seifert from Polson. Representative Seifert said the requirement had created more animosity than mutual understanding. The bill had thirty-seven co-signers from twenty-three counties; eleven Democrats and twenty-six Republicans. Five of the co-signers were teachers. By the time HB 219 was introduced, both the Montana School Board Association and MEA supported the permissive legislation. Dave Sexton, lobbyist for MEA, said MEA supported the permissive legislation because their members were threatened with termination of employment.³⁹ House Bill 219 was signed by Governor Thomas Judge on March 28, 1979.

Conclusion

The commitment to preserve Indian culture embodied in the new Montana constitution in 1972 was considered by the constitutional writers to be a commitment long overdue to the Indian people of the state. When a law was passed in 1973 with the purpose of affording Indian children in Montana schools better educational opportunities, the educational community as a whole was supportive even though organizations like the Montana Education Association and the Montana School Board Association were fundamentally opposed to legislatively mandated curriculum. The reaction to the law was positive; it was a noble idea.

Implementation of the law was slow. It was nearly three years before a plan, the Indian Culture Master Plan, was devised to enforce the tenets of the law. During the three years of planning, when the law was not in the public eye, many teachers forgot about the law. Certified teachers had not thought the law applied to them anyway. Confusion over just which teachers were affected by the law resulted in an attorney general's opinion in 1977 and a Board of Public Education hearing in February of 1978. The February hearing upheld the law and adopted the provisions of the Master Plan as an administrative rule. It was at this point that the application of the Indian Studies Law became clear to

everyone. Teachers, forgetting that the law had been on the books for several years, complained that there was not enough time to complete the requirements, and MEA feared their employees would be threatened with termination. The Office of Public Instruction accelerated efforts to train people to assist with school district in-service planning. OPI was hampered in these efforts when federal money which funded the three Indian specialists working within their office was terminated because Montana did not have a federally required desegregation plan. Colleges hastened to offer courses that met the law's guidelines. Enrollment in NAS courses at the University of Montana reached its peak during the 1977 - 1978 year with 1,881 people participating in courses.

Lobbying from teachers resulted in permissive legislation, House Bill 219, presented during the 46th. Legislative Session. HB 219 made the requirements of the Indian Studies Law a choice of the local school district. Pressure from MEA membership resulted in that organization actively working for passage of HB 219 which became law March 19, 1979.

NOTES

1. Polly Holmes, State Representative, to Tom Alexander, 17 April 1978.
2. The Board of Public Education and the Board of Regents meet together as the State Board of Education, as mandated by the 1972 constitution. The state board is "responsible for long-range planning and for coordinating and evaluating policies and programs for the public educational systems of the state." [James J. Lopach, ed., We the People of Montana...The Workings of a Popular Government (Missoula, Montana: Mountain Press Publishing Company, 1983), 181.] The governor of the state is president of the board, the superintendent of public instruction is the secretary and the commissioner of higher education is a nonvoting participant. Two meetings a year are required by law. The Joint Curriculum Committee was a committee comprised of members from these two boards.
3. Montana House of Representatives, House Bill 343, 43rd. Legislative Assembly, Helena, Montana (February 1973).
4. MEA Today 53, no. 13, (June 1977), 1-2.
5. MEA Today 1, no. 4, (December 1977), 1.
6. *Ibid.*, 2.
7. Montana Education Association, Regional Office, telephone interview by author, June 6, 1986.
8. Montana Education Association, Delegate Assembly Minutes, 49th. Assembly, (Helena, Montana, 14, 15 April 1972).
9. MEA Today 49, (30 November 1972), 5.
10. Montana Education Association Program, (MEA files, 21 - 27 October 1976).
11. MEA Today 53, no. 11, (April 1977), 1.
12. Gerald Gray to members of the "Great Falls Citizens for the Cultural Enlightenment of Educators on Montana Indians," 1 February 1977.
13. Polly Holmes to Earl Barlow, 27 June 1978; Polly Holmes to Earl Barlow, 7 September 1978; Polly Holmes to Earl Barlow, 29 November 1978.
14. "Position Paper on House Bill 463," (Rocky Boy, Montana: Chipewa-Cree Research, Rocky Boy School).
15. Montana Session Laws, Vol. II, House Joint Resolution 60, (Helena, Montana: Capitol Printing, April 1974), 1565-1566.
16. "Indian Culture Master Plan," (Helena, Montana: State Board of Education, 1975), 5.

17. Robert Peregoy to Lawrence Pettit, 24 August 1977, (Helena, Montana: Board of Public Education files).
18. Ibid.
19. Ibid.
20. Ibid.
21. Ibid.
22. Ibid.
23. Robert Peregoy to Marshall Cook, 7 December 1976, (Helena, Montana: Board of Public Education files).
24. Robert Peregoy to Lawrence Pettit, 24 August 1977.
25. Ibid.
26. Ibid.
27. James J. Lopach, ed., We the People of Montana...The Workings of a Popular Government, (Missoula, Montana: Mountain Press Publishing Company, 1983), 181.
28. Montana Senate, Harriett Meloy Testimony on House Bill 219: Hearing before Senate Education Committee, 46th. Legislature, 7 March 1979.
29. Board of Public Education, Hearing on Indian Studies Law, 4 February 1979.
30. Board of Public Education, Notice of Rule Adoption, 15 May 1978.
31. The Medicine Bundle, 6, "Montana's Indian Studies Law: Will It Survive?," (December 1978), 2.
32. Ibid., 3.
33. Montana Education Association, Board of Director Minutes, (Helena, Montana, April 1976).
34. Montana Education Association, Delegate Assembly Minutes, (Helena, Montana, 31 March, 1 April 1978).
35. John Board, former Montana Education Association Director, to author, 16 November 1986.
36. MEA Delegate Assembly Minutes, (31 March, 1 April 1978).
37. Ibid.
38. Earl Barlow to Polly Holmes, 23 August 1978.
39. Billings Gazette, 9 March 1979.

CHAPTER V
CONCLUSION AND ASSESSMENT

What Factors Caused the Failure?

Confusion regarding rule making authority. Policymaking begins at the constitutional or legislative level. Implementation of policies is accomplished at the agency level where administrative rules, which have the force of law, are adopted to enforce the intent of the legislation or constitutional mandate. A substantial amount of time can lapse between passage of the legislation or constitutional directive and implementation at the agency level. Momentum to implement a new policy can easily be lost during this time. In the case of the Indian studies issue, the constitutional statement contained within Article X of the 1972 constitution provided the impetus for later legislation. House Bill 343 provided definition to Article X by requiring studies in Indian culture to be part of the training of public school teachers on or near Indian reservations. The 1974 Legislature adopted House Joint Resolution 60 which instructed the Joint State Board of Education to devise a plan to implement House Bill 343. The Joint Board commissioned an advisory committee to devise a plan which became known as the Indian Culture Master Plan. The ICMP was accepted by the Joint Board Curriculum Committee in December of 1975. However, the Joint Board was not an agency in and of itself, and did not have rule making authority. Therefore, the administrative rules necessary to implement the Indian Studies Law were not adopted until February of 1978 when the Board of Public Education intervened, held a public hearing, and adopted the directives of the Indian Culture Master Plan as a set of administrative rules.

Confusion as to whom the law applied. The confusion as to which agency had rule making power was compounded by confusion concerning to whom the law applied. Section 3 (1) of the Indian Studies Law read:

By July 1, 1979 all boards of trustees for elementary and secondary public school districts on, or in public schools

located in the vicinity of, Indian reservations where the enrollment of Indian children qualified for federal funds for Indian education programs, shall employ only those certified personnel who have satisfied the requirements for instruction in American Indian studies as defined in section 2 of this act.¹

Certified teachers, particularly those who held tenure, interpreted this section to apply to new teachers hired in affected districts after July 1, 1979, not to teachers already holding positions in affected districts. It was not until October 11, 1977, when Attorney General Mike Greeley ruled that application of the law included certified and tenured teachers, that this point was clarified. One public school teacher, John Grimstad, expressed the sentiment of many teachers in his letter of January 20, 1978, to Superintendent of Public Instruction, Georgia Rice when he asked the following questions:

If I am certified and tenured through 1981 under Montana laws, how is it possible to terminate my employment if I have not met this requirement?

Why isn't there a Grandfather Clause? The law is after we have completed our formal education.

Are there any other groups licensed but subsequently have additional requirements placed upon them so they loose [sic] their license?²

He ended his letter by stating: "These appear to be major problems resulting from this bill, and are creating a very dangerous back-lash."³

At the college level there was confusion among faculty advisors as to whether the Indian Studies Law applied to pre-service teachers. According to Robert Peregoy, Montana State University faculty member, advisors at MSU refused to counsel pre-service teachers into Native American Studies courses, using the rationale that only students who planned to teach in affected districts should complete NAS courses.⁴ In using this rationale, MSU faculty failed to address the issue in a realistic fashion since very few new teachers knew in advance where their first teaching position would be. Education advisors at the University of Montana were more willing to steer pre-service teachers into NAS courses, even so, a formal reference to the Indian Studies Law was not included in a University catalog until the 1978 issue. The confusion regarding application of the law, just as the ambiguity about rule making, contri-

buted to the failure of the law by slowing the implementation.

Failure to fund the implementation. The failure of the legislature to fund the Indian Culture Master Plan contributed to the failure of the law. House Joint Resolution 60 specifically stated in directive (1) that the plan to be devised "provide teacher-training institutions in Montana with adequate resources to prepare teachers to understand the history, culture, sociology, and values of American Indians as seen by Indians."⁵ The ICMP adopted by the Joint State Board stated:

The Board of Regents will incorporate the costs of implementing the Master Plan into its 1977 and subsequent appropriations requests to the Montana Legislature.⁶

Resources and funding were not provided by the legislature nor requested in budgets prepared by the Board of Regents. Robert Peregoy's 1975 study detailing the budgetary needs of the campuses suggested that \$153,619 was needed for new faculty to teach the numbers of students the Indian Studies Law was expected to generate. This figure was based totally on expected rise in enrollment costs and did not address the need and cost for development of new courses to meet the intent of the law. The University of Montana's need according to Mr. Peregoy's study was for 2.4 additional faculty at a cost of \$36,612, including supplies, yet the U of M NAS staff remained the same through the duration of the Indian Studies Law.⁷ This meant that in order to teach the courses that were needed, the NAS Department depended on overextending its regular faculty and hiring adjunct or affiliate faculty. This may have been why some of the courses seemed not to be of the depth and quality needed. Many teachers complained that the courses they were forced to take were not relevant.⁸ Also, there seemed to be little continuity or evidence of program identity among the courses taught at the colleges and universities. The Montana Education, "Special Report" of June 1977, listed courses that were going to be offered the following spring and summer that fulfilled the requirements of the law. Courses ranged from "Indian History" to "Music and Art of the North American Indians," and "Wild Plant Uses, Past and Present."⁹

The fragmented administrative approach. Another contributing factor to the demise of the law was the failure of the Commissioner of Higher Education, Larry Pettit, to coordinate in any meaningful fashion,

programs, information, and services among the college campuses. The Master Plan stated that the Commissioner of Higher Education's office with support from OPI would fulfill the administrative function in implementing the ICMP.¹⁰ OPI seems to have done a credible job but it can be clearly seen from Robert Peregoy's correspondence to the Commissioner that that office did not fulfill the administrative function intended. For example, a process was not established by which NAS directors could solicit resources for their campuses to implement the Indian Studies Law. The Commissioner's office told NAS directors to obtain resources and funding from their campuses but, when the directors attempted to do so, the campuses told them to obtain money from the Board of Regents.¹¹

Failure to involve the MEA. A serious omission on the part of the advisory committee which devised the ICMP was their failure to involve, formally, the Montana Education Association in the implementation of the law. In 1973 there were 10,000 personnel in Montana; 7,000 of them were members of the MEA.¹² Yet, there was not a representative from MEA on the forty-five member advisory team. There were three teachers and five school administrators on the team who may have been MEA members. There was not, however, a member to speak for and represent the organization. If there had been MEA representation on the advisory committee, the questions of tenure, grandfathering, credit for movement on school district salary scales, and credit for renewal of teaching certificates could have been addressed and dealt with in the beginning of the implementation.

Failure to address the issue of graduate credit. A factor of failure at the college level, at least in the case of the University of Montana, was the Graduate School's inability to recognize the need for graduate credit and its unwillingness to work with NAS to develop a suitable course for teachers working on advanced degrees and those seeking certificate renewal credit. There was also a lack of NAS faculty to teach courses. The result was that course enrollments tended to be too large to allow for in-depth discussion and participation that might have helped participants gain a better understanding of Indian cultures.

Lasting Effects on Teacher Education

Did the Indian Studies Law change the content of teacher education programs? Of the Montana teacher education institutions, only the

College of Great Falls currently requires teacher education students to complete a course in Native American Studies.¹³ The remaining institutions all require "general education" courses to complete a four year degree. There is a place within each institution's general education requirements where a Native American Studies course can fulfill a requirement, but the selection of a NAS course would be a choice of the student. At least one-third of the teacher education students are post-degree students who are not required to complete general education courses in the course of attaining teacher certification. It appears that the majority of teacher education students do not complete NAS courses unless they plan to teach on or near Indian reservations.¹⁴ Robert Parsley, Indian Education Specialist at the Office of Public Instruction, has no specific data concerning school districts currently requiring a Native American Studies course as an employment condition of their teachers, but he believes that approximately seven school districts do enforce the Indian Studies Law. Occasionally, teachers or administrators send Mr. Parsley a unit prepared for their school using guidelines specified in the Indian Studies Law.¹⁵

In response to the question, "Do you think the Indian Studies Law harmed or helped Indian/white relations?", asked by the author, of Indian and white educators, Indian educators tended to be more positive in their response than white educators. The Indian people directly involved with the implementation of the law, seemed to feel that the law had helped sensitize white teachers and administrators to the needs of Indian children. Many felt that a similar requirement, not in the form of a statute, but perhaps built into teacher education curriculums, was still needed. The National Council for the Accreditation of Teacher Education, a national accrediting organization, requires a course in multi-cultural education as part of one of their teacher education accreditation standards. Accreditation by the agency will not be withheld on the basis of failure to meet a standard but an institution is expected to correct unmet standards by the next accreditation review. The University of Montana, School of Education's teacher education program did not meet the multi-cultural education standard during the 1986 NCATE review. Discussion on incorporating a multi-cultural education course in the curriculum is

Would There Have Been A Better Way?

The Indian Studies Law could have been implemented in a more logical manner. If the requirement had clearly applied to all teachers, then the time lost deciding whether the law applied to tenured and pre-service teachers would have been saved. The colleges would have had to provide courses for the pre-service teacher, and they would have been forced to solicit funding for the implementation process. Including all teachers in the law would have eliminated the incongruity in application of the law: for example, teachers in Great Falls were not affected by the law even though Great Falls had a large population of landless Indians.

Also reasonable would have been to "grandfather" teachers already certified and to make the law applicable to new teachers, people reinstating lapsed certificates, and people changing class of certificate. This was the method chosen to implement the National Teacher's Exam as a certification requirement in Montana; the statement in the administrative rule reads:

Effective July 1, 1986, all new applicants for initial Class 1, 2, 3 or 5 certification and individuals seeking to reinstate lapsed certificates must provide evidence of having completed the National Teacher's Exam Core Battery.¹⁶

The teacher education program at the University of Montana now requires two of the three parts of the core battery as an admission requirement in their program. Wording exemplified in the above administrative rule could have been used in stating the requirement of courses in Indian culture for teachers.

Finally, the chance for successful implementation would have been greater if the requirements of the Indian Studies Law had been adopted by the Board of Public Education. Because the Board has jurisdiction over teacher certification, a process for implementing new requirements for teachers and administrators was already in place. For example, a September 1, 1985 change in the academic preparation of school administrators used this process. Prior to the adoption of these new requirements, nearly two years was spent in designing the new guidelines. An attempt was made to involve all parties that would eventually be involved in the

implementation. Staff from the Office of Public Instruction and the two institutions that have school administrator programs worked with representatives from the School Administrators of Montana and the Montana School Board Association to specify course content and establish guidelines. A grandfathering process was established whereby individuals already working on administrative programs were allowed three years to complete coursework under the old guidelines. If the Board of Public Education had adopted the Indian Studies requirement, this process could have been utilized to involve the Montana Education Association, the Board of Regents, the Office of Public Instruction, Native American Studies directors, and college administrators to help formulate the requirement. Then the requirement would have had a much better chance of succeeding.

In Summary, the Indian Studies Law failed because it was initiated by a body, the legislature, not normally responsible for teacher certification requirements; because funding was never provided for the implementation; and because the people most directly affected, the teachers themselves, were not involved in the adoption of the requirements.

Teacher education programs did not change significantly because of the Indian Studies Law and, in fact, are still struggling fifteen years later, to incorporate multi-cultural education into their programs.

NOTES

1. "Indian Studies Law," Administrative Code, Chapter 464, section 1-4, (Helena, Montana, 1973).
2. John Grimstad to Superintendent of Public Instruction, Georgia Rice, 20 January 1978.
3. Ibid.
4. Robert Peregoy to author, 17 March 1987, tape recording.
5. Montana Session Laws, Vol. II, House Joint Resolution 60, (Helena, Montana: Capitol Printing, April 1974), 1565-1566.
6. "Indian Culture Master Plan," (Helena, Montana: State Board of Education, 1975), 5.
7. Henrietta Whiteman to Gilbert Roman, 14 June 1979.
8. Polly Holmes to Earl Barlow, 7 September 1978.
9. MEA Today 53, no. 13, (June 1977).
10. "Indian Culture Master Plan," 4-5.
11. Robert Peregoy to author, 17 March 1987.
12. Arlene Tenneson, Montana Education Association, interview by author, 6 November 1987.
13. Harold S. Anderson to author, 20 May 1986.
14. Student Academic Files, Office of Student Teaching and Certification, (Missoula, Montana: University of Montana, September 1987).
15. Robert Parsley, interview by author, 20 November 1987.
16. "Certification Questions and Answers," (Helena, Montana: Office of Public Instruction, July 1987), 9.

APPENDIX A

HOUSE BILL NO. 343

AN ACT REQUIRING AMERICAN INDIAN STUDIES TO BE PART OF THE EDUCATIONAL BACKGROUND OF PUBLIC SCHOOL TEACHING PERSONNEL EMPLOYED ON, OR IN PUBLIC SCHOOLS LOCATED IN THE VICINITY OF, INDIAN RESERVATIONS WHERE THE ENROLLMENT OF INDIAN CHILDREN QUALIFIES THE SCHOOL FOR FEDERAL FUNDS FOR INDIAN EDUCATION PROGRAMS, AND ENCOURAGING AMERICAN INDIAN STUDIES AS PART OF THE EDUCATIONAL BACKGROUND OF ALL SCHOOL PERSONNEL EMPLOYED IN THE STATE.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF MONTANA:

Section 1. It is the constitutionally declared policy of this state to recognize the distinct and unique cultural heritage of the American Indians and to be committed in its educational goals to the preservation of their cultural heritage. It is the intent of this act, predicated on the belief that school personnel should relate effectively with Indian students and parents, to provide means by which school personnel will gain an understanding of and appreciation for the American Indian people.

Section 2. (1) As used in this act, "American Indian studies" means instruction pertaining to the history, traditions, customs, values, beliefs, ethics and contemporary affairs of American Indians, particularly Indian tribal groups in Montana.

(2) As used in this act, "instruction" means

(a) a formal course of study offered by a unit of higher education developed with the advice and assistance of Indian people;

(b) in-service training developed by the superintendent of public instruction in cooperation with educators of Indian descent and made available to school districts, or

(c) in-service training provided by a local board of trustees, which is developed and conducted in cooperation with local Indian people.

Section 3. (1) By July 1, 1979, all boards of trustees for elementary and secondary public school districts on, or in public schools located in the vicinity of, Indian reservations where the enrollment of Indian children qualifies the school for federal funds for Indian education programs, shall employ only those certified personnel who have satisfied the requirements for instruction in American Indian studies as defined in section 2 of this act.

(2) Members of boards of trustees and all non-certified personnel in public school districts on or in the vicinity of Indian reservations are encouraged to satisfy the requirements for instruction in American Indian studies as defined in section 2 of this act.

Section 4. Boards of trustees for all public school districts other than those defined in section 3 above and governing authorities for all non-public schools in Montana are encouraged to comply with the provisions and intent of this act.

APPENDIX B
HOUSE BILL NO. 501

43rd Legislative Assembly

LC 1302

1 HOUSE BILL NO. 501
2 INTRODUCTION BY POLLY HOLMES
3
4 A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE A COURSE OF
5 INSTRUCTION IN AMERICAN INDIAN CULTURE IN THE EDUCATIONAL
6 BACKGROUND OF ANY TEACHER IN A MONTANA ELEMENTARY, SECONDARY
7 OR VOCATIONAL EDUCATION PROGRAM OR SCHOOL; AND PROVIDING AN
8 EFFECTIVE DATE."
9
10 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF THE STATE OF
11 MONTANA:
12 Section 1. As used in this act unless the context
13 otherwise requires: course of instruction means any course
14 giving credit toward graduation by any accredited unit of
15 higher education.
16 Section 2. The educational background of any teacher
17 in a Montana elementary, secondary or vocational education
18 program or school shall include a course of instruction in
19 the area of American Indian culture.
20 Section 3. This act is effective on July 1, 1977.

-End-

APPENDIX C

HOUSE JOINT RESOLUTION NO. 60

A JOINT RESOLUTION OF THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA INSTRUCTING THE BOARD OF PUBLIC EDUCATION AND THE BOARD OF HIGHER EDUCATION TO DEVISE A MASTER PLAN FOR ENRICHING THE BACKGROUND OF ALL PUBLIC SCHOOL TEACHERS IN AMERICAN INDIAN CULTURE.

WHEREAS, the 1972 Montana constitution commits the educational policy of the state to the preservation of the cultural integrity of the American Indians; and

WHEREAS, the American Indian has been fundamental in the formation, flavor, and history of the state of Montana, and

WHEREAS, the American Indian in Montana is the product of a unique psychological history which is understood only by people who have either experienced or studied history from the viewpoint of the American Indian, and

WHEREAS, the problems of American Indians are compounded by a general lack of understanding of the unique background of Indian students and their families, and

WHEREAS, both the teaching force in Montana and their student population are at present substantially undereducated in the history, values and culture of American Indians as seen by Indians, and

WHEREAS, the history of Montana and the current problems of the state cannot be adequately understood apart from an understanding of the history, problems and contributions of the American Indian,

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE AND THE HOUSE OF REPRESENTATIVES OF THE STATE OF MONTANA:

That the Board of Public Education and the Board of Regents of Higher Education are directed to devise, in consultation with Indian people, a specific comprehensive plan for a statewide program that will:

(1) provide teacher-training institutions in Montana with adequate resources to prepare teachers to understand the history, culture, sociology, and values of American Indians as seen by Indians,

(2) provide inservice training, planned in consultation with Indian people, for those teachers who cannot return to an institution of higher education for formal courses in Indian studies,

(3) provide means by which all public school teachers in Montana may, within ten (10) years of the adoption of this resolution, receive training in Indian studies as directed in this resolution.

(4) provide all public schools in Montana, within ten (10) years, with a program of study that includes American Indian history, culture, sociology, and values as seen by Indians,

(5) provide a means by which qualifications for teacher certification may include, within ten (10) years, adequate training in Indian studies to prepare the certified teacher to understand the unique background of his or her Indian students, and

(6) provide a means by which Indian people may be utilized in the preparation and presentation of the courses planned under the guidelines of this resolution.

Such plans shall consider, as is appropriate to the authority of each board, measures in teacher training curriculum, teacher certification, continuing education for teachers, and such other measures as will further the policies of the constitution and this resolution. The boards may submit a joint plan.

Approved February 21, 1974

APPENDIX D

RECOMMENDATIONS*
STATE INDIAN STUDIES PROJECT

RECOMMENDATION # 1

THE STATE INDIAN STUDIES PROJECT recommends that the Board of Regents and the Board of Public Education allocate funds and staff to support the implementation of the Master Plan recommendations during the coming biennium. It is further recommended that the Boards request an appropriation of funds for the 1977-79 biennium for a permanent staff position to insure the continued implementation of recommendations and the development of appropriate programs. This staff position should be maintained for at least the duration of the time framework expressed in the legislation which originated this effort (nine years or until 1982) and hopefully will be continued permanently.

1. If it is impossible to hire additional staff under present budget conditions, the Board of Regents and the Board of Public Education through their executive officers, the Commissioner of Higher Education and the Superintendent of Public Instruction, should immediately

assign responsibility for the Indian Culture Master Plan to appropriate staff members already employed.

2. The executive officers of the Boards should cooperate in providing adequate resources to the staff assigned to the project for travel, materials acquisition, printing and postage costs, etc.

3. The Board of Regents should encourage the units of the Montana University System to allocate funds to Native American Studies programs since these programs will be of critical importance in implementing the Indian Culture Master Plan.

4. The Board of Public Education should encourage the development of Indian Studies programs at the local level for both teachers and students since the initiation of such programs is one basic aspect of the Indian Culture Master Plan.

*These recommendations were included in Kenneth Harwood's final report to the jt. curriculum committee. Although the concepts and ideas contained in these recommendations were incorporated in the Indian Culture Master Plan, it should be noted that they are presented in Appendix IV only for informational purposes.

STATE INDIAN STUDIES PROJECT
SUGGESTED BUDGET ALLOCATION FOR OFFICE AND STAFF FOR
INDIAN CULTURE MASTER PLAN

	Estimated Range	Suggested Source of Support
I. STAFF		
(1) Director	\$13,500 - \$15,500	State Board of Regents
(1) Research Analyst	\$12,000 - \$13,500	State Board of Regents
(1) Secretary	<u>\$8,000 - \$9,000</u>	State Board of Regents
Sub-Total	\$33,000 - \$38,000	
II. OFFICE & SUPPLIES		
Space (750 sq. ft.)	\$1,200 - \$1,500	Supt. of Public Instruction
(3) Desks	In-kind	Supt. of Public Instruction
State Hot-line	In-kind	Supt. of Public Instruction
Federal Hot-line	In-kind	Supt. of Public Instruction
(2) Typewriters	In-kind	Supt. of Public Instruction
Miscellaneous	<u>\$4,000 - \$5,000</u>	Supt. of Public Instruction
Sub-Total	\$5,200 - \$6,500	
III. STAFF TRAVEL		
	\$3,000 - \$5,000	State Board of Regents

IV. INDIAN CULTURE MASTER PLAN EDUCATIONAL REVIEW GROUP

15 Members on Advisory Committee	\$5,000 - \$8,000	State Board of Education
One-Year Total	<u>\$47,700 - \$57,500</u>	State Funding Requested
Two-Year Total	<u>\$95,400 - \$105,000</u>	State Funding Requested
	(Low) (High)	

RECOMMENDATION # II

The Indian Studies Project recommends that the Board of Regents establish a fiscal policy to provide that adequate faculty and support costs are generated to insure quality of instruction commensurate with the educational goals and measures outlined in the Master Plan. It is further recommended that the unit presidents of the Montana University System include in their appropriation requests to the Board of Regents, adequate funds to provide for additional FTE faculty to present courses which will be part of the Indian Culture Master Plan at units of the Montana University System.

RECOMMENDATION # III

The Indian Studies Project recommends that the State Board of Education acknowledge and support the position statements expressed in the New Montana Constitution (Article X), the Final Report of the Postsecondary Education Commission and in House Joint Resolution No. 28, passed unanimously by the 1975 Legislature.

Article X of the New Montana Constitution reads:

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

Specifically, Recommendation 101 of the Final Report reads:

101. Postsecondary institutions and concerned state agencies should support the new Indian Culture Master Plan for the Education of Public School Teachers (HB 343, HJR 60) and provide assistance for its implementations.

In addition, House Joint Resolution No. 28 reads, in part:

- (3) THAT THE BOARD OF REGENTS SUPPORT THE NEW INDIAN CULTURE MASTER PLAN FOR THE EDUCATION OF PUBLIC SCHOOL TEACHERS (HB 343, HJR 60 OF 1974) AND PROVIDE ASSISTANCE FOR ITS IMPLEMENTATION.

RECOMMENDATION # IV

The Indian Studies Project recommends that the Board of Regents and Board of Public Education establish a joint Board policy as appropriate to state law and board procedures whereby a range of three (3) to six (6) credit hours or equivalent background

in Native American studies be required for students seeking teacher certifications, certified teachers and non-certified education personnel as mandated by House Bill 343 and encouraged by House Joint Resolution 60.

RECOMMENDATION # V

The Indian Studies Project recommends that the Board of Public Education and the Board of Regents direct teacher training institutions to develop criteria whereby Indian, non-Indian faculty and consultants meet certain cultural qualifications and academic requirements for making presentations on Indian Culture Master Plan courses of study in colleges and universities, public school in-service training and school programs of study.

Recommended criteria and qualifications are:

1. That individuals be culturally knowledgeable about Montana Indians and about the Indian culture topics to be presented in relationship to the Master Plan measures.
2. That whenever possible faculty, consultants and other individuals participating in college courses of study or in-service teacher training projects be of Native American descent and background.
3. That individuals have the ability to understand the psychological and philosophical frames of reference of Indian people as seen from tribal perspective.
4. That individuals be able to demonstrate the sensitivities and concerns of Montana Indian people to students through academic training projects.
5. That individuals be recognized and accepted by both tribal and non-tribal communities as representative of Indian people.
6. That individuals have the cultural and academic credentials to meet the requirements proposed by the various advisory committees planning and participating in these courses or programs of study.
7. That non-Indians have a minimum of ten (10) credit hours in Native American Studies or equivalent background in Indian culture before they participate in college courses of study or programs of study at the local level.

RECOMMENDATION # VI

The Indian Studies Project recommends that the Board of Regents formulate a policy statement and

position directing Montana teacher training institutions to implement the following principles and guidelines when developing an Indian Culture Master Plan course of study.

RECOMMENDED PRINCIPLES AND GUIDELINES:

1. That teacher training institutions develop an Indian studies curriculum to be offered to students, teachers, and education personnel which presents true, accurate and undistorted information about Native Americans and Montana Indian culture.
2. That when appropriate, education departments and formal Native American studies programs at teacher training institutions jointly co-sponsor the development of Master Plan courses of study.
3. That teacher training institutions designate the Master Plan course of study as developed, the course of study which meets the requirements and intent of HB 343 and HJR 60.
4. That academicians at teacher-training institutions view field work as equally important to on-campus work and recognize the importance of extending the course work to the Indian community under study.
5. That teacher-training institutions establish a prerequisite for students undertaking the Master Plan course of study whereby upper division students classified as education majors be given top priority for enrollment in classes offered.
6. That teacher-training institutions encourage those making presentation on Master Plan courses of study to submit a proposed outline of course or courses with an evaluation plan to the designated academic committee for review to insure class content meets the legislative intent of HJR 60 and HB 343.
7. That teacher-training institutions post course numbers and grades received on student's transcript verifying that the student has successfully completed courses of study.
8. That teacher-training institutions offer the Master Plan courses of study at least once every quarter or semester.
9. That the teacher-training institutions designate an appropriate academic committee composed of both Indian and non-Indian educators to plan and participate in the development of courses of study.
10. That teacher-training institutions make provision to offer a graduate course of study with extension credit to teachers in the field as requested by local Boards of Trustees to fulfill requirements and encouragements of HB 343 and HJR 60.
11. That teacher-training institutions insure the inclusion of culturally knowledgeable people in the preparation and presentation of courses and that Indian books, films, and other master plan resources be acceptable to Montana tribal groups as representative of their unique tribal backgrounds.

RECOMMENDATION # VII

The Indian Studies Project recommends that the State Board of Education and State Board of Regents establish a Master Plan Education Review Committee under their assigned authority and that the State Board make funds available for travel, per diem and mileage for the appointed committee members.

Recommended Activities of Master Plan Committee:

1. To implement recommendations of the Indian Culture Master Plan in the interest of both students and educators affected.
2. To design and develop continuing grant proposals for submission to the appropriate agencies of the federal government to assist the state in stressing teacher in-service training and in developing Indian programs of study in public schools.
3. To assist in carrying out the full intent and provisions of Title IV, Indian Education Act and review current and future Title IV programs.
4. To assist the state J.O.M. office and to maintain a working relationship with local J.O.M. programs emphasizing the need to implement recommendations of the Indian Culture Master Plan.
5. To assist the designated state office which is assigned the task of implementing the Indian Culture Master Plan in budget planning, dissemination of data and information, and in publication and curriculum development.
6. To provide for evaluation of the State Indian Culture Master Plan on a continuing basis for its duration.

RECOMMENDATION # VIII:

The Indian Studies Project recommends that the State Board of Public Education formulate a standing policy directing Montana public schools to implement the following principles and guidelines when developing teacher courses of study or in-service training.

Recommended Principles and Guidelines:

Teachers

1. That public school administrators insure that all teachers adopt one of the three options for obtaining the Indian Studies training necessary to fulfill the requirement or intent of HB 343 or HJR 60 as appropriate.
 - a. A course of study offered by a Montana teacher training institution provided either at the college or by extension at the local level.
 - b. An in-service teacher training project provided by a local Board of Trustees as approved by the Superintendent of Public Instruction.
 - c. An in-service teacher training project provided by the Superintendent of Public Instruction.
2. That a minimum standard of three quarter credit hours or demonstrated equivalent training be

required to fulfill the requirements of HB 343 or HJR 60 mentioned above in b and c for certified teachers and non-certified educational persons in the field.

3. That public schools provide teacher training curricula on Indian studies that emphasize the topic areas recommended in associated legislation (HB 343 and HJR 60).
4. That public school superintendents or other appropriate authority require that teachers and affected education personnel be provided with a letter of completion of instruction and that the Superintendent of Public Instruction is informed of completion of training for purposes of accountability.
5. That public schools maintain accurate records on teachers undertaking in-service training projects and provide that information to the office of the Superintendent of Public Instruction annually.
6. That public schools arrange with institutions of higher education to provide in-service training with college credit to enable teachers to complete their 5-year accreditation requirement and project certification.
7. That public schools after July 1, 1979, employ only those teachers who have successfully completed one of the three options available with a minimum of three credit hours or demonstrated equivalent.
 - a. Equivalent shall be considered to mean at least 30 actual hours of previous academic training in Indian studies related to topic areas. Exceptions may be made on an individual basis for demonstrated ability and extensive background in Indian studies through oral or written examination.
8. That public schools request adequate funds to sponsor teacher in-service training projects from approved financial sources (local, state, federal, etc.).
9. That public schools continue to design and implement teacher training activities on an annual basis and annually provide special education seminars and workshops on Montana Indian affairs.

RECOMMENDATION # IX

The Indian Studies Project recommends that the Board of Public Education formulate an official Board policy directing public schools to include the following elements when developing programs of study on Indian culture.

Recommended guidelines for public schools:

1. That public schools introduce an Indian studies course or modify current curriculum programs to include emphasis on Montana Indian history and culture.
2. That all public schools encourage, support and sponsor appropriate school Indian ceremonies and cultural events representing Indian affairs.
3. That wherever there is a significant local Indian population, public schools shall give preference to

bi-lingual or bi-culturally trained teachers for available positions in their school system.

4. That programs of study and instruction should include Indian history, traditions, customs, values, beliefs, ethics and contemporary affairs as seen from tribal perspective.
5. That public schools should include traditional speakers and culturally knowledgeable persons when presenting programs of study or teacher training activities.
6. That public schools develop contractual assistance programs for short and long range Indian education development. Recognized Indian educators should be included in those arrangements.
7. That public schools request, appropriate, and earmark state foundation funds to create and support Indian programs of study.
8. That all public school libraries utilize existing and future resources to acquire Indian books, films, artifacts, and other resource material that will be used by classes studying American Indian culture.

RECOMMENDATION # X

The Indian Studies Project recommends that the State Board of Regents and the State Board of Public Education request all Montana educational institutions to reaffirm their commitment to affirmative action by establishing "Special recruitment procedures" at their institutions to hire additional qualified Indian faculty, teachers and consultants to make presentations on Indian courses of study, in-service requests and program of study. It is further recommended that in view of the fact that there is a present lack of Indian educators in the state educational system, public schools, colleges and universities should seek those bi-lingual and bi-cultural educators and other persons who are most qualified in terms of the previously recommended criteria to make presentations on and about Montana tribal cultures.

RECOMMENDATION # XI

The Indian Studies Project recommends that the State Board of Regents urge teacher-training institutions to establish bi-lingual and bi-cultural education programs to insure that elementary and high school teachers understand Indian students' cultural frames of reference and tribal experiences. Whenever possible, qualified Indian teachers who can serve as role models should be recruited into these curricular programs both as faculty and students.

RECOMMENDATION # XII

The Indian Studies Project recommends that the Board of Public Education request the Superintendent of Public Instruction to publish a report semi-annually reflecting current enrollment figures of Indian students attending public schools and to present pertinent data and information to public schools informing them of their financial entitlement under the Indian Education Act, Title IV, Part A, and other available entitlement funds.

RECOMMENDATION # XIII

The Indian Studies Project recommends that the Board of Public Education direct the following public schools located on or adjacent to Montana Indian reservations to employ only those certified personnel who have successfully completed an Indian Culture Master Plan course of study at a teacher

training institution, or a teacher in-service training project provided by either the Superintendent of Public Instruction's office or by a local Board of School Trustees.

Although schools have until July 1, 1979 to be in compliance with this portion of the law, it is recommended that every effort be made as soon as possible to achieve this goal.

The schools listed below are those on or directly adjacent to the seven Indian reservations in the State of Montana. However, in view of Montana's expansive area it is felt that the interpretation of "on or near" Indian reservations" should not be limited to only those schools. Although 30 miles may be regarded as "near" in Vermont or Rhode Island, in Montana 100 miles distance is usually regarded as "near". Consequently, it is recommended that all schools which receive any federal funds on the basis of Indian student population be considered to be included in the purview of the law.

Blackfeet Reservation

1. K-W Bergan
2. Browning Elementary
3. Starr
4. Croff Wren
5. Vina Chattin
6. Browning Jr. High
7. Browning High School
8. Cut Bank 7 and 8
9. Anna Jeffries
10. South Side
11. Cut Bank High School
12. East Glacier Park
13. Heart Butte
14. Valier Elementary
15. Valier High School

Crow Reservation

1. Plenty Coups High School
2. Hardin Elementary
3. Hardin Intermediate
4. Hardin 7 and 8
5. Crow Agency
6. Fort Smith
7. Harding High School
8. Lodge Grass Elementary
9. Corral Creek
10. Lodge Grass High School

Flathead Reservation

1. Arlee Elementary
2. Charlo Elementary
3. Charlo High School
4. Elmo Elementary
4. Cherry Valley Elementary
5. Linderman Elementary
6. Polson Middle
7. Polson High School
8. St. Ignatius Elementary
9. St. Ignatius High School
10. Ronan Elementary
11. Pablo Elementary
12. Ronan Middle
13. Ronan High School
14. Dixon Elementary
15. Dixon High School
16. Hot Springs Elementary
17. Hot Springs High School
18. Mineral Bench Elementary

Fort Peck Reservation

1. Poplar Elementary
2. Poplar Middle
3. Poplar High School
4. South Side Elementary
5. New North Side Elementary
6. Wolf Point 7 and 8
7. Wolf Point High School

8. Barbara Gilligan
9. Brockton High School
10. Frazer Elementary
11. Frazer High School

Northern Cheyenne Reservation

1. Lane Deer Elementary
2. Colstrip Elementary
3. Colstrip High School

Rocky Boy Reservation

1. Box Elder Elementary
2. Box Elder High School
3. Rocky Boy
4. Devlin
5. Highland Park
6. Sunnyside
7. Lincoln McKinley
8. Havre 7 and 8
9. Havre High School

Fort Belknap Reservation

1. Wyola
2. Harlem Elementary
3. Harlem High School
4. Hays
5. Lodge Pole
6. Hays High School

RECOMMENDATION # XIV

The Indian Studies Project recommends that the Superintendent of Public Instruction seek funds for the development of programs such as special education impact programs which focus on the strengthening of language skills and the enhancement of self-concept in Indian children.

For the nation's children for whom English is a second language, the passivity, the emphasis on the printed word and the major culture orientation of the conventional classroom too often result in language deficiency and increasingly negative self-concept. Language is learned by using language — which means the classroom must be a place where their experiences and interests are the basis for mastery of skills and concepts. Innovations in the teaching

of reading and language skills are needed to increase the involvement of children with language.

RECOMMENDATION # XV

The Indian Studies Project recommends that the Board of Public Education request the Superintendent of Public Instruction to provide teachers with an official certificate of completion upon satisfaction of the requirements of the Indian Culture Master Plan through the options to be provided by that office or by local Boards of Trustees. In addition, college students seeking teacher certification upon completion of their educational program can request certification in Indian Studies upon submission of records indicating the completion of course work or in-service training.

RECOMMENDATION # XVI

The Indian Studies Project recommends that the State Board of Education request the Montana State Library Commission to create an American Indian Media Committee to review and distribute literature and other media material purchased about Native American and Montana Indian cultures. This committee should acknowledge that demeaning media or literature about Indians is a violation of their civil rights and must be eliminated from state public facilities. It is also recommended that the State Board of Education encourage the Montana State Library to develop a model plan of action to seek out resources to initiate a Native American library program that can be

adopted in the 107 libraries in Montana to reinforce and supplement the Indian Culture Master Plan in cooperation with schools.

RECOMMENDATION # XVII

The Indian Studies Project recommends that the State Board of Education request the Governor to contact Montana's congressional delegation informing them of the Indian Culture Master Plan and request them to immediately assist the State of Montana in requesting needed funds from appropriate federal education agencies (Indian desks) to assist in the implementation of the recommendations of the Indian Culture Master Plan.

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