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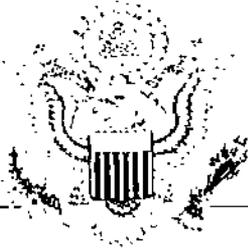
**ABSTRACT**

Part 2 of the "First Annual Report of the National Advisory Council on Indian Education (NACIE) to the United States Congress presents the council's advice, opinions, and comments on the recommendations of two recent and bold federal reports on Indian education--"Indian Education: A National Tragedy--A National Challenge" and "Between Two Milestones." The complete text of both reports is given. The recommendations, indexed by subject, pertain to: self-determination, Indian policies and goals, legislation, federal funding, the Indian educational system, Johnson-O'Malley programs, Indian culture, local control and accountability, civil rights, health, and information dissemination. Part 2 also contains: (1) A Statistical Profile of the Indian: The Lack of Numbers; (2) Title IV--The Indian Education Act of 1972; (3) Opportunity to Improve Indian Education in Schools Operated by the Bureau of Indian Affairs--Department of the Interior; (4) A New Era for the American Indians; (5) Secretary of the Interior Morton Reports on Indian Matters; (6) Tribal Unity for Self-Determination; and (7) Title IV Programs: Case Histories and Reports. (NQ)

March 1974

U.S. DEPARTMENT OF HEALTH  
EDUCATION & WELFARE  
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of the  
united states  
from the  
national  
advisory  
council on  
indian  
education**

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part 2 of 2 parts

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**“We only want the right  
to live as other men live”**

**Chief Joseph**

7. 11/14

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*Between Two Milestones*

The First Report to the President of the United States, by the Special Education Subcommittee of the National Council on Indian Opportunity, Nov. 30, 1972

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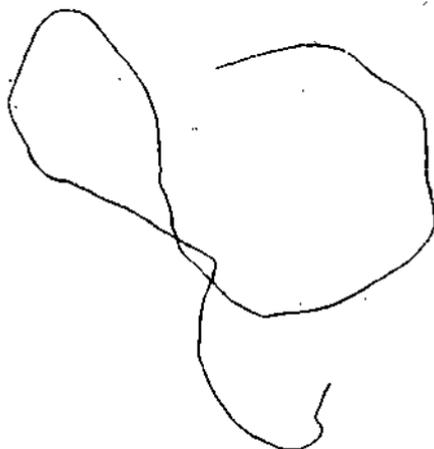
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As the policy for Self Determination emerged from Washington, D.C. the tribal leaders of the tribes in Southeast Nebraska and Northeast Kansas realized that a Constitution for an Inter-Tribal Council was necessary, for tribal unity from which to build the foundation for Self Determination. Several case examples are given as evidence that the philosophy of "tribal unity" is realistic and successful.	

*Title IV Programs: Case Histories and Reports*

The National Advisory Council On Indian Education recently conducted a survey among recipients of Title IV program funds as to the impact of Title IV on their school, tribe or institution. The following few cases illustrate that Title IV meets the long awaited needs among many Native Americans who previously had no covering legislation.

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“Indians” and “Native Americans”

Introduction

Recommendation No. 1

*Self-Determination and Management Know-How*

The management of Indian Affairs—by Indians, is a prerequisite to the success of the Federal policy for Self-Determination. The Council's recommendation provides clear guidance to achieving this goal.

Recommendation No. 2

*A Master Plan for Indian Education Personnel*

A mandatory Federal/State personnel plan for Indian education agencies is necessary to insure that key management positions are staffed by Native Americans. Only then will Indians be satisfied that their best interests are being served.

Recommendation No. 3

*Language Deprived Indian Children—A Solution*

The inability of the American educational system to provide proper language development for Native Americans is a major root cause of the Indian failure syndrome. The proposed innovative plan, points a way out of this historical dilemma.

Recommendation No. 4

*The Revitalization of Indian Affairs Agencies*

The unresponsive and grossly overmanned Federal Indian Affairs bureaucracy have successfully ignored “The Will of Congress” for too long—and to the severe detriment of Native Americans. Only Congress can force the modernization of these Government agencies and bring them under control.

**Recommendation No. 5**

*Title IV, the Indian Education Act—an Historic Breakthrough*

The 1972 passage of Title IV brings about an urgently needed coherent policy—with clearer program definition—for meeting the needs of many Native Americans who previously had no covering legislation.

**Recommendation No. 6**

*A Bicentennial Education Goal for Native Americans*

The Bureau of Indian Affairs established an admirable Indian education goal for 1976 but unfortunately, the U.S. Comptroller General's Office (GAO) finds that the BIA has made little actual progress toward its accomplishment—nor does GAO believe BIA management practices can achieve such a goal

**Key Administration Indian Policy Statements—**

President Nixon, *A New Era for the American Indians*

Casper W. Weinberger, Secretary of Health, Education, and Welfare

**Special Report: Who Are American Indians?**

NACIE Budget for 1975



# SELF-DETERMINATION

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FROM: Indian Education: A National Tragedy  
A National Challenge

10. The subcommittee recommends—

That the Federal Government shall not terminate Federal responsibility and services in educational fields to any Indian tribe, band, group, or community, unless such termination is consented to by those Indians affected by such termination.

The subcommittee has found that the termination policy of the 1950's has continued to be an expression of the intent of Congress in the 1960's. The fear of termination has poisoned every aspect of Indian affairs, has undermined every meaningful attempt at organizational reform, and has been a major psychological barrier to Indian socio-economic development. Termination bills are still introduced in Congress. Awards by the Indian Claims Commission are still used as a device to induce tribes to apply for termination. The subcommittee feels that the best corrective measure for this dilemma is to establish a procedure whereby no termination of responsibilities and services in educational fields will be carried out by the Federal Government unless consented to by those Indians affected.

NACIE Concur.

18. The subcommittee recommends—

That Indian parental and community involvement be increased.

The BIA has been particularly lax in involving the participation of Indian parents and communities in the education process. Such involvement would have a beneficial effect on the attitude of Indian children toward school and their own education, and could be helpful in bringing about strengthened and enhanced education programs.

In addition, this parental and community involvement at the school level complements the local and national Indian boards recommended above.

NACIE Concur.

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## D. Transfer of Responsibility

### 55. *The subcommittee recommends—*

That Indian tribes or communities should approve in a formal referendum the transfer of their children to public schools before such a transfer can be effected.

The Bureau's transfer policy, as presently stated in the Indian Affairs Manual, gives the Bureau the authority to determine when Indian students should be transferred from Indian schools to public schools. Despite former Commissioner Bennett's statement that tribes will decide in a referendum when they are ready for transfer, no such written policy exists. If the Bureau's "mutual readiness" policy is to mean anything, Indians must have the opportunity to determine when they are "ready" for transfer.

NACIE *Concurs.*

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FROM: **Between Two Milestones**

### RECOMMENDATION NO. 9

Whereas, the movement of Native people to urban areas is predicated on an often unfulfilled promise of economic opportunity to live a richer life, *and*

Whereas, the movement to urban areas tends to drain trained leadership away from Native communities which need the social presence and the services these individuals can provide;

*It is recommended;* That, the policies and procedures for the implementation of self-determination in Native education should reach into other areas of Native affairs so that the impact of vocational, collegiate, and professional training of Native people is felt more strongly in Native communities, *and* That, long-range plans for staffing the Public Health Service, Legal Assistance, Land Management, and other services provide on-reservation jobs at many skilled levels for Native people who have completed appropriate training programs and wish to render service, other than in education, to their home or other reservation community.

NACIE COMMENT: *Needs clarification and better association between Education Programs and other services.*



# INDIAN POLICIES & GOALS

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

**SUMMARY OF HISTORICAL FINDINGS**

**I. Policy Failure**

*The dominant policy of the Federal Government towards the American Indian has been one of coercive assimilation. The policy has resulted in:*

- A. The destruction and disorganization of Indian communities and individuals.
- B. A desperately severe and self-perpetuating cycle of poverty for most Indians.
- C. The growth of a large, ineffective, and self-perpetuating bureaucracy which retards the elimination of Indian poverty.
- D. A waste of Federal appropriations.

**II. National Attitudes**

*The coercive assimilation policy has had a strong negative influence on national attitudes. It has resulted in:*

- A. A nation that is massively uninformed and misinformed about the American Indian, and his past and present.
- B. Prejudice, racial intolerance, and discrimination towards Indians far more widespread and serious than generally recognized.

**III. Education Failure**

*The coercive assimilation policy has had disastrous effects on the education of Indian children. It has resulted in:*

- A. The classroom and the school becoming a kind of battleground where the Indian child attempts to protect his integrity and identify as an individual by defeating the purposes of the school.
- B. Schools which fail to understand or adapt to, and in fact often denigrate, cultural differences.
- C. Schools which blame their own failures on the Indian student and reinforce his defensiveness.
- D. Schools which fail to recognize the importance and validity of

the Indian community. The community and child retaliate by treating the school as an alien institution.

E. A dismal record of absenteeism, dropouts, negative self-image, low achievement, and, ultimately, academic failure for many Indian children.

F. A perpetuation of the cycle of poverty which undermines the success of all other Federal programs.

#### IV. Causes of the Policy Failure

*The coercive assimilation policy has two primary historical roots:*

A. A continuous desire to exploit, and expropriate, Indian land and physical resources.

B. A self-righteous intolerance of tribal communities and cultural differences.

NACIE *Concurs.*

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

**PART II: A NATIONAL CHALLENGE—  
SUBCOMMITTEE RECOMMENDATIONS**

**I. POLICY AND GOALS**

**A. National Policy**

The development of effective educational programs for Indian children must become a high priority objective of the Federal Government. Although direct Federal action can most readily take place in the federally-operated schools, special efforts should be made to encourage and assist the public schools in improving the quality of their programs for Indian children. The U.S. Office of Education should make much greater use of its resources and professional leadership to bring about improvement in public school education of Indian children.

The costs of improving the education of Indian children are bound to be high. In fact, a truly effective program probably will require doubling or even tripling the per pupil costs. But, the high educational costs will be more than offset by the reduction in unemployment and welfare rates and the increases in personal incomes certain to follow as a result of effective educational programs.

One of the crucial problems in the education of Indian children is the general relationship between white society and Indian communities. This relationship frequently alienates Indians and Indian communities, dampening both their potential for full self-development and their opportunities for gaining experience to control their own affairs through participation in effective local government.

It is essential to involve Indian parents in the education of their children and to give them an important voice—both at the national and local levels—in setting policy for those schools in which Indian children predominate. Whenever Indian tribes express the desire, assistance and training should be provided to permit them to operate their own schools under contract. A precedent and one model for this approach already exists at the Rough Rock Demonstration School in Chinle, Arizona.

The curriculum in both Federal and public schools serving Indian children should include substantial information about Indian culture and history and factual material about contemporary Indian life. This is important for both Indian and non-Indian children if they are to gain a better perspective and understanding of Indian heritage and current circumstances.

The complexity of the problems associated with cross-cultural education merit substantial research and development and the continuing adoption of promising innovations as they are discovered or developed. The present assumptions underlying the conventional approach of both Federal and public schools have not been valid, and a systematic search for more realistic approaches is clearly in order.

The most important step that can be taken as a matter of national policy and priority is to convert Federal schools in different regions of the country into exemplary institutions which can serve as a resource base and a leadership source for improving Indian education in public schools. They should provide models of excellence in several areas. First, in terms of developing outstanding bicultural, bilingual programs. Second, in terms of the development and utilization of the most effective techniques for educating the disadvantaged student. Third, they should be staffed and operated as therapeutic institutions capable of maximizing the personality development of the Indian child as well as assisting him in resolving his emotional and behavioral problems.

In summary, the Federal Government must commit itself to a national policy of educational excellence for Indian children, maximum participation and control by Indian adults and communities, and the development of new legislation and substantial increases in appropriations to achieve these goals.

*1. The subcommittee recommends—*

**That there be set a national policy committing the nation to achieving educational excellence for American Indians; to maximum participation and control by Indians in establishing Indian education programs; and to assuring sufficient Federal funds to carry these programs forward.**

*NACIE Concurs.*

## **B. National Goals**

The ultimate criteria of the success of the new policy, and the ones by which the Federal Government should gauge the adequacy of its efforts, are the availability of high-quality programs for all Indian children and their actual achievement in these programs. The Federal Government should set specific, measurable goals for rapid attainment of equal educational opportunity for Indian children. The size and scope of the effort needed could be compared with the "Marshall Plan" which brought about the socioeconomic rehabilitation of Europe following the destruction of World War II. Certainly the United States has as great a moral and legal commitment to its Indian citizens as it did to its European allies and adversaries.

### *2. The subcommittee recommends—*

**That the United States set as a national goal the achievement of the following specific objectives:**

**Maximum Indian participation in the development of exemplary educational programs for (a) Federal Indian schools; (b) public schools with Indian populations; and (c) model schools to meet both social and educational goals;**

**Excellent summer school programs for all Indian children;**

**Full-year preschool programs for all Indian children between the ages of 3 and 5;**

**Elimination of adult illiteracy in Indian communities;**

**Adult high school equivalency programs for all Indian adults;**

**Parity of dropout rates and achievement levels of Indian high school students with national norms;**

**Parity of college entrance and graduation of Indian students with the national average;**

**Readily accessible community colleges;**

**Early childhood services embracing the spectrum of need;**

**Bilingual, bicultural special educational assistance;**

**Effective prevention and treatment procedures for alcoholism and narcotic addiction;**

**Expanded work-study and cooperative education programs;**

**Workable student financial assistance programs at all educational levels; and**

Vocational and technical training related accurately to employment opportunities.

3. *The subcommittee further recommends—*

That national goals be set for health, housing, and employment needs of American Indians.

NACIE *Concurs.*

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FROM: Indian Education: A National Tragedy—  
A National Challenge

C. General Recommendations

4. *The subcommittee recommends—*

That the Congress authorize a White House Conference on American Indian Affairs and appropriate the funds necessary for its planning and implementation.

The subcommittee has found that one of the primary reasons for the failure of national policy and programs for American Indians has been the exclusion—or only token involvement—of Indians in determining policy or planning of programs. A White House Conference on American Indian Affairs would be a dramatic reversal of this unyielding practice. Such a White House Conference could provide for broad scale participation of Indians in extensive deliberations at the tribal, local, and regional levels, in preparation for the National Conference. The report of the Conference, with detailed policy, legislative, and program recommendations, could serve as the blueprint for reform and change over the next generation. As an indication of the widespread support in the Indian community for this approach, the National Congress of American Indians has strongly endorsed the need and desirability of such a conference in its 1968 and 1969 annual conventions.

An authorization for a White House Conference should contain provisions for adequate funding to permit large numbers of Indians to participate at all levels in the planning and conduct of the Conference. In addition, it should provide the means for substantial technical assistance so that the Conference can address all of the complex and difficult problems facing American Indians. This would include thorough evaluations of present Federal programs and their deficiencies. Finally, the authorization should provide a clear mandate for the steps to be taken for

implementation and followup of the Conference recommendations. The Conference should be planned and carried out largely by American Indians, not Government officials. The National Council on Indian Opportunity could play an important role in providing technical support and a secretariat for the Conference and assuming the primary responsibility for seeing that the recommendations are implemented.

The subcommittee feels that there is one issue of major importance which deserves special attention and analysis in the Conference proceedings—the organization and location of the Bureau of Indian Affairs. Numerous witnesses and consultants have informed the subcommittee that the present organization and location of the Bureau of Indian Affairs is unsatisfactory, and seriously impedes the development of Indian physical and human resources. The subcommittee believes that if basic problems of policy and program failure are to be overcome, the Bureau of Indian Affairs must be transformed into a technical assistance agency which will assist Indian tribes and communities to develop and operate their own programs and services. How this can best be done without in any way infringing upon the Indians' special relationship with the Federal Government should be a matter of high priority to be resolved by the White House Conference on Indian Affairs: in effect, by the Indians themselves. We have previously had White House conferences on matters of high national concerns. These have included conferences on civil rights and on natural beauty. In December, there will be one on hunger and nutrition. In 1970, there will be one on aging. It is time for one on American Indians.

The National Council on Indian Opportunity is the logical agency to coordinate and support the proposed White House Conference on American Indian Affairs. It is charged through Presidential Executive Order 11399 with responsibility to coordinate, appraise, and innovate in the area of Indian programs. The Council is chaired by the Vice President and consists of seven Cabinet officers having responsibility in the field of Indian affairs. Also, there are six Indians on the Council who, for the first time, sit at a high policy program formulation level.

*NACIE Concurr.*

## II. ADMINISTRATION OF INDIAN EDUCATION

### A. General Recommendations

The most difficult question confronting the subcommittee was what organizational changes are necessary if Indian schools are to become "models of excellence" in terms of both program and Indian control. The subcommittee has found that the Bureau of Indian Affairs suffers from a severe bureaucratic malaise, which militates against change and innovation as well as actively discourages Indian control. The present structure of the Federal school program, as an integral part of the Bureau of Indian Affairs, places primary control over educational decisionmaking in the hands of area directors and noneducators. It destroys educational leadership and rewards mediocrity. It is therefore not possible to conceive of change and improvement in the present structure. If an exemplary program is to be developed, it will require a radical and comprehensive reorganization.

15. *The subcommittee recommends—*

(a) That the position of the Commissioner of the Bureau of Indian Affairs be upgraded by giving him the concurrent title of Assistant Secretary for Indian Affairs.

(b) That the Bureau of Indian Affairs be removed from the authority of the Assistant Secretary for Public Land Management and be placed under the authority of this new Assistant Secretary for Indian Affairs.

At present, the BIA is one of four bureaus under the Assistant Secretary for Public Land Management. The four are: the BIA; the Bureau of Land Management; the Bureau of Outdoor Recreation; and the Office of Territories. This Assistant Secretary is thus principally concerned with the conservation, management, and development of some 453 million acres of the nation's public lands, and the administration of mining and mineral leasing on federally owned lands. He is also the focal point of Federal activities related to outdoor recreation.

It is perfectly plain that the present administrative arrangement shortchanges the BIA, which must compete with other bureaus (whose interests are diametrically opposed) for the Assistant Secretary's attention.

The present arrangement has resulted in inadequate budget levels, neglect of educational programs and problems, and lack of forceful leadership for improvement. The change in placement and status of the BIA should permit higher budget levels, more effective leadership, and more rapid innovation.

There exist ample precedents for this dual title. For example, in the Department of Housing and Urban Development, the Assistant Secretary for Mortgage Credit is also the Commissioner for Federal Housing. Furthermore, the Commissioner of the BIA, Hon. Louis Bruce, endorsed this step in a meeting with the subcommittee on Oct. 2, 1969.

*NACIE Concur.*

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## **FROM: Indian Education: A National Tragedy— A National Challenge**

### *17. The subcommittee recommends—*

**That Indian boards of education be established at the local level for Federal Indian school districts.**

The powers of such local boards would be similar to those powers traditionally held by local school boards. The boards, for example, would have supervision over curriculum and the hiring of faculty in the schools in their districts. Generally, they would have jurisdiction in Indian school districts containing elementary and secondary schools situated in a proper geographic, tribal, or community area. These boards would be either elected by the Indian district in which they would serve, or be appointed by the tribal or community authority there. It is assumed that the method of selection would vary from area to area. Approximately 80 percent of local boards throughout the country are elected.

In keeping with the practice throughout the Nation wherein the overwhelming majority of local school boards are elected, the subcommittee expresses the hope that local Indian boards will likewise be subject to election, keeping in mind that in a minority of areas, as elsewhere in the country, local preference may dictate that the board be appointed.

The local boards would have direct lines of communication with the National Indian Board of Indian Education, and would be empowered to convey to it recommendations for overall policy.

*NACIE Concur.*

19. *The subcommittee recommends—*

That the Assistant Commissioner for Education of the Bureau of Indian Affairs be given the responsibilities of a superintendent of Federal schools, having direct line control over the operation of the schools, including budgets, personnel systems, and supporting services. It also recommends that the term of office of the Assistant Commissioner be limited to 4 years, subject to reappointment.

This would place the Federal school system outside of area office and reservation agency control, and leave the Federal school system as an autonomous unit within the BIA. Furthermore, it would permit the Assistant Commissioner much greater authority to negotiate with State and local school boards and agencies for augmented Indian education programs in the public schools.

The subcommittee urges that the Assistant Commissioner for Education retain decisionmaking authority over policy matters, and delegate only ministerial functions to his subordinates.

NACIE *Concurs.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

20. *The subcommittee recommends—*

That the Department of Health, Education, and Welfare and the Department of the Interior, together with the National Council on Indian Opportunity, jointly devise a plan of action for a united effort between the two Departments for the development of a quality education program for Indian children, and that such plan be submitted to the Congress no later than March 1, 1970.

Two Federal agencies presently have the special expertise required to upgrade the education of Indian children. The Bureau of Indian Affairs has direct responsibility for educating children in Federal Indian schools, and the U.S. Office of Education concerns itself with public school programs, some of which affect Indian children. Both agencies have the same goal of quality education. Unfortunately, each agency pursues that goal within the context of its own plans and operations. There is little, if any, sharing of ideas or resources. These two Federal agencies do not work together to reach solutions to common Indian education problems, primarily because no working mechanism exists for that purpose.

In 1967 the Senate Labor and Public Welfare Committee posed the question of where in the Federal structure responsibility for Indian education should be located in order to best serve the interests of Indian children. An interdepartmental committee (HEW-Interior) was established and a careful review was undertaken by both Departments. Despite the fact a number of meaningful recommendations were made and supported by the two Departments, relatively minor progress has been achieved.

The subcommittee believes that the failure to implement the interdepartmental committee's recommendations was due in large measure to the absence of a commitment to a joint cooperative effort between Interior and HEW.

The subcommittee therefore strongly urges the Secretary of the Interior and the Secretary of Health, Education, and Welfare, together with the NCIO, to devise a plan of action for a united effort by the two Federal Departments, and other relevant departments and agencies for the development of a quality education program for Indian children irrespective of place of enrollment.

In developing such a plan the two Departments should consider ways in which personnel from both Departments working on the united effort could work with the proposed National Indian Board of Indian Education.

The subcommittee requests that such a plan be submitted to the Congress no later than March 1, 1970.

NACIE *Concurs.*

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FROM: Indian Education: A National Tragedy—  
A National Challenge

### C. Special Programs

#### 1. VOCATIONAL EDUCATION \*

26. *The subcommittee recommends—*

**That there be a thorough review of the vocational education and manpower programs in the BIA.**

A thorough review and evaluation of vocational education and manpower programs in the BIA should be conducted by a group of independent experts, similar to the excellent study which resulted in many of the reforms written into the Vocational Educational Amendments

of 1968. Indian parents and tribal leaders should play a significant role in the review and planning process of this effort. The study should necessarily include employment and economic opportunities available for those Indians who may wish to remain on the reservation or live close to it. Attention should also be given to the number of vocational and manpower programs offered by various agencies and a means for coordinating them.

The vocational training program should take cognizance of the desire of many Indian people to remain on the reservation and prepare students for both on and off reservation employment. Vocational training programs should be closely articulated with economic development programs on reservations.

*NACIE Concur.*

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*34. The subcommittee recommends—*

**The Bureau of Indian Affairs should provide continuing support for the community colleges on or near Indian reservations, such as the Navajo Community College.**

With more Indians expected to attend college each year, it is essential that a sound community college program be in operation which recognizes the problems of Indian students. The Bureau can take a leading role in this area by providing continuing support for Indian community colleges. The Bureau should conduct a study exploring the feasibility of Indian community colleges, and then of working toward the establishment of such Indian controlled institutions.

*NACIE Concur.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

**D. Innovation and Research and Development**

**1. ROUGH ROCK**

*41. The subcommittee recommends—*

**That the BIA take a stronger role in assuring that the Rough Rock School continue functioning as an exemplary demonstration school and that similar demonstration schools be established and appropriately funded on other Indian reservations.**

The subcommittee has found that the Rough Rock Demonstration School has had a tremendous impact on the development of new and more effective educational programs for Indian children in both public and Federal schools. In addition, it is still the only example of a successful school under tribal control. There is a continuing need for demonstration schools. Rough Rock has been funded at a much higher level than other schools on the reservation, and this is a major reason for its important accomplishments. The BIA should provide strong financial support for a sustained exemplary education program at the Rough Rock School, without in any way infringing on the autonomy of the school (as a nonprofit corporation) to plan and carry out its own programs. In addition, the Rough Rock school should be included in any nationwide array of demonstration schools funded by the Federal Government.

One of the most promising mechanisms for the development of additional model schools would be the contracting of their operation to a nonprofit corporation with an Indian board of directors similar to the Rough Rock school. The Indian board could in turn have the power to subcontract on a competitive basis the operation of the school to any appropriate profit or nonprofit organization capable of developing the model program in keeping with the policy guidance of the board. Decentralization of the Federal school system by means of this contracting device would permit meaningful local control, diversity of approaches, and a healthy sense of competition between different schools.

NACIE *Concurs.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

**3. CONSULTANTS**

*43. The subcommittee recommends—*

**That the BIA increase its use of consultants.**

This report has already recommended a number of areas where consultant assistance is desperately needed by the BIA. The BIA should have a budget sufficient for independent consultant assistance and use them extensively. This is clearly preferable to an attempt to develop substantial in-house specialization. It is impossible to attract the kind of talent needed under present civil service rules and regulations.

NACIE *Concurs.*

51. *The subcommittee recommends—*

That technical assistants should be hired by the BIA to work with local agencies, State departments of education and Indian participant groups in helping to identify special Indian needs and in developing programs which would meet those needs.

The assistants should be Indians who can serve as special consultants to the parties involved in order that the best possible JOM contract can be negotiated. They should not be desk-bound nor assigned to such an expansive territory that they are unable to get out into all parts of the field.

NACIE *Concurs.*

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59. *The subcommittee recommends—*

That Indians should be considered for appointment to the advisory groups functioning within the U.S. Office of Education, including those established by statute as well as those created by administrative action.

Such advisory groups should be requested to give special attention to problems of Indian education, where appropriate. In particular, the National Advisory Council on the Education of Disadvantaged Children should give Indian education its continuing attention. Copies of this report should be brought to the attention of the Council and other Federal education advisory groups.

The U.S. Office of Education indicates that there are within OE some 2 dozen education advisory groups established by law or administratively. Indians are inadequately represented on these groups.

NACIE *Concurs.*

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FROM: **Between Two Milestones**

## RECOMMENDATIONS

The educational concerns of American and Alaskan Native people go beyond the problems referred to in the charges to the Special Education Subcommittee. Hearing testimony and Subcommittee deliberations led to the following recommendations:

## Recommendation No. 1

Whereas, the cultural backgrounds, economic circumstances, educational needs, and degree of desired responsibility for the management of education are too diverse to be implemented by a single set of operational policies or procedures without violating the individuality of Indian people or the spirit of self-determination;

*It is recommended, That, all agencies of the Federal Government meet the obligation to support Indian education and implement the policy of self-determination through a variety of contractual arrangements which are sufficiently flexible to meet the needs of Indian people living under the diverse circumstances of Indian communities on or off reservations and in pluralistic urban areas.*

*NACIE Concurs.*



# LEGISLATION

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*6. The subcommittee recommends—*

**That there be presented to the Congress a comprehensive Indian education act to meet the special education needs of Indians both in the Federal schools and in the public schools.**

The subcommittee feels that a proliferation of set-asides for BIA schools in Federal education statutes, such as ESEA, is an unsatisfactory means of bringing to Indian youngsters the advantages of the wide variety of programs set forth in Federal law. A direct route from the Federal agency immediately concerned should be followed rather than the cumbersome means of having one Federal agency, the Office of Education, transfer part of its appropriations for Federal grant-in-aid programs to another Federal agency, the Bureau of Indian Affairs, and in the process decrease the amount of such funds available to the States and communities.

As for the Johnson-O'Malley Act, which provides for Indian children in the public schools, this law was last changed in 1936. It is due for substantial revision. No other education statute has gone more than 30 years without some modernization to meet changing conditions. The Elementary and Secondary Education Act, for example, was first enacted in 1965 and was substantially revised in 1966 and 1967. Again this year, it is the subject of additional, substantial revision. In addition, the fact that administrative revisions recommended for JOM over the years have never been adequately effectuated points up the need for change by legislative means; trying the alternative administrative route has consistently proven ineffective.

The comprehensive Indian Education Act which the subcommittee contemplates would join in a single coordinated statute all Indian education programs, including those provided for set-aside provisions in general education grant-in-aid programs, public school programs (except Public Law 874), and BIA programs. Such a statute would be generally parallel to the array of other Federal education laws and would have, for example, titles devoted to adult education, to exemplary and model

programs, to research, to library resources, to the handicapped, and so forth, as well as a title or titles dealing with areas unique to the education of Indians, such as Indian culture and biculturalism. The set-aside programs referred to heretofore would expire when the new Indian Education Act went into effect.

The subcommittee contemplates that the comprehensive statute recommended here would include those applicable provisions which have also been recommended by this report for inclusion in the Johnson-O'Malley Act, such as submission of plans, need for accountability and evaluation procedures, involvement of Indians, contract authority with tribes and communities, etc.

Just as the various titles of the Elementary and Secondary Education Act have their own advisory groups composed of persons expert in the discipline covered, as well as community representatives, so should the applicable titles of the Indian Education Act have advisory bodies. Such a procedure would help advance the subcommittee's concept that Indians must play a significant role in the education of their children.

*NACIE Concur.*

#### **FROM: Indian Education: A National Tragedy— A National Challenge**

##### *16. The subcommittee recommends—*

**That there be established a National Indian Board of Indian Education with authority to set standards and criteria for the Federal schools.**

Structurally, this recommendation is patterned after the organization of education in the States, with the National Indian Board of Indian Education as the centerpoint of citizen participation much as is the State Board. It would, as do the counterpart boards in the States, have oversight over the operations of the schools and have authority to set standards and criteria and determine policy within the framework of the law. The National Board would receive funds for its operations.

The National Board would be composed of some fifteen members, representative of the Indian tribes and communities, serving staggered terms of three years. They would be appointed by the President from lists of nominees furnished by the Indian tribes and communities and would be eligible to serve no more than two consecutive terms. At least annually, but more often if necessary, the Board would submit to the Congress and to the President reports and recommendations for admin-

istrative action or legislation, thus giving the Indians themselves leverage in effecting change. The National Board could elect to *ex officio* membership no more than five non-Indian individuals expert in areas of concern to the Board.

The National Board would be authorized to utilize the expertise of the U.S. Office of Education, the Office of Economic Opportunity, and other Federal agencies.

While this recommendation envisions the appointment of the National Board, the subcommittee believes that the matter of election of the members of the National Board merits careful consideration. Therefore, the National Board should be empowered to establish the mechanism for electing the Board, and an equitable means by which such members might be elected. It should submit a plan for election of Board members, to the Congress, and to the President. If this plan is not rejected by either House of Congress, following the procedure of congressional action as prescribed by law in the case of executive reorganization plans, then the election procedure would be put into effect.

The National Board would also be empowered to participate in the negotiation of contracts with individual tribes and communities to run local school systems for Indians.

The Board would present to the Department of Interior its suggestions for nominees for Assistant Commissioner for Education as well as presenting its views on any candidate that the Department may be considering for the post. Since the Assistant Commissioner for Education would be serving for one or more terms of 4-year duration, the National Board would have the foregoing review responsibilities also with respect to reappointment.

Finally, the National Board would serve in an advisory capacity with respect to Federal education programs involving Indians in the public schools. For example, the Board could review school district use of Johnson-O'Malley funds to assure they were being used for the needs of Indian students.

NACIE *Concurs.*

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

28. *The subcommittee recommends—*

**That the BIA's regulation for financial aid for higher education be changed so that need rather than location of residence will determine a student's eligibility.**

The present regulation states that Indian students living on or near reservations should be given preference in determining eligibility for grants. The needs of many Indians in urban areas are often as great as Indians near reservations, and thus a student's financial needs should be the major determinant of his eligibility.

*NACIE Concur.*



# FEDERAL FUNDING

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*5. The subcommittee recommends—*

**That there be established in the U.S. Senate a Select Committee on the Human Needs of the American Indian.**

The subcommittee has found that the Federal Government has failed to understand sufficiently and to effectively delineate the extent and severity of the problems confronting the American Indian. In addition, the Federal Government has failed to adequately understand the human needs and aspirations of the American Indian. The result has been a major failure of national policy.

The 1960's have witnessed a growing recognition of this failure, and the emergence of many new Federal programs to provide assistance. New legislation such as the Economic Opportunity Act, the Elementary and Secondary Education Act, the Manpower Development and Training Act, the Economic Development Act, and new legislation in the field of housing, have spread the responsibility for Indian affairs across the executive branch of the Federal Government. The Library of Congress has recently compiled a list of 86 different statutes which have specific provisions under which Indians and Indian tribes can receive Federal assistance. This proliferation of programs has led to confusion, overlapping responsibilities, programs working at cross-purposes, a general lack of coordination between agencies, and a complete lack of a unified policy. In recognition of this fact, President Johnson established by Executive order a National Council on Indian Opportunity, which included as members the Cabinet officers from the seven major departments with explicit responsibilities in the field of Indian affairs. No corresponding action has been taken by Congress.

The need for unified policy formulation and legislative oversight is apparent. A Select Committee on the Human Needs of the American Indian would be the best means for meeting this need. The executive director of the National Congress of American Indians has testified in support of such a committee and the executive council of NCAI has

strongly recommended its early establishment. Other organizations of American Indians have expressed similar support.

One problem in evaluating the success of Federal programs for the American Indian is the extraordinary inadequacy of the statistical data presently available. Mr. Stephen A. Langone, Library of Congress Indian Affairs Specialist, has recently prepared a paper for the Joint Economic Committee, which points out that despite the fact that the Federal Government is presently expending in aggregate more than \$500 million per year in its multiplicity of Indian programs. "It is literally impossible to obtain up-to-date and accurate information on such basic questions as employment and unemployment, average educational attainment, income, land ownership, reservation population \* \* \*" and so forth. Congress has had to rely on statistics "that are in many cases 5, 10, 20, or more years old, and often incomplete and inaccurate." This constitutes a totally inadequate base for effective legislative action. The most damaging consequences of this lack of reliable information are vividly demonstrated in the termination legislation of the 1950's. Time after time, the Bureau of Indian Affairs provided an inadequate and often inaccurate socioeconomic profile of an Indian tribe which served as the basis for termination. The results were disastrous.

The lack of reliable data also means that Congress cannot carry out its legislative oversight function. As Mr. Langone states " \* \* \* there is no sound basis for comparison to determine the increase or decrease of given problems or indeed the improvement or lack of improvement in the economy of Indian tribes." Without data, problems cannot be adequately understood or delineated and consequently are neglected. For example, this subcommittee has found a serious lack of information in the area of mental health and the American Indian, yet we have been told by many witnesses that this should be a top priority of Federal concern. This subcommittee has brought to light data on Indian suicides and alcoholism which are extremely alarming. Yet no one begins to know the extent or full ramifications of the problem. Moneys cannot be appropriated wisely nor can effective and responsible legislation be developed, without a unified and comprehensive information base.

The Senate Select Committee on Nutrition and Human Needs has made a major contribution in bringing to light the extent and severity of hunger and malnutrition in this country. It has as well pointed up the deficiencies in the Federal programs aimed at the alleviation of the problem. Its work and accomplishments are excellent precedents for the establishment of a Select Committee on the Human Needs of the American Indian.

This subcommittee has worked for 2 years on the problem of educa-

tion of American Indians. We have developed much new information and discovered many previously unknown facts. We know full well how extensive the work remaining is. We do not envision a select committee as a permanent Senate committee; rather, we would see it as a congressional complement to the White House Conference. Its life need not be longer than 2 years, and its membership could be drawn from the standing committees with principal jurisdiction. Its work could help redirect the course of this Nation's American Indian policies.

NACIE *Concurs.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*7. The subcommittee recommends—*

**That the funds available for the education of American Indians be substantially increased, and that provision be made for advance funding of BIA education programs to permit effective planning and recruitment of personnel.**

The subcommittee has found that BIA presently expends about \$1,100 per student per year in a Federal boarding school. A number of witnesses testifying before the subcommittee have suggested that this amount must be doubled or tripled if an equal educational opportunity is to be provided the students in these schools. Dr. Carl Marburger, who is presently commissioner of education for the State of New Jersey (formerly the Assistant Commissioner for Education in the BIA) has pointed out that comparable programs for physically handicapped children have a yearly per-pupil cost of approximately \$3,000. The yearly cost for students in boarding schools on the east coast is between \$3,800 and \$4,200.

In fiscal year 1969, the BIA applied severe restrictions to educational expenditures. Yet it ended the year having to spend \$5 million more than it was appropriated. This has necessitated many cutbacks in the fiscal 1970 programs, including not purchasing needed textbooks and supplies. The BIA presently spends only \$18 per child on textbooks and supplies, compared with a national average of \$40.

The BIA operates many inferior school facilities and some that have actually been condemned. As a result of a lack of high school facilities in Alaska, over 1,200 Alaskan natives are sent to boarding schools in Oregon and Oklahoma. Thousands of Navajo children are in damaging ele-

mentary boarding schools on the Navajo Reservation because of inadequate appropriations for roads and day schools.

The education budget of the BIA is grossly inadequate. Until this most basic problem can be overcome, little progress toward educational excellence can be anticipated.

NACIE recommends: If the NACIE's principle recommendations 1 through 6 of this report were implemented most of the above problem would be eliminated.

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*12. The subcommittee recommends—*

**Full funding of the National Council on Indian Opportunity for fiscal year 1970, and for subsequent years.**

The National Council on Indian Opportunity was created by Executive Order 11399 on March 6, 1968. The purpose of the Council as stated in the Executive order is to encourage full use of Federal programs as they relate to Indians, apprise the impact and progress of Federal programs for Indians, and suggest ways to improve such programs.

By including six Indians as members, the Council affords the Indian people, for the first time in the history of Federal-Indian affairs, an opportunity to sit at the highest administrative level and have a direct say in the formulation of policies and programs as they relate to Indians.

President Johnson and President Nixon both have given their strong support to the Council. The National Congress of American Indians, the largest Indian organization in the country, indicated its strong support for this program in a position paper adopted May 6, 1969, in Albuquerque, N. Mex. The NCAI commented that the creation of the Council was:

\*\*\* a milestone in the involvement of Indian people with the administration of this country, and as such it can be a vital mechanism for Indian involvement in their own progress. There is no other like body which gives the Indian people such vital participation in the discussion and solution of their problems. The National Council on Indian Opportunity must be continued and funds appropriated for its continued operation.

As more and more programs for Indians are begun in agencies other

than the Department of the Interior, the need for program coordination and appraisal becomes even more acute. Nearly half of the total Federal outlay in Indian Affairs goes to agencies other than the Bureau of Indian Affairs. These departments, whose secretaries, along with the Vice President as chairman, and the Indian members mentioned above, sit on the Council, are: Agriculture, Commerce, Labor, HEW, HUD, and OEO. Additionally, it is expected that the Department of Justice will embark on its first Indian program during fiscal year 1970. In judgment of the subcommittee, the Council is the only agency equipped with the authority to coordinate all Federal Indian programs.

On September 3, 1969, the Senate passed an authorizing resolution continuing the Council. The resolution is now pending in the House of Representatives and the subcommittee recommends favorable action be taken as soon as possible.

It is expected that another request for funding of the Council will be included in a supplemental appropriations bill to be sent to Congress later this fall. The subcommittee concluded that favorable action on funding the Council is imperative.

*NACIE recommends: NCIO be given the authority and support to carry out the stated objective of the organization.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*13. The subcommittee recommends—*

**That the Bilingual Education Act (title VII of the Elementary and Secondary Education Act) receive sufficient funding so as to enable expanded programs for Indian children, that the act be amended to include schools operated for Indians by nonprofit institutions, and that BIA schools undertake expanded bilingual education programs of their own, along the lines of those outlined in the Bilingual Education Act, to meet the needs of Indian pupils.**

There are nearly 300 Indian languages in use today in the United States. More than one-half of the Indian youth between the ages of 6 and 18 use their native language. Two-thirds of Indian children entering Bureau of Indian Affairs schools have little or no skill in English.

At the same time, a substantial number of the teachers instructing

Indian children are unfamiliar with the only language their Indian students understand. It is estimated that less than 5 percent of teachers in BIA schools are native to the culture and language of the Indian children they teach. Thus, thousands of Indian children who know only their native language are taught by teachers who essentially know only English.

Of the \$7.5 million appropriated for the Bilingual Education Act (title VII of the Elementary and Secondary Education Act)—a vastly inadequate amount—only \$306,000 is being spent on Indian bilingual programs benefiting but 773 Indian children.

This program can do much more than enable the child to learn English through use of his native language. It can emphasize the history and culture of the Indian, provide for native aides in the classroom and develop a system of home-school coordinators to improve the relationship between school and family. The bilingual education program offers opportunities to sensitize teachers to Indian culture through inservice and preservice programs. Programs can be provided to train teachers in the native language of their Indian students. One effort presently in operation provides for a curriculum guide for mothers of Cherokee children so that they can work with their children in understanding new language concepts.

Title VII, ESEA, offers a unique opportunity to provide bilingual and bicultural education for Indian students, as well as to initiate programs which would give teachers a better understanding of Indian language, culture, and history.

While the bilingual education program requires expansion to meet the needs of all non-English speaking children, an intensive effort is needed now to provide Indians with culturally sensitive programs.

The Rough Rock Demonstration School on the Navajo Reservation in Arizona, operated as a nonprofit corporation, has shown that remarkable progress can be made by using culturally sensitive teaching materials and teachers trained in the bilingual education approaches. The children learn English faster this way, while at the same time sustaining pride in their culture. To receive bilingual education funds under this title, Rough Rock must be defined as a local educational agency.

NACIE *Concurs.*

2. HIGHER EDUCATION

27. *The subcommittee recommends—*

**(a) That stipends for Indian students receiving BIA scholarships and fellowships (including allowances for subsistence and other expenses for such persons and their dependents) be brought into line with practices under comparable federally supported programs and the BIA allocate sufficient funds for this purpose.**

For several years there has been an effort in Congress that student stipends (including allowances for subsistence and other expenses for such persons and their dependents) be consistent. This effort has been reflected in amendments to the law (e.g., the Higher Education Amendments of 1968, Public Law 90-575) and changes in administrative practice in Federal agencies (e.g., the National Science Foundation).

The subcommittee would like to bring to the attention of the Bureau of Indian Affairs a passage in Senate Report No. 1387 issued by the Senate Committee on Labor and Public Welfare on July 11, 1968, in conjunction with the Higher Education Amendments of 1968, as follows:

"Therefore, the committee requests that the U.S. Office of Education and other Federal agencies concerned give high priority to equalize through administrative action the terms and amounts of institutional and individual academic support programs. If this equalization cannot be accomplished by the administrative means suggested by the committee in both this report and in Senate Report 1137, then it is requested that the Office of Education and the other agencies concerned submit to this committee a report on the reasons therefor together with appropriate legislative recommendations to accomplish the equalization."

The subcommittee found, for example, that inadequate funding prevents the BIA from granting additional subsistence money to married students. This is inconsistent with the practice of the Office of Education which grants \$500 for each dependent.

The BIA estimates that there are about 400 students in this situation and a least an additional 400 needing assistance for graduate studies.

**(b) That the Bureau of Indian Affairs should expand scholarship programs so as to provide expanded support for Indian students in graduate studies.**

It has not been until recent years that the Bureau of Indian Affairs has recognized Indian graduate students and their need for scholarship

assistance. The Bureau has been able to provide only limited funding for graduate study, though. Since many of these Indian students will take major leadership roles in society following their studies, it is essential they be given every opportunity to pursue their educational goals. The Bureau should therefore expand its scholarship program so as to substantially increase funds available to Indian graduate students.

NACIE recommends: *More financial aid direct to the student and in turn reduce support to college and university general programs.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*35. The subcommittee recommends—*

**That the Bureau of Indian Affairs should fund an institute in Alaska, possibly in cooperation with the University of Alaska, similar to the Institute of American Indian Arts in Santa Fe, N. Mex.**

There is a need in Alaska, as there has been in the Southwest United States, for a center which would assist natives in functioning in today's world while at the same time retaining their cultural identity. A center is therefore needed emphasizing the traditions of native people, their arts and crafts, their music and dance, their poetry and philosophy. Such an institute could serve a leadership role in developing innovative programs aimed at meeting the needs of native students.

*NACIE Concurr.*

*36. The subcommittee recommends—*

**That programs aimed at recruiting and orienting Indian students to college should be expanded and funded at a more adequate level.**

Talent Search, Upward Bound, and Special Services programs should be expanded to include more Indians. Other similar programs, such as Project COPAN at the University of Alaska and the BIA's precollege program at Haskell Institute merit increased funding; they have proven their value in keeping Indians in college, yet many have been discontinued or have been inadequately funded.

*NACIE Concurr.*

## IV. FEDERAL ROLE AND NON-FEDERAL SCHOOLS

### A. Public Law 81-874

#### 1. FORWARD FUNDING

##### 44. *The subcommittee recommends—*

**That forward funding procedures be implemented for Public Law 874.**

A number of school districts educating Indians depend upon Public Law 874 for a substantial portion of their budget. Fifteen different States have one or more districts in which Public Law 874 money constitutes at least 25 percent of the total budget, and in many instances that percentage is considerably higher. It is essential that such districts be assured of operating funds at least a year in advance as now authorized by law. Late funding procedures have caused great uncertainty for many districts and have prevented them from adequately planning programs to meet their students' needs.

*NACIE Concurr.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

#### 2. FULL FUNDING

##### 45. *The subcommittee recommends—*

**That Public Law 874 be fully funded.**

As explained above, some districts are so dependent upon Public Law 874 money that it is essential their education programs are not handicapped because of a lack of full funding.

*NACIE Concurr.*

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### B. Public Law 81-815

#### 1. PRIORITY IN FUNDING

##### 46. *The subcommittee recommends—*

**That section 14 of Public Law 81-815 be declared as deserving of priority funding.**

More Indian students continue to be transferred into public schools yearly, but because of inadequate funding for Public Law 815, these

public school districts are receiving no funds for construction of additional facilities, which the presence of increased Indian enrollment may necessitate. Public school districts located on reservations must also provide housing for the teaching staff, and often, districts must depend upon Public Law 815 grants for such construction. It is essential that section 14 funding be given the priority needed to provide adequate facilities for Indian students. Because of no funding in recent years, there are areas (Navajo, N. Mex., for example) where the question is not of adequate facilities, but of no facilities for Indian students at all.

NACIE *Concurs.*

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## 2. MORE ADEQUATE FUNDING

47. *The subcommittee recommends—*

**That Public Law 81-815 be more fully funded.**

Public Law 81-815 has been inadequately funded in recent years. The 1969 appropriation, for example, was only for 19 percent of authorization. Requests for 1967 still haven't been funded. It is imperative that more attention be given to funding this legislation, particularly for those sections under which disadvantaged students, such as Indians, are suffering with inadequate facilities. It is difficult enough to teach children with special needs, without having to face the added difficulty of inadequate facilities.

NACIE *Concurs.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

60. *The subcommittee recommends—*

**That in receiving funds under the set-aside provisions in the several titles of the Elementary and Secondary Education Act, the BIA should be required to prepare and submit its proposals to the Office of Education for approval and should bear the same responsibility for maintenance of effort as the States.**

It is evident that the BIA does not meaningfully involve the U.S. Office of Education in its programs under the Elementary and Secondary Education Act for which BIA receives funds administered by OE. States receiving these funds submit to OE their State plans which indicate that

the funds are being used in accord with the law and that the ESEA funds are supplementing, not supplanting, State and local expenditures; the BIA should follow a similar procedure.

NACIE *Concurs.*

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FROM: **Between Two Milestones**

### Recommendation No. 2

Whereas, the local community constitutes the fundamental level at which individuals, families, and other social groups act out their social, political and economic interdependence, and Whereas, the local community is the institution which preserves, adapts, and reinforces group mores and cohesiveness, and Whereas, people have the right to join together to provide educational opportunities for their children, and Whereas, there exists a special relationship between the Federal Government and Native people, and Whereas, Indian people do exist in both rural and urban communities:

*It is recommended,* That, social change in the Native community be officially accepted by all agencies of the Federal Government, and That, for educational purposes, native tribes, clans, bands, chapters, villages, land claims settlement corporations, or nonprofit educational corporations of parents, who trace their lineage to several traditional Native nations be recognized by the Federal Government as agencies eligible to contract with the Federal Government for the support of the education of their children, and That, guidelines for recognition and appropriation of support be legislated by the Congress of the United States.

NACIE recommends: *All federally recognized tribes retain their direct relation with the agencies of the Federal Government and those Federal trust and treaty responsibilities will not be delegated to the State and local agencies. There can be a dual relationship by tribe with Federal and State agencies but the Federal Government will not be relieved itself of its trust and treaty responsibilities.*

FROM: **Between Two Milestones**

### Recommendation No. 11

Whereas, the areas of technical, vocational and related skills are expanding rapidly and now offer career opportunities which were not previously available to Indian students, *and* Whereas, Indian students have traditionally been educated for selected technical and vocational careers that have not reflected the diversity of vocational opportunities nor specific skills demanded in the society in which they must compete, *and* Whereas, the need for skilled technicians and tradesmen is severe on communities and other Indian communities, *and* Whereas, a shift of national priorities is reflected in increased Federal and State funding for vocational and technical education:

*It is recommended*, That, Federal agencies provide human and financial resources for training Indian people in all facets of vocational and technical education, *and* That, Federal agencies pool their efforts to have maximum impact in supplying trained Indian citizens in various occupations.

NACIE recommends: *Improved planning is necessary in order to avoid "dead-end" training and education—being prepared for occupations that do not exist. The job bank concept should be investigated.*

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FROM: **Between Two Milestones**

### Recommendation No. 12

Whereas, American Indians and Alaska Natives have one of the highest dropout rates of any group of people in the United States, *and* Whereas, educational achievement for Native students remains a critical issue, *and* Whereas, traditional adult basic and continuing programs have not met the needs of Indian people;

*It is recommended* That, additional Federal resources be allocated to adult basic and continuing education, *and* That, these programs be redesigned with more mandatory involvement of Indian people at the local level to increase their effectiveness in terms of existing opportunities.

NACIE *Concurs.*

**Recommendation No. 13**

Whereas, there are American and Alaskan Native children attending public Federal, and mission schools who are in dire need of special education programs to deal with physical handicaps, emotional problems, mental retardation, and learning difficulties, and Whereas, human, plant facility, and funding resources have been inadequate or nonexistent by Federal and State governments to accommodate these Indian children, and Whereas, special educational training programs for professional and paraprofessional staff have not been developed in colleges and universities with a specific focus on the problems of Native children;

*It is recommended* That, the Federal and State governments, schools, universities, and colleges make a concerted effort to provide the human and financial resources to develop comprehensive programs and special facilities to meet the special educational needs of American Indians and Alaskan Indian children, and That, such resources be extended to include follow-through programs as the children become adults by providing resources in developing skills and job placement, because special education is a continuing process.

NACIE recommends: *We must provide for educational programs to assimilate the experience of our senior citizens in the Indian community and to include them in our society.*



# THE INDIAN EDUCATIONAL SYSTEM

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

**III. THE ROLE AND FUTURE OF FEDERAL SCHOOLS**

**A. An Exemplary School System**

In the past, Federal Indian schools have primarily served as agents of coercive assimilation into the dominant culture and to a substantial extent they are still playing that role. They have been chronically underfunded and understaffed and have largely failed to recognize the special needs of their students. Only recently have they been conceptualized as a potential national resource.

*21. The subcommittee recommends—*

**That the Federal Indian School System be developed into an exemplary system, which can play an important role in improving education for Indian children. Federal schools should develop exemplary programs in at least these three areas:**

**1. Outstanding innovative programs for the education of disadvantaged children.**

**Bilingual and bicultural education programs.**

**3. Therapeutic programs designed to deal with the emotional, social and identity problems of Indian youth.**

In order to implement this recommendation, the subcommittee notes the following areas seriously in need of immediate attention:

(a) An effort to develop more effective preservice and in-service training for teachers and administrators.

(b) (i) Substantial upgrading of teacher personnel practices, including recruitment, certification, and retention. The subcommittee received many expressions of concern that despite the devotion and ability of most teachers, there are significant problems regarding the professional capacity and effectiveness of numbers of teachers in BIA schools.

Civil service practices should be modified when they conflict with a local school board's authority to discharge the responsibilities tradition-

ally held by local public school boards. Local Indian boards should have traditional local powers to hire and release faculty.

(ii) The development of model environments and incentives for attracting and holding outstanding teachers and administrators. The teacher turnover rate is a very serious problem in schools serving Indian children and the Federal bureaucracy is at its worst in undermining initiative, imagination, candor, and professionalism. The fundamental importance of attracting and holding outstanding teachers and administrators throughout the Federal school system demands that a major effort be undertaken outside of BIA to study the existing system and to recommend how this goal can be achieved.

(c) Pupil personnel services have been greatly neglected by schools serving Indian children, due to a lack of adequate funding. Yet this is an area of great need. There must be a very substantial expansion of personnel and programs in the areas of special education, guidance, and counseling and psychological services.

(d) Model prevocational and vocational training programs should be developed at the secondary and postsecondary levels, and there should be innovative programs demanding the best of students, including cooperative education programs, and aiming at the job market of the future, not the past.

(e) Major upgrading of skills and competence in the teaching of English, with emphasis on bilingual educational programs. More attention should be given to teaching Indian languages as a second language to school personnel on Indian reservations.

(f) A general strengthening and upgrading of all academic programs utilizing the best educational techniques and innovations available.

(g) A substantial investment should be made in sophisticated research and development activities serving a number of experimental programs and schools. Part of this can best be done by contracting with outside agencies, but it is essential for Indian schools to be thoroughly self-critical, self-evolving institutions. This requires local expertise and some research and development capability.

(h) Major efforts should be made to involve Indian adults and communities in the work of and control over the schools. This should not be done on a token or patron basis, but rather by establishing actual community school boards and contracting the operation of school back to Indian groups and communities.

(i) The overall budget for the Federal school system has been grossly inadequate. This is in large part due to the inability of BIA to establish appropriate educational standards and calculate the real cost involved

in providing an equal educational opportunity for Indian students. The education budget of BIA needs a complete overhaul and adequate standards must be developed. It can be assumed that actual costs must double or triple if an effective program is to be developed.

(j) The BIA should establish a procedure for planning and evaluating education programs for Indian children. This procedure should be designed to ascertain specific educational needs of Indian children, set forth goals in meeting those needs, plan programs and projects designed to achieve those goals, and evaluate the effectiveness of those programs and projects in achieving the purposes for which they are established.

NACIE *Concurs.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

**B. Special Problems**

**1. ELEMENTARY BOARDING SCHOOLS**

**22. *The subcommittee recommends—***

**That as rapidly as possible, the elementary boarding schools on the Navajo Reservation should be replaced by day schools.**

The subcommittee believes that elementary boarding schools are emotionally damaging to the children who attend. Two steps should be taken to deal with this problem during the period of time needed for phasing them out:

(a) A thorough investigation of these schools should be conducted by a team of mental health and child development professionals to determine how the school environment and practices can be substantially improved.

(b) A massive effort should be undertaken to improve these schools while they are being phased out. To begin with, the ratio of dormitory aides to children supervised should be lowered to 1:15 or less and the aides must be well-trained.

NACIE *Concurs.*

24. *The subcommittee recommends—*

That the present distribution and location of Federal boarding schools and the pattern of student placement be thoroughly re-examined by the National Indian Board of Indian Education.

The subcommittee has found that over 1,200 Alaskan natives are presently being sent to Federal boarding schools in Oregon and Oklahoma, thousands of miles from their home. In addition, we have found that over 400 Indian students from the Northwest are being sent to Federal boarding schools in Oklahoma. These placement procedures are questionable and were strongly opposed by Indian and native leaders testifying before the subcommittee.

The present distribution and location of off-reservation boarding schools should be carefully scrutinized by the National Indian Board of Indian Education. The present system owes more to historical chance and expediency than rational planning. A new rationale and plan should be developed and implemented.

NACIE *Concurs.*

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FROM: Indian Education: A National Tragedy—  
A National Challenge

3. GUIDANCE AND COUNSELING

25. *The subcommittee recommends—*

That the guidance and counseling program in BIA boarding schools be substantially expanded and improved.

The guidance and counseling program in BIA schools suffers from numerous deficiencies. Presently, the guidance function is combined with dormitory, administration, and disciplinary responsibilities, many of the personnel lack professional training, and counseling services are often not available on weekends or after school hours. A major effort should be made to overcome these deficiencies.

The guidance department should contain only trained professional personnel. Guidance Department staff—other than professionals—should be recognized under a separate department to divorce completely the guidance function from the housekeeping and disciplinary responsibilities.

Guidance staff should be available to students throughout the regular schoolday, evenings, and weekends.

NACIE *Concurs.*

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32. *The subcommittee recommends—*

Colleges and universities should include within their counselor and teacher-training curriculum, courses designed to acquaint future teachers and counselors with the needs, values, and culture of Indian students.

Too many Indians never seek education beyond high school, or even complete high school, because of the discouragement they receive from teachers, counselors, and administrators. Many of these people simply do not understand Indian culture and values. It is essential that those persons who have such influence over Indians during their school years be knowledgeable and understandable about Indians.

NACIE *Concurs.*

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FROM: Indian Education: A National Tragedy—  
A National Challenge

37. *The subcommittee recommends—*

That title III (Developing Institutions) of the Higher Education Act be strengthened so as to include recently created higher education institutions attended by Indians located on or nearby reservations as eligible for assistance under that title.

Title III of the Higher Education Act has for its purpose "to assist in raising the academic quality of colleges which have the desire and potential to make a substantial contribution to the higher education resources of our Nation but which for financial and other reasons are struggling for survival and are isolated from the main currents of academic life. \* \* \*" Section 302 of the act provides that institutions to be aided must have been in existence for at least 5 years. However, since there has been only in very recent times an active interest in establishing such institutions for Indians, and since the Federal Government has a special responsibility for the education of Indians at the postsecondary as well as the elementary and secondary levels, it is suggested that the U.S. Commissioner of Education be authorized to waive the 5-year requirement of

title III to include recently established colleges for educating Indians, such as the Navajo Community College in Many Farms, Ariz., which was established in January 1969.

NACIE recommends: *Community colleges should also receive support, and the salaries of Indian Education institutions should be commensurate with education levels elsewhere.*

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38. *The subcommittee recommends—*

**That the Education Professions Development Act, Part F of section V of the Higher Education Act, and the Vocational Education Act be amended to include schools and programs operated by the Bureau of Indian Affairs.**

This recommendation should be implemented by amending sections 503(a), 504(a), 505, 552, and 553 of the Higher Education Act and section 131 of the Vocational Education Act. It would enhance the development of highly skilled personnel in all locations of Federal Indian schools and encourage young Indians to enter into the teaching profession.

The subcommittee's recommendation is also in keeping with the suggestion contained in the second annual report of the National Advisory Council on Education Professions Development, dated January 31, 1969, which stated:

Schools and programs operated by the Bureau of Indian Affairs are apparently not now technically eligible for personnel development benefits provided by the Education Professions Development Act or the Vocational Education Act. We recommend that acts providing educational personnel development programs be amended to remedy this oversight.

NACIE *Concurs.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

39. *The subcommittee recommends—*

**That the percentage of Teacher Corps members allocated to elementary and secondary schools operated by the Bureau of Indian Affairs be increased.**

As the law is now written, not to exceed 3 percent of Teacher Corps assignments in total may be made to Puerto Rico, the Virgin Islands,

and BIA schools. The subcommittee's recommendation should be implemented by amending section 513(c)(2) of the Higher Education Act so that the BIA schools may receive not to exceed 5 percent of Teacher Corps assignments and Puerto Rico and the Virgin Islands would continue to receive, in total, not more than 3 percent of Teacher Corps members. Thus, additional Teacher Corps members could be assigned to Indian schools, thereby providing the stimulating effects which the Corps members have initiated in the past on a larger scale.

NACIE *Concurs.*

### 3. ADULT EDUCATION

40. *The subcommittee recommends—*

(a) That an exemplary program of adult education be developed which will provide for the following:

(i) Basic literacy opportunities to all non-literate Indian adults. The goal should be to wipe out Indian illiteracy.

(ii) Opportunities to all Indian adults to qualify for a high school equivalency certificate. The goal should be to provide all interested Indian adults with high school equivalency in the shortest period of time feasible.

(iii) Surveys to define accurately the extent of the problems of illiteracy and lack of high school completion on Indian reservations.

(iv) A major research and development program to develop more innovative and effective techniques for achieving the literacy and high school equivalency goals. This would include multi-media instruction (including teaching machines, videotape, radio, and TV broadcasting) and the development of curriculum material that is practical, meaningful and interesting to the adult Indian.

(b) That the adult education program be effectively integrated with the rest of the BIA education program. The adult education program should as much as possible be placed under Indian control and contribute as well as benefit from the development of Indian controlled community schools.

A major commitment should be made to the adult education programs for American Indians. The national need for such a commitment is all too evident in the low economic status, rise in alcoholism, lack of employment capabilities, the inability of too many Indian adults to

read and write, and the general lack of fulfillment of Indian adults on reservations.

NACIE *Concurs.*

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

**2. RELATIONSHIP TO COLLEGES AND UNIVERSITIES**

*42. The subcommittee recommends—*

**That close ties be developed between institutions of higher education and Federal schools.**

Relationship should be established, funded either by contracts or grants, to stimulate and sustain a long-term interest in improving Indian education on the part of universities and colleges. Universities should help develop new curriculum materials, train teachers and guidance personnel, conduct research, and provide continuing technical assistance.

In some instances a university or a group of universities may wish to directly operate a Federal school. Such arrangements with appropriate Indian involvement should be encouraged and adequately funded on a long-term basis.

NACIE *Concurs.*

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*56. The subcommittee recommends—*

**That public school districts be required to demonstrate clearly they are ready for transfer of Indian students by developing programs aimed at meeting the children's special needs and involving the Indian community in the school.**

School districts anticipating Indian enrollment must provide more than teachers and space for their Indian students. They must show they have developed programs aimed at meeting the special needs of Indian students. These programs should include such things as curriculums which recognize the unique character of Indian culture, teacher workshop designed to sensitize teachers to the special problems of Indian students, and provisions for meaningful Indian development in the operation of the school.

NACIE *Concurs.*

**FROM: Between Two Milestones**

**Recommendation No. 7**

Whereas, the knowledge and skills offered by institutions of higher education are essential in the conduct of Indian affairs, and whereas, it is important to Indian people to have non-Indians become better informed about the past, present, and future of Indian life in the context of higher education, and whereas, Indian people must have increased access to general and professional programs in established colleges and universities, and whereas, the emergence of Indian institutions of higher education is a new trend which promises unique orientation to the needs of Indian people, and whereas, the costs of higher education have risen beyond the means of most Indian students;

*It is recommended* That, Federal resources continue to be made available to established colleges and universities to stimulate Native studies and special professional training programs for Indian people with mandatory programmatic control shared with representatives from Indian communities, and That, sufficient federal resources be made available to emerging Indian institutions of higher education so that they have an adequate opportunity to demonstrate their effectiveness in meeting the needs of Native people, and That, the level of funding for both undergraduate and graduate Native students be increased.

NACIE recommends: *There is a major need for quality "Prep" schools and tutorial and remedial instruction.*

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**FROM: Between Two Milestones**

**Recommendation No. 5**

Whereas, schools serving children of Native communities need to become an integral part of that community, and Whereas, Indian people want a choice to hire competent Indian teachers, counselors, and administrators, and Whereas, it is to the benefit of the Indian and non-Indian to have Native educators working in public schools which serve few, if any, Indian children, and Whereas, colleges and universities training teachers should have Native people represented on their staffs;

*It is recommended* That, Federal resources be made available to colleges and universities which have demonstrated involvement of Indian communities and organizations and which are prepared to provide quality programs with entire policy input to recruit, train, and assist in placing Native teachers, counselors, curriculum specialists, librarians,

special education teachers, school administrators and other educational specialists, and That, an Indian organization with a research capability be employed to assess the supply and demand function for such programs.

*NACIE recommends: These programs should be funded and developed and implemented in the State or area in which the counselor/teachers, etc. will be employed.*



**JOHNSON-O'MALLEY**

FROM: Indian Education: A National Tragedy—  
A National Challenge

C. Johnson-O'Malley Act

48. *The subcommittee recommends—*

That each State applying for a Johnson-O'Malley contract should be required to submit a definite plan for meeting the needs of its Indian students.

Too often the plans submitted by States are vague and meaningless. Specific programs are rarely outlined, and there appears to be no concerted attack on the problems of the Indian. State plans should detail the use for which Johnson-O'Malley money will be put, and explain how the JOM contribution fits into the statewide plan for helping meet the special needs of Indian students.

NACIE *Concurs.*

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50. *The subcommittee recommends—*

That Indians should be involved in the planning, executing and evaluating of Johnson-O'Malley programs. A State or district's JOM plan should be subject to the approval of the Indian participants.

The Bureau of Indian Affairs, as a prerequisite to JOM contract approval, should require Indian participation in the planning, execution, and evaluating of JOM plans. Indians should be involved at both the local and State levels in formulating the JOM budget request, and in seeing that the plan is carried out. All proposals and plans must be approved by those Indians participating.

NACIE *Concurs.*

52. *The subcommittee recommends—*

**That Johnson-O'Malley funding should not be conditioned by presence of tax-exempt land.**

The criteria for approval of a Johnson-O'Malley contract should be: (a) an exhibited need for programs aimed at meeting the special needs of Indian students, and (b) a proposal which details how those needs will be met. The presence of nontaxable Indian land should not have any bearing in determining the eligibility of children for JOM money. When the law originally was passed, congressional intent was for the act to serve primarily those Indians who were "to a considerable extent mixed with the general population." That intent has not been fulfilled.

**NACIE Concur.**

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*54. The subcommittee recommends—*

**That tribes and Indian communities should be added to the list of agencies with which the Bureau of Indian Affairs can negotiate Johnson-O'Malley contracts and that full use be made of this new contracting authority to permit tribes to develop their own education projects and programs.**

The subcommittee has found that very few Indian tribes and communities have developed educational plans which identify problems and establish goals. However, the subcommittee was impressed by the fact, that Indian communities have a better understanding of their education needs and problems than the schools that serve them. The schools rarely understand the Indian community and cultural differences, and the Indian community rarely has any influence on the school. Johnson-O'Malley contracts with Indian tribes and communities could do much to break down these barriers, and place the initiative and responsibility for change and improvement in the hands of those who best understand the problems.

Johnson-O'Malley contracts with Indian tribes and communities could serve a variety of important purposes. For example, tribal surveys and factfinding efforts to determine educational needs; the development of education plans and goals; developing effective liaison between Indian parents and public schools; developing Indian education leadership; planning, funding, implementation and evaluation of special education programs for Indian children in cooperation with public school districts; education programs and projects run directly by the tribe itself (for example, summer school programs).

The basic responsibility for development of this program should be vested in the National Indian Board of Education. It will require close coordination with the development of strong Indian school boards on those reservations with Federal schools.

An important and promising precedent for this tribal-contracting approach has recently been initiated by the Indian Health Service. The Indian community health representative program is worthy of careful study by the National Indian Board of Education to determine its applicability to the field of Indian education.

**NACIE Concurs.**

**FROM: Between Two Milestones**

**Recommendation No. 4**

Whereas, Indian children attending public schools have rights to educational opportunity attendant upon State and Federal citizenship, *and* Whereas, the division of responsibility for the education of Indian children in public schools between the BIA and the USOE tends to inhibit program coordination and effectiveness, *and* Whereas, the Indian Education Act has created an organizational mechanism within the USOE capable of coordinating all educational efforts in the public schools;

It is recommended that, all programs involving the education of Indian people through public school organizations be administered or coordinated by the Bureau of Indian Education in USOE under the direction of a new Deputy Commissioner, *and* That, the responsibility and authority vested in the new Bureau specifically include the management and distribution of all Federal funds for Indian education.

NACIE *Concurs.*

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**FROM: Between Two Milestones**

**Recommendation No. 15**

Whereas, educational resources allocated under the Johnson-O'Malley Act are of major importance in the education of Indian children, *and* Whereas, the utilization of these resources has been subject to recent intense criticism, *and* Whereas, there appears to be extreme differences in the utilization of these resources among the various States;

It is recommended That, a comprehensive study of the distribution and utilization of Johnson-O'Malley<sup>1</sup> resources among the various States be conducted, *and* that, the data collected be employed to formulate more uniform guidelines for the allocation and expenditure of these important resources.

NACIE Recommends: *The Public School systems with Indian children must have a miniature Indian curriculum of Indian studies to implement and improve the identification of Indian education.*

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<sup>1</sup> JOM provides for general needs of Indian children and Title IV must provide for special and specific needs of Indian children.



# INDIAN CULTURE

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*31. The subcommittee recommends—*

**A graduate institute of Indian languages, history, and culture should be established.**

There is at present no graduate level program encompassing the language, history, and culture of Indians. The information such an institute could disseminate, as well as the research which it would conduct, would greatly increase public knowledge and understanding of the American Indian. Such an institute established by Federal legislation, might very well be operated in conjunction with the Smithsonian Institution.

*NACIE Recommends: This is not a sensible recommendation and should not be acted upon.*

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*33. The subcommittee recommends—*

**The Institute of American Indian Arts at Santa Fe, N. Mex. should be raised to the level of a 4-year college, supported by the Bureau of Indian Affairs.**

The Institute has had considerable success in instilling a cultural pride in Indian students by providing them with opportunities for creative expression. The individual-oriented programs recognize the importance of a sense of identity. By becoming a college, the Institute could provide a collegewide curriculum for Indians which considers their culture and history—something unique in higher education. The valuable lessons learned and put into practice by the Institute should be expanded into a college curriculum so that the Institute might become a model for colleges interested in developing innovative programs, such as in teacher-training, which recognize Indian needs.

*NACIE Recommends: That this institute remain as a 2-year college, and improve on their present problems.*

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*14. The subcommittee recommends—*

That a major effort be undertaken immediately to (a) develop culturally sensitive curriculum materials, (b) train native teachers, and (c) promote teaching as a career among Indian youth.

The subcommittee was shocked to find, not only the absence of bilingual materials, but the absence of hardly any culturally sensitive materials in the Federal and public schools it investigated. In many cases the materials used by the children either completely ignored the contributions of Indians to society, or presented Indians in insulting stereotypes. In some instances the teaching materials in use were totally irrelevant to the experiences of the children. In Alaska, for example, the subcommittee found schools using "Dick and Jane" readers which referred to cows, farms, cities, grass and other items completely unfamiliar to the Alaskan native. Only at the Rough Rock Demonstration School in Arizona were children being taught with materials related to their native culture and designed by Navajos themselves. Nothing underscores more the insensitivity of the present paternal method of educating Indian children than the continued absence of bicultural materials. This situation must be corrected immediately.

In addition, new programs to train native teachers are required immediately, as is a program to encourage Indians to undertake teaching careers. The number of Indian teachers in public schools is infinitesimal, and even in the all-Indian BIA schools Indian teachers constitute only about 16 percent of the teaching staff. The percentage of these Indian teachers who teach children of their own tribe and language is smaller yet. A special effort should be made to recruit Indians into teacher-training programs, and a means should be established whereby Indian teenagers would be informed early in their secondary school years of college opportunities in teacher training.

*NACIE Concurs.*

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*29. The subcommittee recommends—*

That the Bureau of Indian Affairs should contract with colleges and universities [and community colleges and prep schools] to develop programs to help meet the special concerns of college students.

There is a definite need for a core curriculum in Indian history and culture which touches upon the many aspects of Indian life. Skill-building programs which consider the Indians' culture and language are needed. The Johnson-O'Malley Act should be utilized to contract for such programs.

NACIE *See recommended change* [ ].

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*53. The subcommittee recommends—*

That the expanded contracting authority authorized by the act's 1936 amendment should be utilized for the development of curriculum relevant to Indian culture and the training of teachers of Indian students.

Only in recent years has the Bureau shown some creativity in utilization of the expanded contracting authority. This amendment offers far greater potential for innovative educational projects than has been demonstrated. It could be a very good vehicle, for example, to improve curriculum for Indian students, and to train teachers who will be teaching Indian students. Universities and nonprofit corporations might be contracted to develop special curriculums which recognize Indian culture, and to develop and institute teacher-training programs which include a recognition that teachers of Indian students have special responsibilities.

NACIE *Concurs.*

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FROM: "BETWEEN TWO MILESTONES"

Recommendation No. 6

Whereas, the revival of interest in Indian history and culture is a vital part of an effort by Native people to gain a meaningful social perspective

for their lives somewhere between a romantic, but unrealistic, return to the past and a complete, but artificial assimilation with transformed European culture, and Whereas, many of the educational materials are historically incorrect and prejudicial to the image of Indian people;

It Is Recommended That, Federal resources be allocated to Indian acquisitions for the development of instructional materials, curriculum and energy resources which will lead to unbiased perceptions of Indian history and culture by both Indian and non-Indian students in pursuit of Indian studies and for incorporation into the study of religion, art, music, dance, performing arts, history, philosophy and other disciplines of study at elementary, secondary and college levels.

NACIE *Concurs.*

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**LOCAL CONTROL  
AND  
ACCOUNTABILITY**

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*49. The subcommittee recommends—*

**That better accountability and evaluation procedures should be instituted at the State and local levels.**

The Bureau of Indian Affairs should require improved evaluation components at the State and local levels. The only accountability measures now are a State's annual report, which vary tremendously in quality and content. Some uniform data collection technique should be established, and States should be required to report the results of their JOM programs rather than just the fact that such programs were in operation.

It is a fair measure of the BIA's lack of concern for the education of Indian children in public schools that the subcommittee could find no evidence of any serious effort by the BIA to assure that JOM funds were used for educational programs for Indian students. The funds are given to local public school districts, which often use the money for general educational purposes rather than the special needs of Indian students. The subcommittee cannot emphasize too strongly that these funds are to be used for the education of Indian children only, and that the BIA should condition their release upon that purpose with proper accountability.

*NACIE Concur.*

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*57. The subcommittee recommends—*

**That Bureau of Indian Affairs should hold the public schools accountable for the education of Indian students transferred from BIA schools.**

The performance of the Indian student in the public school should be the test as to whether the school is fulfilling its educational obligation. The Bureau should make periodic checks of Indian performance data in public schools, and that data should be reported to local and State school authorities, the Indian tribes or communities affected, and the

U.S. Office of Education when OE programs are involved. The dearth of such data now makes it extremely difficult to assess Indian performance so that the problem areas can be identified and dealt with.

*NACIE Concurr.*

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## V. OTHER MATTERS

58. *The subcommittee recommends—*

**That State and local communities should facilitate and encourage Indian community and parental involvement in the development and operation of public education programs for Indian children.**

The subcommittee especially noted a lack of participation, due to several causes, of Indians in education operations in the communities. In several localities, where a substantial number of Indian youngsters are attending public schools, Indian involvement in the operations of the schools attended by their children was practically or entirely non-existent. There are opportunities which can be utilized to enhance this participation, however, as evidenced by what transpired in New Mexico where local school boards were enlarged to accommodate Indian members. Other means to enlarge Indian parental involvement are also available. It is generally felt; it might be added, that such parental involvement will have a beneficial effect on the attitude of Indian children toward school and their learning.

In States where there are a significant number of Indian children attending public schools, an Indian should be engaged by the State educational agency to advise on Indian education problems and to participate and give oversight to Indian schooling. This is now being done, for example, in California and Minnesota.

Finally, Indians should be involved in State and local educationally advisory groups, especially those established for Federal programs.

*NACIE Concurr.*

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**FROM: Between Two Milestones**

**Recommendation No. 3**

Whereas, the family is the basic unit of social structure in American Indian and Alaskan Native culture, *and* Whereas, the family is the

most important social institution for the rearing and nurturing of Indian children;

It is recommended That, Federal implementation of self-determination take policy directions and procedural forms which preserve, support, and reinforce the American Indian and Alaskan Native family, That, boarding schools as a normative education process for Native children be phased out as the result of road construction and decentralization programs until the boarding school experience remains only a minor program component of some days schools to accommodate exchange students or local students with special personal circumstances, and That, the emerging day schools be governed by organization structures which encourage and require direct and elected representative community educational government.

*NACIE Concurs.*



# CIVIL RIGHTS

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*9. The subcommittee recommends—*

The Civil Rights Enforcement Office of the Department of Health, Education, and Welfare should investigate discrimination against Indians in schools receiving Federal funds. Furthermore, the Civil Rights Commission should investigate the general problem of discrimination against Indians.

The subcommittee found, and has included in its reports, numerous allegations of discrimination against Indians in public schools receiving Federal funds. The evidence indicates that there are possible violations of title VI of the Civil Rights Act. The Department of Health, Education, and Welfare, the Civil Rights Commission, and the Department of Justice, all have jurisdiction to investigate these instances, yet none is giving sufficient attention to them. They are urged to investigate such cases and act as appropriate.

The subcommittee also believes that the Civil Rights Commission should examine the application of the 1968 Indian Bill of Rights, and other matters relevant to its statutory authority relating to discrimination against Indians, at the earliest practicable time.

*NACIE Concurs.*

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**FROM: Between Two Milestones**

**Recommendation No. 10**

Whereas, American Indians and Alaskan Natives are citizens of the United States and enjoy all rights and privileges, and Whereas, the Indian people have a unique relationship with the Federal Government through treaties, statutes, executive orders, and Whereas, such treaties, statutes, and executive orders conflict with other Federal statutes such as the Civil Rights Act of 1964; and Whereas, Federal funds are appropriated for

education and disbursed to public schools, universities and colleges, State and Federal agencies and profit and non-profit organizations subject to the conditions the Civil Rights Act, and Whereas, educational funds must also be expended to meet the educational needs of Native citizens residing in either on- or off-reservation communities;

It is recommended That, legal clarification be immediately undertaken to resolve the status of Indian children in school desegregation plans of districts located on or adjacent to reservations; and That, such clarification provide that desegregation plans being enforced by the Federal Government through Civil Rights Act of 1964 not apply to Native people, and That, until such time as the Federal Government officially clarifies the implications of the Civil Rights Act for Native people, desegregation plans not be forced upon or accepted by reservation or non-reservation Native communities.

NACIE Recommends: *Title IV should be exempt from the Civil Rights Act.*

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# HEALTH

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# HEALTH

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

**8. The subcommittee recommends—**

(a) That the Division of Indian Health conduct nutritional surveys of Indian and Alaskan native groups to identify the nature, extent, and location of nutritional problems in order to confirm program needs and establish priorities;

(b) That officials of the Bureau of Indian Affairs and Department of Agriculture involved with food programs affecting Indians work with Indian Health Division personnel in implementing recommendations evolving from the nutritional surveys;

(c) That a major effort be made to develop health education programs for elementary and secondary schools educating Indians. Such programs would seek to help Indians identify and diagnose nutrition problems and to encourage nutrition education.

(d) That the Senate Select Committee on Nutrition and Human Needs include as a specific part of its work an analysis of the effectiveness of Federal food programs in Indian schools and among Indian families.

(e) That the Bureau of Indian Affairs not reduce the school lunch program provided with Johnson-O'Malley funds unless it assures that every student who would receive a lunch under Johnson-O'Malley will receive a school lunch under some other program.

The subcommittee found severe problems of hunger and malnutrition among many of the Indians and Alaskan natives it visited. These problems result directly in poor Indian performance in the classroom.

Gross malnutrition, such as kwashiorkor, marasmus, and severe vitamin deficiencies, occurs in several Indian groups, particularly among Navajos and other Arizona tribes. Mild and moderate nutritional deficiencies are relatively common among Indians. The subcommittee heard testimony, for example, that between 1963 and 1967 the Indian hospital in Tuba City, Ariz., admitted 616 children with malnutrition, 587 for retarded growth, 15 with kwashiorkor, and 29 with marasmus.

Research has indicated that severe malnutrition has a definite effect

upon the learning potential of children. In some cases, permanent brain damage is the result. Studies in several countries have shown that inadequate nutritional intakes during the first 3 years of life produces significant stunting of physical growth and irreversible stunting of mental growth and development. A large number of preschool Indian children face this possibility. Among the Navajos alone, for example, it is estimated that 12 percent of the infants hospitalized have anemia of the iron-deficiency type. It becomes essential, therefore, that malnutrition and other nutrition problems be eliminated if Indians are to escape from lifelong physical and mental impairments.

This means that more data on nutrition problems of specific Indian groups is needed in order to design programs and establish priorities. All agencies involved with Indian food programs must then work together to see that nutrition needs are met. School lunch programs and commodity food programs should be examined to make sure they are supplying particular tribes or communities with the foods needed to remedy nutritional deficiencies. Breakfast programs should be instituted in schools where there is a nutritional need, and free lunches should always be available to those Indian students who cannot afford to pay. The value of a good school lunch program was evident in Alaska, where in some schools this one meal provided more than 50 percent of a student's daily food intake.

A thorough program of education in nutrition which considers the food habits and cultural practices of Indian groups is essential. Many Indians lack knowledge of proper nutrition, how to store and preserve foods, or how to purchase foods wisely. The Division of Indian Health works in this area, but their programs need additional funds and staffing. More programs should be developed for Indian elementary and secondary students which would provide them with knowledge in these areas.

Almost 25 percent of Johnson-O'Malley expenditures are currently for school lunches for Indian students. The Bureau of Indian Affairs has indicated its interest in terminating this use of Johnson-O'Malley funds and having the Department of Agriculture take over this function. The Bureau's JOM lunch program should not be reduced unless assurances are made that Indian students who would receive lunches under JOM will receive them under some other program.

The subcommittee believes the work of the Senate Select Committee on Nutrition and Human Needs has special relevance to Indian nutrition problems, and that the committee's recommendations deserve careful attention.

*NACIE Concurs.*

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*11. The subcommittee recommends—*

**That a comprehensive attack upon alcoholism among Indians be begun at the earliest possible time, and that it include (a) co-ordinated medical, paramedical, educational, psychiatric, social, and rehabilitation services, both public and private, including nonmedical and nonprofessional personnel as appropriate (b) strong prevention programs, relying upon concerted public education efforts; and (c) concerted efforts to identify and deal with the causes of Indian alcoholism.**

Alcoholism is a pressing problem among American Indians today. Yet it has failed to attract the attention it deserves. Both Government agencies and Indians themselves have been reluctant to recognize the severity of the problem, and surprisingly few attempts have been made to collect the data necessary for adequate problem definition and analysis.

The consequences of our failure to act are many, and include the physical and social impairment of large numbers of Indian adults; the severe disorganization of many Indian families and communities; exceedingly high accident rates; alarming numbers of homicides, suicides, and assaults; the failure of Indian children in public schools; and the placement of large numbers of Indian children in boarding schools. The cost to the taxpayer of providing medical care, welfare, and police services to deal with the excessive drinking problem is obviously high. If alcoholism could even be partially alleviated, a significant amount of scarce public resources could be conserved for other pressing needs.

Alcoholism is, of course, not a problem for Indians alone. It is a major public and mental health problem for millions of Americans. We are, as a nation, learning more and more about effective prevention and treatment methods. What we do know, now, we should make available to American Indians.

The Division of Indian Health of the U.S. Public Health Service conducts a number of alcoholism prevention and treatment programs for Indians. The subcommittee was dismayed to discover that Johnson-O'Malley funds, to be used for educational and health services for Indians, are not being used for any alcoholism programs. Use of such funds should be part of an intensive effort to bring to bear all available resources to combat this problem.

*NACIE Concurs.*

**FROM: Indian Education: A National Tragedy—  
A National Challenge**

**2. OFF-RESERVATION BOARDING SCHOOLS**

**23. *The subcommittee recommends—***

**That the National Indian Board of Indian Education, in concert with a team of professional consultants competent in areas of personality development and mental health, should conduct a detailed investigation of the off-reservation boarding schools to determine which ones should be converted into therapeutic treatment centers. These centers would be administered by Public Health Service's Mental Health personnel in cooperation with the Bureau of Indian Affairs**

Off-reservation boarding schools have generally become dumping grounds for Indian students with serious social and emotional problems. Unfortunately, there are also some students who are enrolled simply because there is no other school available to them. It is highly questionable whether or not these two groups of students should be without any plan, mixed together.

**NACIE Concur.**

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# INFORMATION DISSEMINATION

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**FROM: Indian Education: A National Tragedy—  
A National Challenge**

*30. The subcommittee recommends—*

**That a special effort be made to disseminate information on loans and scholarships and special programs to Indian students desiring to attend college.**

There is a definite need to coordinate the information on BIA grants which are available and other grants available to Indian students. Many Indian students are never apprised of the funds available to them for higher education. Such an intensive effort could include establishment of a clearinghouse which could also inform Indians of special programs for Indian students, such as those pre-college orientation programs at Fort Lewis College in Colorado, and Dartmouth College's ABC program.

*NACIE Concurs.*

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**FROM: Between Two Milestones**

**Recommendation No. 8**

Whereas, Native students are not adequately informed about undergraduate, graduate, and vocational scholarship opportunities in the various colleges, universities, and technical schools, *and* Whereas, there is no formal structure established for the effective dissemination of information already available;

It Is Recommended That, a central clearinghouse be established with assigned responsibility for collecting, cataloging, and disseminating information from Federal, State, tribal and private agencies, regarding the nature of opportunities and levels of support available for Native students in vocational, technical, and higher education, *and* That, regional branches be established throughout the United States to facilitate communication and the accommodation of diverse geographical needs,

and That, application procedures to various sources be consolidated to produce a more simplified, uniform, and expeditious procedure, and That, part of each clearinghouse organization be a Native Student Scholarship Opportunity Committee to actively disseminate scholarship information to Indian high school and college students and recruit applicants for these opportunities.

(1) See Part II—Langone Report.

(2) NACIE Recommends: *This Council should be designated as the "Central Clearing House" and funded to carry out this function. This compliments the Council's congressional mandate.*

INDIAN EDUCATION: A NATIONAL  
TRAGEDY—A NATIONAL CHALLENGE

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1969 REPORT

OF THE

COMMITTEE ON LABOR AND  
PUBLIC WELFARE  
UNITED STATES SENATE

MADE BY ITS

SPECIAL SUBCOMMITTEE ON INDIAN EDUCATION

PURSUANT TO

S. Res. 80

(91st Cong., 1st Sess.)

(TOGETHER WITH SUPPLEMENTAL VIEWS)

A RESOLUTION AUTHORIZING AN INVESTIGATION INTO THE  
PROBLEMS OF EDUCATION FOR AMERICAN INDIANS



NOVEMBER 3, 1969.—Ordered to be printed  
Filed under authority of the order of the Senate of November 3, 1969

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<sup>1</sup> Appointed to committee September 18, 1969, vice Senator Bellmon.

<sup>2</sup> Appointed to subcommittee September 29, vice Senator Bellmon.

(H)

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## DEDICATION

This report is dedicated to the memory of its first chairman, Senator Robert F. Kennedy—a man who cared deeply and spoke out.

### Brave Heart

(By John Belindo, Executive Director, National Congress of American Indians)

This Brave Heart Light surrounded by Brown Faces, so sad to be themselves. We have seen him staring at primitive landscape, broken treaties and broken hearts.

The Brown Children have sung:  
garbled chords of muted war-like  
music from tiny buffalo robes,  
"We are no longer little hops  
from the hogans and pueblos,  
we are no longer little pinion  
hulls in a bowl."

The sun where nothing lives,  
pours life into the silence of the trees.  
A cedar sprouts nearby growing  
in warm felicity and grace.  
Brave Heart with his eyes disclosed  
all the secrets of his art  
astonishing the elders—

Rising on the battlefield against  
his own native Stars and Stripes,  
pitifully lean, crying out at the American  
conscience against Sand Creek and boarding schools.  
It is enchanting to hear the warrior sing:

"We will never leave the sand hills,  
forests, the valleys,  
we will never leave the grass,  
high summits and high winds,  
we will joy in the reflection of the  
sunlight from the white snow."

Brave Heart often quoted a famous man:

"Men are not made for safe havens."  
Nor were they always found amid the  
luxuries of civilization.

We have heard Brave Heart live loyalty and bravery.  
A young Irish warrior rooted in the same soil which  
nourished Crazy Horse, Gail, Sequoyah, Osceola,  
Joseph Brant and Pope:

Across the dour howl of Oklahoma  
South Dakota, New Mexico, Florida,

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Maine and New York. One expects to  
go on forever over and over into paradise.  
Our Best Braves rode with him to a  
Greater Destiny.

Warriors love a *jeu de barres*—coup in the afternoon,  
afterward speaking eloquently to the people,  
and they listened.

Whirling blankets of grey dust enshroud  
the words of ancient prison-wearied Patriarchs;  
White Men, shooting and stabbing while Black Kettle slew the  
Stars and Stripes:

White Men drunk with the clang of railroads,  
devoid of reason, not wanting to hear the true  
outspoken words of Brave Heart.

The war-bonneted, Brown Culture trapped in the quagmire of  
policy and commitment.

A way of life annihilated by the gripping forces of progress.

Spiritual law and order left to bleach on an arid ant hill,  
Humaneness dying agonizingly.

America may regret her modern hatred of  
the Dark people the cowboy's insolence,

our programmatic substitution for traditional values:

We may weep for wind-swept sand, dawn-crowned mesas,  
the buffalo dances of Mandans and Arikaras.

Saeajeweah "danced with extravagant joy"  
said Lewis and Clark in historic reflections.

Now Bird Woman has vanished on wings bearing Shoshonean  
laughter accented across lifeless prairie dog mounds  
filled with rusted Jefferson "peace medals."

The Mandans wail, singing chants of fatalism  
on the Missouri River:

"We live in fear,

we welcome death,

our children covered with spotted red ochre,

our children covered with dirt.

We will vanish from the earth,

we will lose our bark houses,

we will lose our loved ones,

the White Man will cover us up with his smiles, his promises.

The White Man will burn

our boats, our dead.

The White Man will kill us."

Brave Heart wept and then rode away into

solitude so profound we saw only the

richness of the vegetation and wild animals.

The drum was beaten only by great men,

yea, the chant was sung throughout the camp.

So, Brown People began the procession of the calumet—  
a never ending circle of peace and harmony.

We have heard his death song.

We lament Brave Heart's journey to the sea

we will never forget him.

## FOREWORD

---

The American vision of itself is of a nation of citizens determining their own destiny; of cultural difference flourishing in an atmosphere of mutual respect; of diverse people shaping their lives and the lives of their children. This subcommittee has undertaken an examination of a major failure in this policy; the education of Indian children. We have chosen a course of learning as obvious as it has been ignored. We have listened to the Indian people speak for themselves about the problems they confront, and about the changes that must be made in seeking effective education for their children.

The responsibility for the education of Indian children is primarily in the hands of the Federal Government. Of the 160,000 Indian children in schools—public, private, mission, and Federal—one-third are in federally operated institutions. In addition, the Federal Government has a substantial responsibility for Indian children enrolled in public schools. Under the Johnson-O'Malley Act of 1934, the Secretary of the Interior was authorized to contract with States and other agencies to provide an effective education for Indian children. Last year, more than 65,000 Indian children were covered by this act. We have, moreover, committed ourselves to helping Indian education under the Elementary and Secondary Education Act, and have included Indian children in the impacted-aid formulas under Public Laws 874 and 815. To a substantial extent, then, the quality and effectiveness of Indian education is a test of this Government's understanding and commitment.

Has the Federal Government lived up to its responsibility? The extensive record of this subcommittee, seven volumes of hearings, five committee prints, and this report, constitute a major indictment of our failure.

Drop-out rates are twice the national average in both public and Federal schools; Some school districts have dropout rates approaching 100 percent;

Achievement levels of Indian children are 2 to 3 years below those of white students; and the Indian child falls progressively further behind the longer he stays in school;

Only 1 percent of Indian children in elementary school have Indian teachers or principals;

One-fourth of elementary and secondary school teachers—*by their own admission*—would prefer *not* to teach Indian children; and

Indian children, more than any other minority group, believe themselves to be "below average" in intelligence.

What are the consequences of our educational failure? What happens to an Indian child who is forced to abandon his own pride and

future and confront a society in which he has been offered neither a pace nor a hope? Our failure to provide an effective education for the American Indian has condemned him to a life of poverty and despair.

Fifty thousand Indian families live in unsanitary, dilapidated dwellings, many in huts, shanties, even abandoned automobiles;

The average Indian income is \$1,500, 75 percent below the national average;

The unemployment rate among Indians is nearly 40 percent—more than 10 times the national average;

The average age of death of the American Indian is 44 years; for all other Americans it is 65;

The infant mortality rate is twice the national average; and

Thousands of Indians have migrated into cities only to find themselves untrained for jobs and unprepared for urban life. Many of them return to the reservation more disillusioned and defeated than when they left.

These cold statistics illuminate a national tragedy and a national disgrace. They demonstrate that the "first American" has become the "last American" in terms of an opportunity for employment, education, a decent income, and the chance for a full and rewarding life.

There are no quick and easy solutions in this tragic state of affairs; but clearly, effective education lies at the heart of any lasting solution. And that education should no longer be one which assumes that cultural differences mean cultural inferiority. The findings and recommendations contained in this report are a call for excellence, a reversal of past failures, and a commitment to a national program and priority for the American Indian equal in importance to the Marshall plan following World War II.

Many people have made major contributions to the work of the subcommittee and its final report. Senator Robert F. Kennedy, Senator Wayne Morse, and Senator Ralph Yarborough have all served as chairman of the subcommittee, and contributed their vision and passionate concern to its endeavors. The subcommittee has benefited greatly from the great interest and good counsel of its members on the minority side.

This has truly been a bipartisan effort which is clearly reflected in the unanimous agreement on 59 out of the 60 subcommittee recommendations.

Despite a series of tragic events and unavoidable delays, the subcommittee has carried out an extensive schedule of field investigations and hearings. It has provided a mandate and a blueprint for change, so that the American Indian can regain his rightful place in our society.

I would particularly like to express my appreciation to the staff director of the subcommittee, Mr. Adrian L. Parmeter, who has served the subcommittee with great commitment and competence from the beginning.

EDWARD M. KENNEDY,

*Chairman, Special Subcommittee on Indian Education.*

OCTOBER 30, 1969.

## SUMMARY

For more than 2 years the members of this subcommittee have been gaging how well American Indians are educated. We have traveled to all parts of the country: we have visited Indians in their homes and in their schools; we have listened to Indians, to Government officials, and to experts; and we have looked closely into every aspect of the educational opportunities this Nation offers its Indian citizens.

Our work fills 4,077 pages in seven volumes of hearings and 450 pages in five volumes of committee prints. This report is the distillate of this work.

We are shocked at what we discovered.

Others before us were shocked. They recommended and made changes. Others after us will likely be shocked, too—despite our recommendations and efforts at reform. For there is so much to do—wroings to right, omissions to fill, untruths to correct—that our own recommendations, concerned as they are with education alone, need supplementation across the whole board of Indian life.

We have developed page after page of statistics. These cold figures mark a stain on our national conscience, a stain which has spread slowly for hundreds of years. They tell a story, to be sure. But they cannot tell the whole story. They cannot, for example, tell of the despair, the frustration, the hopelessness, the poignancy, of children who want to learn but are not taught; of adults who try to read but have no one to teach them; of families which want to stay together but are forced apart; or of 9-year-old children who want neighborhood school but are sent thousands of miles away to remote and alien boarding schools.

We have seen what these conditions do to Indian children and Indian families. The sights are not pleasant.

We have concluded that our national policies for educating American Indians are a failure of major proportions. They have not offered Indian children—either in years past or today—an educational opportunity anywhere near equal to that offered the great bulk of American children. Past generations of lawmakers and administrators have failed the American Indian. Our own generation thus faces a challenge— we can continue the unacceptable policies and programs of the past or we can recognize our failures, renew our commitments, and reinvest our efforts with new energy.

It is this latter course that the subcommittee chooses. We have made 60 separate recommendations. If they are all carried into force and effect, then we believe that all American Indians, children and adults, will have the unfettered opportunity to grow to their full potential. Decent education has been denied Indians in the past, and they have fallen far short of matching their promise with performance. But this need not always be so. Creative, imaginative, and above all, relevant educational experiences can blot the stain on our national

conscience. This is the challenge the subcommittees believes faces our own generation.

This Nation's 600,000 American Indians are a diverse ethnic group. They live in all 50 States and speak some 300 separate languages. Four hundred thousand Indians live on reservations, and 200,000 live off reservations. The tribes have different customs and mores, and different wants and needs. The urban Indian has a world different from that of the rural Indian.

Indian children attend Federal, public, private, and mission schools. In the early days of this republic, what little formal education there was available to Indians was under the control of the church. Gradually, however, as the Nation expanded westward and Indian nations were conquered, the treaties between the conquering United States and the defeated Indian nation provided for the establishment of schools for Indian children. In 1842, for example, there were 37 Indian schools run by the U.S. Government. This number had increased to 106 in 1881, and to 226 in 1968.

This pattern of Federal responsibility for Indian education has been slowly changing. In 1968, for example, the education of Indian children in California, Idaho, Michigan, Minnesota, Nebraska, Oregon, Texas, Washington, and Wisconsin was the local responsibility of the State and not the Federal Government.

In 1968, there were 152,088 Indian children between the ages of 6 and 18. 142,630 attended one type of school or another. Most of these 61.3 percent—attended public, non-Federal schools with non-Indian children. Another 32.7 percent were enrolled in Federal schools, and 6.0 percent attended mission and other schools. Some 6,616 school-age Indian children were not in school at all. The Bureau of Indian Affairs in the Department of the Interior, the Federal agency charged with managing Indian affairs for the United States, was unable to determine the educational status of some 2,842 Indian children.

The Bureau of Indian Affairs operates 77 boarding schools and 147 day schools. There are 35,309 school-age Indian children in these boarding schools, and 16,139 in the day schools. Nearly 9,000 of the boarding-school children are under 9 years old.

In its investigation of "any and all matters pertaining to the education of Indian children" (S. Res. 165, August 31, 1967), the subcommittee thus was compelled to examine not only the Federal schools, but the State and local public schools and the mission schools as well.

What concerned us most deeply, as we carried out our mandate, was the low quality of virtually every aspect of the schooling available to Indian children. The school buildings themselves; the course materials and books; the attitude of teachers and administrative personnel; the accessibility of school buildings—all these are of shocking quality.

A few of the statistics we developed:

Forty thousand Navajo Indians, nearly a third of the entire tribe, are functional illiterates in English;

The average educational level for all Indians under Federal supervision is 5 school years;

More than one out of every five Indian men have less than 5 years of schooling;

Dropout rates for Indians are twice the national average;

In New Mexico, some Indian high school students walk 2 miles to the bus every day and then ride 50 miles to school;

The average age of top level BIA education administrators is 58 years;

In 1953 the BIA began a crash program to improve education for Navajo children. Between then and 1967, supervisory positions in BIA headquarters increased 113 percent; supervisory positions in BIA schools increased 141 percent; administrative and clerical positions in the BIA schools increased 91 percent. Yet, teaching positions increased only 20 percent;

In one school in Oklahoma the student body is 100-percent Indian; yet it is controlled by a three-man, non-Indian school board.

Only 18 percent of the students in Federal Indian schools go on to college; the national average is 50 percent;

Only 3 percent of Indian students who enroll in college graduate; the national average is 32 percent;

The BIA spends only \$18 per year per child on textbooks and supplies, compared to a national average of \$40;

Only one of every 100 Indian college graduates will receive a masters degree; and

despite a Presidential directive 2 years ago, only one of the 226 VBIA schools is governed by an elective school board.

These are only a few of the statistics which tell the story of how poor the quality of education is that American Indians have available to them. Running all through this report are many others, which are some measure of the depth of the tragedy. There are, too, specific examples of visits we made to various facilities in the Indian education system. These are too lengthy to summarize; however, the subcommittee believes that their cumulative effect is chilling.

We reacted to our findings by making a long series of specific recommendations. These recommendations embrace legislative changes; administrative changes; policy changes; structural changes—all of which are geared to making Indian education programs into models of excellence, not of bureaucratic calcification.

We have recommended that the Nation adopt as national policy a commitment to achieving educational excellence for American Indians. We have recommended that the Nation adopt as national goals a series of specific objectives relating to educational opportunities for American Indians. Taken together, this policy and these goals are a framework for a program of action. Clearly, this action program needs legislative and executive support if it is to meet its promise. Most of all, however, it needs dedicated and imaginative management by those Federal officials, and State and local officials, as well, who have the principal responsibilities for educating American Indians.

We have recommended that there be convened a White House Conference on American Indian Affairs. We have recommended—although not unanimously—that there be established a Senate Select Committee on the Human Needs of American Indians. We have recommended the enactment of a comprehensive Indian education statute, to replace the fragmented and inadequate education legislation now extant. We have recommended that the funds available for Indian education programs be markedly increased.

One theme running through all our recommendations is increased Indian participation and control of their own education programs. For far too long, the Nation has paid only token heed to the notion

that Indians should have a strong voice in their own destiny. We have made a number of recommendations to correct this historic, anomalous paternalism. We have, for example, recommended that the Commissioner of the BIA be raised to the level of Assistant Secretary of the Department of Interior; that there be established a National Indian Board of Indian Education with authority to set standards and criteria for the Federal Indian schools; that local Indian boards of education be established for Indian school districts; and that Indian parental and community involvement be increased. These reforms, taken together, can—at last—make education of American Indians relevant to the lives of American Indians.

We have recommended programs to meet special, unmet needs in the Indian education field. Culturally-sensitive curriculum materials, for example, are seriously lacking; so are bi-lingual education efforts. Little educational material is available to Indians concerning nutrition and alcoholism. We have developed proposals in all these fields, and made strong recommendations to rectify their presently unacceptable status.

The subcommittee spent much time and devoted considerable effort to the "organization problem," a problem of long and high concern to those seeking reform of our policies toward American Indians. It is, in fact, two problems bound up as one—the internal organization of the Bureau of Indian Affairs, and the location of the Bureau within the Federal establishment. We made no final recommendation on this most serious issue. Instead, because we believe it critically important that the Indians themselves express their voices on this matter, we have suggested that it be put high on the agenda of the White House Conference on American Indian Affairs. Because, as we conceive it, this White House Conference will be organized by the Indians themselves, with the support of the National Council on Indian Opportunity, it is entirely appropriate that this organization problem be left for the conference.

In this report, we have compared the size and scope of the effort we believe must be mounted to the Marshall plan which revitalized postwar Europe. We believe that we have, as a Nation, as great a moral and legal obligation to our Indian citizens today as we did after World War II to our European allies and adversaries.

The scope of this subcommittee's work was limited by its authorizing resolution to education. But as we traveled, and listened, and saw, we learned that education cannot be isolated from the other aspects of Indian life. These aspects, too, have much room for improvement. This lies in part behind the recommendation for a Senate Select Committee on the Human Needs of American Indians. Economic development, job training, legal representation in water rights and oil lease matters—these are only a few of the correlative problems sorely in need of attention.

In conclusion, it is sufficient to restate our basic finding; that our Nation's policies and programs for educating American Indians are a national tragedy. They present us with a national challenge of no small proportions. We believe that this report recommends the proper steps to meet this challenge. But we know that it will not be met without strong leadership and dedicated work. We believe that with this leadership for the Congress and the executive branch of the Government, the Nation can and will meet this challenge.

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INDIAN EDUCATION: A NATIONAL TRAGEDY—A  
NATIONAL CHALLENGE

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NOVEMBER 3, 1969.—Ordered to be printed  
(Filed under authority of the order of the Senate of November 3, 1969)

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Mr. KENNEDY, from the Committee on Labor and Public  
Welfare, submitted the following

**REPORT**

together with

**SUPPLEMENTAL VIEWS**

**INTRODUCTION**

**A. BACKGROUND**

**1. GENESIS OF THE SUBCOMMITTEE**

An effort to "examine, investigate, and make a complete study of any and all matters pertaining to the education of Indian children" was initiated by the Senate Committee on Labor and Public Welfare late in the first session of the 90th Congress. Senate Resolution 165, agreed to on August 31, 1967, authorized the inquiry.

Through subsequent resolutions, the inquiry was extended from March 15, 1968, through January 31, 1969. Senate Resolution 80 continued the extension of the subcommittee, from February 1, 1969, through July 1, 1969. A memorandum dated January 30, 1968, from Senator Edward M. Kennedy, chairman of the Special Subcommittee on Indian Education, to Senator Everett Jordan, chairman of the Committee on Rules and Administration, explained the need for additional time:

Due to a series of tragic events and unavoidable delays, the subcommittee has been unable to maintain its original timetable and important work has not been completed. The subcommittee's planned fieldwork and hearings in Alaska last spring were canceled due to the death of Dr. Martin Luther King. The tragic loss of the subcommittee's chairman in June and the subsequent election defeat of its second

chairman, Senator Wayne Morse, resulted in additional cancellations and delays. Two major hearings remain to be completed \* \* \* fieldwork remains to be done \* \* \*

Senate Resolution 227, agreed to on July 29, 1969, amended Senate Resolution 80 to extend until November 1, 1969, the time for the preparation of the Subcommittee's report and recommendations.

The creation of the Special Subcommittee on Indian Education may be traced to hearings conducted by the Education Subcommittee of the Senate Committee on Labor and Public Welfare in April 1966, to hear testimony regarding proposed amendments to the Elementary and Secondary Education Act of 1965. One amendment under consideration proposed extending the programs and services under ESEA, specifically those available through titles I, II, and III of the act, to Indian children enrolled in Federal schools operated by the Bureau of Indian Affairs. A question was posed by members of the subcommittee regarding the advisability of transferring the responsibility for the education of Indian children from the Bureau of Indian Affairs to the Department of Health, Education, and Welfare. HEW and the Department of the Interior agreed to conduct a joint inquiry into that question.

This interdepartmental report was received by the Subcommittee on Education in May of 1967. It recommended that no transfer be made, and cited the recently improved coordination between the two Departments as reasons.

On July 10, 1967, Senator Paul Fannin, in a letter to Senator Wayne Morse, chairman of the Education Subcommittee, urged the establishment of a Special Subcommittee on Indian Education to supplement the work of Senator Morse's Subcommittee on Education. Senator Fannin's suggestion received the enthusiastic backing of Senator Morse and Senator Lister Hill, and the result was S. Res. 165, authorizing the special subcommittee. Senator Robert Kennedy accepted chairmanship of this new subcommittee upon its establishment.

In the meantime, the Education Subcommittee approved the Indian amendment to the ESEA, but limited the authorization to 1 year. Senate Report No. 1674 explained the decision in these words:

The committee has limited the authorization under titles I, II, and III for the education of Indians by the Bureau of Indian Affairs for 1 year, in contrast to other authorizations in the bill which are for 2 years. This 1 year authorization will give the committee an opportunity to consider in depth next year the education of Indians with a view to studying the transfer of control of such Indian education from the Bureau of Indian Affairs.

The committee feels that a thorough, professional study of Indian education by a qualified, independent agency is long overdue. Such a study was authorized by Public Law 702 of the 83d Congress, but unfortunately, no funds have been appropriated to activate the project. There is no question that Indian children should receive consideration under Federal aid to education programs equal to that of other disadvantaged groups. After more than a century of Federal paternalism, some 400,000 American Indian citizens remain trapped

in a web of illiteracy and poverty. For example, 75 percent of adult Navajos have not learned to speak English; 15 percent of school-age Navajos are not in school. Clearly, the situation merits the special consideration which the committee intends to give it next year.

## 2. RATIONALE FOR SUBCOMMITTEE INVESTIGATION

The approach which the subcommittee was to take, and the areas of concern it was to outline for its attention are evident in the memorandum written by Senator Robert Kennedy to the chairman of the Committee on Rules and Administration, Senator B. Everett Jordan. Writing on January 30, 1968, "to briefly state the need for extending the authorization of the Subcommittee on Indian Education from February 1, 1968, to January 31, 1969," Senator Kennedy referred to the focus of subcommittee concern as expressed in his opening statement at the committee's first hearing:

To a substantial extent, the quality and effectiveness of Indian education is a test of this Government's understanding and commitment. The few statistics we have are the most eloquent evidence of our own failure: Approximately 16,000 children are not in school at all; dropout rates are twice the national average; the level of formal education is half the national average; Indian children, more than any other group, believe themselves to be "below average" in intelligence; Indian children in the 12th grade have the poorest self-concept of all minority groups tested; the average Indian income is \$1,500—75 percent below the national average; his unemployment rate is 10 times the national average.

Citing these statistics and others, Senator Kennedy continued:

These facts are the cold statistics which illuminate a national tragedy and a national disgrace. They demonstrate that the "First American" had become the last American with the opportunity for employment, education, a decent income, and the chance for a fulfilling and rewarding life.

This subcommittee does not expect to unveil any quick and easy answers to this dilemma. But clearly, effective education lies at the heart of any lasting solution. And it must be an education that no longer presumes that cultural differences mean cultural inferiority.

## 3. INVESTIGATIVE PROCEDURE

Following the initial exploratory hearings of the subcommittee on December 13-14, 1968, an overall plan for the subcommittee investigation was prepared which despite a number of severe dislocations and delays was carried to completion. The plan attempted to take into consideration the following facts:

1. The failure of Indian education has deep historical roots and is closely interrelated with a general failure of national policy.

2. The failure of Indian education must be examined in the context

of the most severe poverty confronting any minority group in the United States.

3. Indian education is a cross-cultural transaction. The failure must be examined in terms of its complexity of causes and psychological and social effects.

4. Indian education has evolved a controversial and unique institution—the Federal Boarding School—which deserves special attention and concern.

5. Indian education takes place in a great diversity of geographical and cultural settings.

Based on these considerations, the plan proposed the following:

1. A detailed and thorough review of the history of Indian education in the United States, with particular attention to be paid to the development of national policy and legislation.

2. A comprehensive review of the research literature with a special concern for adequate problem definition and a delineation of the various causes of failure.

3. An on-site evaluation of a substantial sample of Federal boarding schools by subcommittee staff and professional consultants.

4. A series of field investigations in various parts of the country which would serve to place educational failure in the context of severe poverty and significant cultural differences.

5. A series of field hearings in various parts of the country which would do justice to the geographical and cultural diversity of the problem, and permit a wide range of Indian spokesmen to be heard.

6. Following the field hearings, Washington hearings, which would focus on two areas of major concern to the subcommittees:

(a) The extent and severity of social disorganization and emotional maladjustment in Indian communities, as both a cause and a result of educational failure—particularly boarding schools.

(b) The organizational failure of the Bureau of Indian Affairs to work out a sound and effective education program and provide national leadership for improvement.

7. Utilization of professional consultants to investigate the organizational failure of the BIA education program, as well as the mental health problems of BIA boarding schools.

Perhaps the most important principle which this investigation embraced was simply soliciting, listening to, and respecting the opinions and concerns of Indian people across the United States. During its field investigations, school evaluations, field hearings, a variety of surveys, and extensive correspondence, the subcommittee has consulted with a substantial cross-section of American Indians. The ultimate test of this report is whether or not we have listened, understood, and given voice to their concerns and aspirations.

## B. FACT SHEET

### 1. AUTHORIZING RESOLUTIONS

Senate Resolution 165.....	Aug. 31, 1967
Senate Resolution 218.....	Mar. 15, 1968
Senate Resolution 80.....	Jan. 20, 1969
Senate Resolution 227.....	July 29, 1969

## 2. SUBCOMMITTEE CHAIRMEN

Senator Robert F. Kennedy.....	Aug. 25, 1967-June 6, 1968
Senator Wayne Morse.....	June 14, 1968-Jan. 3, 1969
Senator Edward M. Kennedy.....	Feb. 1, 1969 to the present

## 3. PUBLIC HEARINGS

Washington, D.C.....	Dec. 14, 15, 1967
San Francisco, Calif.....	Jan. 4, 1968
Twin Oaks, Okla.....	Feb. 19, 1968
Flagstaff, Ariz.....	Mar. 30, 1968
Pine Ridge, S. Dak.....	Apr. 10, 1968
Portland, Oreg.....	May 24, 1968
Washington, D.C.....	Oct. 1, 1968
Do.....	Feb. 18, 19, 24, 1969
Do.....	Mar. 27, 1969
Fairbanks, Alaska.....	Apr. 11, 1969

## 4. FIELD INVESTIGATIONS AND RESEARCH REPORTS

Subcommittee members and staff have conducted field investigations in Indian communities and schools in the States of Idaho, California, Oklahoma, New Mexico, Arizona, South Dakota, Kansas, Oregon and Alaska. Subcommittee staff have conducted additional field investigations in Nebraska, Minnesota, Washington, Florida and Maine.

Staff fieldwork preceded and sometimes followed every formal investigation conducted by Senators on the Subcommittee.

In some instances the fieldwork lasted only a day, in most cases it lasted 3 to 5 days, and in a few instances the field work was done in depth over a period of 10 to 14 days. The following sample was drawn for the development of detailed investigative reports which have been published in a special committee print entitled "The Education of American Indians: Field Investigation and Research Reports," by subcommittee staff.

Northwest.....	Fort Hall Reservation
Southwest.....	Nuvaro Reservation, Arizona
Midwest.....	Minnesota, Oklahoma
West.....	California
North.....	Alaska
East.....	Maine, New York

## 5. FEDERAL BOARDING SCHOOL EVALUATIONS

Albuquerque Indian School.....	Albuquerque, N. Mex.
Busby Boarding School.....	Busby, Mont.
Chilocco Indian School.....	Chilocco, Okla.
Flandreau Indian School.....	Flandreau, S. Dak.
Haskell Institute.....	Lawrence, Kans.
Inter Mountain Indian School.....	Brigham City, Utah
Magdalena, BIA Dormitory.....	Magdalena, N. Mex.
Mt. Edgecumbe and Wrangell Institute.....	Alaska
Oglala Community School.....	Pine Ridge, S. Dak.
Phoenix Boarding School.....	Phoenix, Ariz.
Pierre Boarding School.....	Pierre, S. Dak.
Seneca Boarding School, Jones Academy.....	Enfala, Oklahoma
Sherman Institute.....	Riverside, Calif.
Stewart Indian School.....	Stewart, Nev.

## 6. SUBCOMMITTEE PUBLICATIONS

a. *Hearings*

Part 1	Washington, D.C.	Dec. 14, 15, 1967
	San Francisco, Calif.	Jan. 4, 1968
Part 2	Twin Oaks, Okla.	Feb. 19, 1968
Part 3	Flagstaff, Ariz.	Mar. 30, 1968
Part 4	Pine Ridge S. Dak.	Apr. 16, 1968
Part 5	Portland, Oreg.	May 24, 1968
	Washington, D.C.	Oct. 1, 1968
Part 1 (1969)	Washington, D.C.	Feb. 18, 19, 24, Mar. 27, 1969
	Fairbanks, Alaska	Apr. 11, 1969
Part 2 (1969)	Appendix	

b. *Committee prints*

1. "The Education of American Indians: A Survey of the Research Literature," February 1969.
3. "The Education of American Indians: Field Investigation and Research Reports," October 1969.
3. "The Education of American Indians: A Compendium of Federal Boarding School Evaluations," October 1969.
4. "The Education of American Indians: A Compilation of Statutes," October 1969.
5. "The Education of American Indians: The Organization Question," November 1969.

## 7. CONSULTANTS

- (a) Dr. Leon Osview, Temple University: *An Analysis of Administrative Structure, Budgeting Practice, and Personnel Factors in the Bureau of Indian Affairs Education Function.*
- (b) Dr. James Olivero, Southwestern Cooperative Educational Laboratory, Inc., Albuquerque, New Mexico: *An Evaluation of the Albuquerque Indian School.*
- (c) Dr. Arthur L. McDonald and Dr. William D. Bliss, Montana State University: *An Evaluation of the Busby Boarding School, Busby, Montana.*
- (d) Robert L. Leon, M.D., University of Texas, San Antonio, Texas: *An Evaluation of the Chilocco Indian School, Chilocco, Oklahoma.*
- (e) Dr. Atilano A. Valencia, Southwestern Cooperative Educational Laboratory, Inc., Albuquerque, New Mexico: *An Evaluation of the Chilocco Indian School, Chilocco, Oklahoma.*
- (f) Francis Hamilton, Peter Petrafeso, and Rosemary Christenson, Upper Midwest Regional Educational Laboratory, Minneapolis, Minnesota: *An Evaluation of the Flandreau and Pierre Indian Schools, Flandreau and Pierre, South Dakota.*
- (g) John Bjork, Area Social Service Branch, Public Health Branch, Public Health Service, Aberdeen, South Dakota: *An Evaluation of the Flandreau and Pierre Indian Schools, Flandreau and Pierre, South Dakota.*

- (h) Edward D. Greenwood, M.D., Menninger Foundation, Topeka, Kansas: *An Evaluation of the Haskell Institute, Lawrence, Kansas.*
- (i) Dr. Patrick Lynch, Educational Service Center, Albuquerque, New Mexico: *An Evaluation of the Magdalena, BIA Dormitory, Magdalena, New Mexico.*
- (j) Elinor B. Harvey, M.D., Juneau, Alaska: *An Evaluation of Mt. Edgecumbe Boarding School and Wrangell Institute, Alaska.*
- (k) Dr. Harold Koch and Dr. Bert Speece, Chadron State Teachers College, Chadron, Nebraska: *An Evaluation of Oglala Community School, Pine Ridge, South Dakota.*
- (l) Anthony E. Elite, M.D., Public Health Service, Phoenix, Arizona: *An Evaluation of the Phoenix Boarding School, Phoenix, Arizona.*
- (m) Dr. Elwin Svenson, University of California: *An Evaluation of the Sherman Institute, Riverside, California.*
- (n) Dr. Glen Nimnicht and Mr. Francis McKinley, and Mr. Stephen Bayne, Far West Laboratory for Educational Research and Development, Berkeley, California: *An Evaluation of the Stewart Indian School, Stewart, Nevada.*

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## PART I: A NATIONAL TRAGEDY: SUBCOMMITTEE FINDINGS

### I. The Failure of National Policy

It is a pity that so many Americans today think of the Indian as a romantic or comic figure in American history without contemporary significance. In fact, the Indian plays much the same role in our American society that the Jews played in Germany. Like the miner's canary, the Indian marks the shift from fresh air to poison gas in our political atmosphere; and our treatment of Indians, even more than our treatment of other minorities, reflects the rise and fall in our democratic faith.—FELIX S. COHEN—Yale Law Journal, February 1953.

#### A. OVERVIEW

A careful review of the historical literature reveals that the dominant policy of the Federal Government toward the American Indian has been one of forced assimilation which has vacillated between the two extremes of coercion and persuasion. At the root of the assimilation policy has been a desire to divest the Indian of his land and resources.

The Allotment Act of 1887 stands as a symbol of the worst aspects of the Indian policy. During the 46-year period it was in effect it succeeded in reducing the Indian landbase from 140 million acres to approximately 50 million acres of the least desirable land. Greed for Indian land and intolerance of Indian cultures combined in one act to drive the American Indian into the depths of poverty from which he has never recovered.

From the first contact with the Indian, the school and the classroom have been a primary tool of assimilation. Education was the means whereby we emancipated the Indian child from his home, his parents, his extended family, and his cultural heritage. It was in effect an attempt to wash the "savage habits" and "tribal ethic" out of a child's mind and substitute a white middle-class value system in its place. A Ponca Indian testifying before the subcommittee defined this policy from the standpoint of the Indian student—"School is the enemy!"

It is clear in retrospect that the "assimilation by education" policy was primarily a function of the "Indian land" policy. The implicit hope was that a "civilized Indian" would settle down on his 160 acres and become a gentleman farmer, thus freeing large amounts of additional land for the white man. But in addition, there has been a strong strain of "converting the heathen" and "civilizing the savage," which has subtly, but persistently, continued up to the present. Two stereo-

types still prevail—"the dirty, lazy, drunken" Indian and, to assuage our conscience, the myth of the "noble savage."

Regretfully, one must conclude that this Nation has not faced up to an "American dilemma" more fundamental than the one defined so persuasively for us by Gunnar Myrdal in 1944. The "Indian problem" raises serious questions about this Nation's most basic concepts of political democracy. It challenges the most precious assumptions about what this country stands for—cultural pluralism, equity and justice, the integrity of the individual, freedom of conscience and action, and the pursuit of happiness. Relations with the American Indian constitute a "morality play" of profound importance in our Nation's history.

## B. HISTORICAL PERSPECTIVE—400 YEARS OF FAILURE

The subcommittee has conducted a detailed and comprehensive analysis of our past and present failure as a nation to develop and implement an enlightened policy for the American Indian. The subcommittee feels that a full understanding of the historical roots of our present failures is essential, if problems are to be resolved and a more enlightened policy effected. The historical perspective which follows is an abridgment of the thoroughly documented historical analysis which can be found in appendix I of our report. We would urge all who are interested in the development of our present national policies to read the material in Appendix I.

### 1. MISSION PERIOD

The goal, from the beginning of attempts at formal education of the American Indian, has been not so much to educate him as to change him.

With the Jesuits, it was to acquaint the Indian with the French manner, French customs, the French language. With the Protestants, it was to Anglicize the natives and, in the process, prepare them for a "civilized" life. The Franciscans, working in the Southwest, also sought to bring Indians into the mainstream, but they were less interested in making Europeans of the Indians than were other missionaries. Regardless of the religious group, they all had the same goals: civilize and Christianize the Indian.

Beginning with the Jesuit mission school for Florida Indians in 1568, formal education of Indians was dominated by the church for almost 300 years. Jesuits and Franciscans were the first groups to try to remake the Indian in the mold of the white man, but the cause was taken up vigorously by Protestants when they gained a foothold in America. Education was adopted as the best means of accomplishing the task, and as early as 1617, King James I called upon Anglican clergy to provide funds for educating "children of these Barbarians in Virginia." The eventual result of his request was the establishment of the College of William and Mary—"a college for the children of the infidels."

Other schools for Indians were also started, but none were completely successful in achieving their "civilization" goals. For though

the Indian students often left school with an understanding of the principles of Christianity and a solid grasp of reading and writing skills, they still shied away from the white man's way of life. One observer of the times noted, with obvious frustration, that after the Indians returned home, "instead of civilizing and converting the rest, they have immediately relapt into infidelity and barbarism themselves."

## 2. THE TREATY PERIOD

The signing of the treaty between the United States and the Delaware Tribe in 1778 established treaties as the primary legal basis for Federal policies in regard to the American Indian. The earliest treaty containing a specific provision for education—a promise by the government to provide a tribe with teachers "in the arts of the miller and sawer"—was signed in 1794. Similar provisions, usually given in exchange for Indian lands, were common elements in treaties for the next 80 years.

The purpose of the treaties did not differ much from the reason behind the missionaries' activities. Both the government and the missionaries sought to civilize the Indian. But whereas the religious groups acted primarily out of altruism, the government thought more in terms of the value of possessing Indian lands. Government leaders recognized that if Indians could be converted from hunters into farmers, the Indians would require less land and would be easier to contain. Such a policy would naturally mean more land available for settlement by white men. Education of Indians was seen as the means of accomplishing the conversion.

Between 1778 and 1871, when the last treaty was signed, Indian tribes ceded almost a billion acres to the United States. In return, Indians generally retained inalienable and tax-exempt lands for themselves, and Government pledges to provide such public services as education, medical care, and technical and agricultural training. Congress began appropriating funds for such services in 1802, when up to \$15,000 was made available annually "to provide civilization among the aborigines." The basis for most Indian education programs was an act in 1819, though, which provided for an annual "civilization fund" to be used to convert Indians from hunters to agriculturalists. The act was in effect until 1873.

Responsibility for the education of Indians was placed in the hands of the Commissioner of Indian Affairs, a position created by Congress in 1832. The early commissioners viewed Indians as barbarous and heathen people "wedded to savage habits, customs and prejudices," and thus their educational policies revolved around controlling the Indian through coercive assimilation. As Commissioner L. Lea stated in 1850, the Indians must "resort to agricultural labor or starve." During this period the Government established an extensive program of manual training in agriculture and the mechanic arts in order to civilize the Indian. As early as 1838 the Government was operating 16 manual schools serving 800 students and 87 boarding schools serving about 2,900 students.

After 1871 the Government no longer engaged in treaty-making with Indian tribes. During this period it had committed itself to obligations in almost 400 treaties.

## 3. THE ALLOTMENT PERIOD

The last three decades of the 19th century were years of anguish for the Indian, as he fought in vain to defend his homeland from first plundering settlers, and then, the might of the U.S. Calvary. With the murder of Sitting Bull and the massacre of a Sioux band at Wounded Knee, S. Dak. in 1890, the conquest of the Indian was complete.

Three years prior to the final battle, though, the U.S. Government had initiated a means of dissolving the Indian land base legislatively. The Dawes Severalty Act of 1887 provided for land allotment to individual Indians as a means of breaking up the tribal structure and giving Indians an opportunity for a more civilized life. The actual results of the law were a diminishing of the Indian tribal economic base from 140 million acres to about 50 million acres, and severe social disorganization of the Indian family.

This land policy was directly related to the Government's Indian education policy because proceeds from the destruction of the Indian land base were to be used to pay the costs of taking Indian children from their homes and placing them in Federal boarding schools—a system designed to dissolve the Indian social structure. The Bureau of Indian Affairs had started building its boarding school system in the 1870's, often using abandoned Army posts or barracks as sites. Such schools were run in a rigid military fashion, with heavy emphasis on rustic vocational education. They were designed to separate a child from his reservation and family, strip him of his tribal lore and mores, force the complete abandonment of his native language, and prepare him for never again returning to his people. Although many changes have taken place over the years, some boarding schools still operate in 19th century converted Army posts and occasionally conduct practices which approximate the approach of the late 1800's.

Many Indian families resisted the assault of the Federal Government on their lives by refusing to send their children to school. Congress responded by authorizing the Secretary of Interior to withhold food or subsistence from those Indian families whose children weren't in school. In 1919 it was discovered that only 2,089 of an estimated 9,613 Navajo children were attending school, and thus the Government initiated a crash program of Navajo education. But because of a lack of schools on the reservation, many Navajo children were transported to boarding schools throughout the West and Southwest, without their parents' consent. The conditions at these boarding schools, where the children were often used as the labor force, received widespread attention with publication of the Meriam Report in 1928.

## 4. THE MERIAM REPORT AND THE NEW DEAL PERIOD.

Probably the most significant investigation ever conducted into the field of Indian affairs was published in 1928. The Meriam Report, a survey of social and economic conditions of the American Indian, was prepared by the Brookings Institution in Washington D.C. (then known as the Institute for Government Research) under the direction of Lewis Meriam of the University of Chicago. The report led di-

rectly to one of the most creative and innovative periods in Indian affairs.

The major findings of the Meriam Report were that (1) Indians were excluded from management of their own affairs, and (2) Indians were receiving a poor quality of services (especially health and education) from public officials who were supposed to be serving their needs. These two findings remain just as valid today as they did more than 40 years ago.

The report was highly critical of boarding schools, both because of their inadequate facilities and the manner in which they were operated. It condemned the practice of taking children from their homes and placing them in off-reservation boarding schools. It stressed repeatedly the need for a relevant instructional curriculum adapted to the individual needs and background of the students. It chided the schools for failing to consider or adapt to the language of the child. It asked why Indians could not participate in deciding the direction of their schools. And it suggested that public schools, with their traditional curriculums, were not the answer either.

"The most fundamental need in Indian education," according to the report, "is a change in point of view." The Indian family and social structure must be strengthened, not destroyed. The qualifications of teachers in Indian schools must be high, not poor to average. The Federal school system must be a model of excellence.

The Meriam report had a substantial impact. Soon after John Collier became Commissioner of Indian Affairs in the Roosevelt administration in 1933, a series of new approaches were initiated which sought to overhaul completely the Federal Indian policy. The key legislation of the period, the Indian Reorganization Act of 1934, ended the allotment period and laid the groundwork for more autonomous tribal government. The act, which was submitted to and discussed with Indian tribes before being submitted to Congress, has been called the Indian bill of rights.

In education, Collier started programs in bilingual education, adult basic education, training of Indian teachers, Indian culture and in-service teacher training. During Collier's 12 years as Commissioner, 16 boarding schools were closed and 84 day schools were opened. Whereas in 1933 three-fourths of Indian students were enrolled in boarding schools, in 1943 two-thirds were attending day schools. The progress of the 1930's and early 1940's came to a halt with the advent of World War II, though, as a lack of funds joined with a congressional attitude of "de-Indianizing the Indian" to put an end to Collier's programs.

#### 5. THE TERMINATION PERIOD

In 1944 a House Select Committee on Indian Affairs offered recommendations on achieving "the final solution of the Indian problem." In almost every instance, the committee called for a return of the pre-Meriam policies. It criticized reservation day schools for adapting education to the Indian and to his reservation way of life. It said "real progress" would be made only when Indian children of elementary school age were once again taken from their homes and placed in off-

reservation boarding schools. "The goal of Indian education," according to the committee, "should be to make the Indian child a better American rather than to equip him simply to be a better Indian."

The House committee's attitude was indicative of the swing the pendulum was taking. By 1948 the Commissioner of Indian Affairs, at the urging of Congress, was setting criteria for determining a tribe's readiness for withdrawal of Federal services. In 1949 Commissioner John Nichols argued that development of services, not termination of them, was needed, but his plea went unheeded. When Dillon Myer became Commissioner in 1950 the termination policy was at full throttle. It was a return to the dominant policy of the Federal Government—coercive assimilation of the American Indian. The goals were to get rid of Indians and Indian trust land by terminating Federal recognition and services and relocating Indians into cities off the reservations—a policy viewed as a major catastrophe by the Indians.

In 1952 the Bureau of Indian Affairs closed down all Federal schools in Idaho, Michigan, Washington, and Wisconsin. Loans to Indian students authorized in the Reorganization Act of 1934 were discontinued. The following year a number of boarding and day schools were closed, as Indian students were transferred into public schools. Those Federal boarding schools in operation utilized a forced assimilation approach, educating children far from their homes (Navajo children in Oregon, Northwest Indians in Oklahoma) so that they would forget their family and the reservation way of life.

The legislative base for the termination policy was laid in 1953 with passage of Public Law 280, which transferred Federal jurisdiction over law and order on Indian reservations to individual States, and House Concurrent Resolution 108, which called for the end of Federal services to Indians. Little time was wasted in implementing the policy. In 1954, 10 termination bills were introduced, with six of them passing. The termination period was brought to a partial halt on September 18, 1958, when Secretary of the Interior Fred Seaton announced that no tribe would be terminated without its consent. Despite his statement, Indians had developed a fear of termination which was to continue through the 1960's.

#### G. THE 1960'S

Alvin M. Josephy of American Heritage magazine has described the result of the Indian policy of the 1950's as "termination psychosis." Throughout the 1960's Indians exhibited an all-pervading suspicion of Government motives in Indian affairs. They were confused, disoriented, and filled with anxiety and worry, according to Josephy. In effect, the termination policy had told the Indian tribes that if they demonstrated economic progress they would be punished by a withdrawal of Federal services.

Attempts to counterattack the termination psychosis were a significant part of Indian history of the 1960's, but the failure of a new policy framework to emerge during this period meant that most of these attempts were futile.

The first formal reaction to termination in the 1960's was publication of the Fund for the Republic study by the Commission on Rights,

Liberties, and Responsibilities of the American Indian. This January 1961 report focused attention on the injustices of termination policy, the paternalistic attitudes and practices of the Bureau of Indian Affairs, and the inadequate services provided Indians. It argued for reorganization of the Bureau's education program and increased Indian involvement in determining programs affecting Indians. Both of these issues were to dominate Indian education during this decade.

Six months after the Fund for the Republic report was issued a conference of Indian leaders was held in which a "Declaration of Indian Purpose" was formulated. The Indians repudiated the termination policy of the 1950's and expressed their desire to play a decisive role in planning their own programs. Like the Fund for the Republic report, the conference indicated a reorganization of the Bureau of Indian Affairs was essential. But the Indians made it clear they wanted to play an important role in determining the reorganization.

The Kennedy administration responded to the Indian people with its own study of Indian affairs, a task force headed by Secretary of the Interior Stewart Udall. The July 1961 report suggested a wide range of new activities in Indian education, from increased funds for scholarships to the encouragement of Indian parent participation in the formulation of school programs. The recommendations would certainly have improved Indian education, but their implementation was almost impossible, given the Bureau's organizational structure—a matter with which the report did not come to grips. The report repudiated termination and suggested that economic development on Indian reservations be the basis of a new Federal Indian policy. As a result, between 1961 and 1965 the Bureau of Indian Affairs shifted its policy direction and embarked on a program of economic and community development. But nothing was done to refashion the Bureau into an effective instrument for executing the new policy and programs.

One of the most significant accomplishments in Indian affairs during the 1960's was the enactment of legislation—the Economic Opportunity Act—which gave Indians the opportunity to participate in and control their own programs. Head Start programs, for example, were the first meaningful effort to provide early childhood experiences for Indian children. Upward Bound, Job Corps, and VISTA all had significant Indian participation. But in terms of demonstrating the importance of Indian initiative and self-determination, and the ability of Indians to effectively carry out their own programs, the Community Action Programs on Indian reservations have been the most important innovations of the 1960's. More than 60 Community Action Programs, involving 105 Federal reservations in 17 States, presently exist. The most important experiment in the field of Indian education in the 1960's was the establishment of the Rough Rock Demonstration School on the Navajo Reservation in Arizona. The initiative for the project, as well as some of its funds, came from the Office of Economic Opportunity, which worked closely with Dr. Robert Roessel, who became the school's first director.

Established on July 27, 1966, as a private, nonprofit organization, the school is run by a five-member Navajo school board. Only two of the school board members have had any formal education and weekly school board meetings are conducted in Navajo. The school is com-

mitted to the involvement of Indians in "their" school. Tribal elders, for example, are used to teach traditional materials. Culturally-sensitive curriculum materials have been developed, and the bilingual approach to the teaching of English is used. The school is regarded not just as a place for educating Indian children, but as the focus for development of the local community. Rough Rock has become a symbol of Indian participation and control and educational innovation, and has been extraordinarily influential in shaping a new policy in Indian education.

A second landmark in Indian education legislation of the 1960's was the Elementary and Secondary Education Act of 1965. The law provided funds for improving the education of disadvantaged children. In 1966 Indians in Federal schools were involved in title I of the act (innovative programs for disadvantaged children), and in fiscal year 1969 approximately \$9 million was appropriated specifically for Indians in Federal schools. Disadvantaged Indians in public schools also benefit from the legislation. Other titles of the act have aided in the development of special supplemental centers and the establishment of regional educational laboratories, some of which are doing significant work in Indian education. Drop out prevention and bilingual education titles of the act are also benefiting some Indians.

The programs of the Office of Economic Opportunity and the Elementary and Secondary Education Act provided some optimism for Indian education in the mid-1960's. The Bureau of Indian Affairs, with Carl Marburger serving as Assistant Commissioner for Education, talked about making the Federal Indian schools an exemplary system, utilizing bilingual approaches and a culturally sensitive curriculum. But the continual problem of working within the Bureau's educational structure, together with less than full-hearted congressional support, made Marburger's exemplary system just a dream.

Another major attempt to formulate a new policy on Indian affairs was the 1966 Presidential Task Force Report. The report recognized the necessity of coming to grips with one of the fundamental questions—reorganization of the Bureau of Indian Affairs—and recommended transferring the responsibility for Indian affairs from the Department of Interior to the Department of Health, Education, and Welfare. The report placed education as the priority item in improving Indian affairs, and strongly endorsed Indian control and an exemplary school system.

The report concluded with a clear warning against acting precipitously and without full explanation and consultation with the Indian tribes. Nevertheless, the President seized upon the idea in a way which aroused Indian anxiety. When the proposed transfer was hinted at by Secretary Gardner at an Indian manpower conference in February 1968, Indians reacted as if it was a termination proposal (the assumption was that the various functions of BIA would be scattered throughout HEW), and the matter was dead before it ever got openly explained and discussed.

These Indian control and exemplary school system items became the major recommendations of President Johnson's message on Indian affairs on March 6, 1968. The President rejected termination as a policy and suggested it be replaced by self-determination. He called for

increased funding for the OEO programs which had proved so successful and stated his intention to make Federal schools a "model community school system." The recommendations were not new, nor was the President's silence regarding the Bureau of Indian Affairs organizational defects, which would continue to retard any massive efforts at reform.

The 1960's began with determined effort to seek a new policy which would alleviate Indian termination fears and reorganize the Bureau of Indian Affairs so that it could effectively provide an exemplary educational program for Indians. The 1960's are ending with those same problems unresolved.

### C. ALCOHOLISM AND MENTAL HEALTH

The subcommittee found that in recent years, the number of suicides and alcoholics among the native population has greatly increased. In Alaska, for example, it has doubled. According to the chief psychiatrist for the U.S. Public Health Service in Alaska:

If mental health problems are broadly construed to include not only mental illness and alcoholism, but also child neglect and delinquency and other behavioral problems, then mental health problems are the major health problem of Alaska natives today.<sup>1</sup>

This is not a new phenomenon. It dates from at least the mid-19th century. All experts agree that the problem today is very serious and getting worse.

In the Northwest, the subcommittee found adolescent suicide problems of epidemic proportions on the Quinault Reservation in Washington, and on the Fort Hall Reservation in Idaho. The termination of the Klamath Reservation in Oregon has led to extreme social disorganization of that tribal group. Many of them can be found in State mental and penal institutions.

In South Dakota, the subcommittee found suicide attempt rates more than twice the national average, a delinquency rate for Indian adolescents 9 times the national rural average, extensive and severe alcoholism problems on every reservation, an alarming amount of glue and gasoline sniffing among prepubertal Indian children, almost 1 in 5 adolescents had no adult male in the house, and the number of Indian children in foster homes was almost 5 times the national average.

The subcommittee was informed by the Public Health Service psychiatrist serving the Navajo Reservation in Arizona that there are many severe problems among young Navajo adults—drunkenness, child neglect, drunken and reckless driving. "Alarming numbers of people have lapsed into an alienated, apathetic life marked by episodes of delinquency and irresponsibility." In Gallup, New Mexico, just off the reservation, more than 675 Navajos per month are arrested for public intoxication.

The subcommittee has noted serious and growing problems of suicide attempts and alcoholism on many reservations in the Southwest. For example, on one Pueblo in New Mexico last year, *there were five suicides involving Indian men under the age of 25.*

<sup>1</sup> Indian Education Subcommittee Hearings, pt. 1, 1960, p. 584.

<sup>2</sup> Hearings, 1968, pt. 3, p. 1126.

The subcommittee found one tribe in western Oklahoma where practically every male between the ages of 18 to 30 has a serious drinking problem. Strangely enough, if they survive to age 30, a complete reversal often takes place. The subcommittee findings leave no doubt that alcoholism broadly defined is one of the most serious problems affecting the Indian population today, yet it has attracted little serious attention, and what data that is available is generally inaccessible, unorganized, scattered, and unknown.

Excessive alcohol usage appears to be closely interrelated with other manifestations of social disorganization in Indian communities. Indian accident and arrest rates are notoriously high, and the majority of accidents as well as homicides, assaults, suicides, and suicide attempts are associated with alcohol. The vast majority of arrests, fines, and prison sentences in the Indian population are related to alcohol, and Indian arrest rates are also notoriously high. In one State penitentiary, Indians constitute 34 percent of the inmates whereas only 5 percent of the State's population is Indian. The majority of the crimes were committed while under the influence of alcohol.

On one central plains reservation, there were in 1 year 2,585 arrests for disorderly conduct and drunkenness in a population of 4,600 adults. Over a 3-year period, 44 percent of males and 21 percent of females had been arrested at least once for a drinking-connected offense. Of these, two-thirds had been arrested more than once, and 10 percent had been arrested more than 10 times. Thirteen percent of the entire population ages 15 to 17 had been booked at least once on a charge related to drinking. On another reservation with a total population of 3,500, in 1968, there were 1,769 arrests related to excessive drinking, 10 percent of them juveniles. In 1960, alcohol-related arrest rate for all Indians was 12.2 times that of the U.S. population generally. Drunkenness alone accounted for 71 percent of all Indian arrests.

In a study of high school students in a plains tribe, 84 percent of the boys and 76 percent of the girls claimed they drank. Thirty-seven percent claimed they drank frequently. Another survey of Indian high school students found 339 out of 350 who disliked their hometown because of excessive drinking. On this reservation, 70 percent of all juvenile offenses involved alcohol—a total of 420 in a recent year.

A recent publication by the Public Health Service identifies the following as causes of the Indian alcoholism problem:<sup>a</sup>

1. Alcoholic beverages were introduced by the white man to the American Indian and have often been used for purposes of calculated exploitation. (The English translation of the Indian name *Manhattan Island* is "The Place of the First Big Drunk.")

2. Psychologically, excessive drinking originates in feelings of worthlessness and powerlessness which are closely related to socio-economic and educational failure. Drinking is an expression of individual anger and serves as a vehicle for acting out aggressive and hostile feelings.

3. Alcohol often serves as a focused activity for a group of people, and group drinking tends to take on pathological forms—drinking until the supply of alcohol is exhausted or all members of the group are intoxicated.

<sup>a</sup> Preliminary report of the Indian Health Service. Task Force on Alcoholism, January 1969. pp. 33-43.

4. The American Indian lives in a state of severe grinding poverty. Ninety percent of his housing is atrocious and beyond rehabilitation; he suffers the worst health conditions in our Nation; his unemployment rate is 50 percent and the average family income is \$1,500 per year. These conditions lead to feelings of anger and frustration, coupled with strong feelings of personal inadequacy and powerlessness.

Conditions within Indian schools, particularly boarding schools, have done a great deal to bring about the causes of problem drinking and very little to prevent them.

The dimensions of these mental health and alcoholism problems have not been adequately investigated nor defined, but they are clearly very large.

#### D. CHEROKEE EDUCATION—PAST AND PRESENT

One of the most remarkable examples of adaptation and accomplishment by any Indian tribe in the United States is that of the Cherokee. Their record provides evidence of the kind of results which ensue when Indians truly have the power of self-determination:

- a constitution which provided for courts, representation, jury trials and the right to vote for all those over 18 years;

- a system of taxation which supported such services as education and road construction;

- an educational system which produced a Cherokee population 90 percent literate in its native language and used bilingual materials to such an extent that Oklahoma Cherokees had a higher English literacy level than the white populations of either Texas or Arkansas;

- a system of higher education which, together with the Choctaw Nation, had more than 200 schools and academies, and sent numerous graduates to eastern colleges; and
- publication of a widely read bilingual newspaper.<sup>4</sup>

But that was in the 1800's, before the Federal Government took control of Cherokee affairs. The record of the Cherokee today is proof of the tragic results of 60 years of white control over their affairs:

- 90 percent of the Cherokee families living in Adair County, Okla. are on welfare;

- 99 percent of the Choctaw Indian population in McCurtain County, Okla., live below the poverty line;

- The median number of school years completed by the adult Cherokee population is only 5.5;

- 40 percent of adult Cherokees are functionally illiterate;

- Cherokee dropout rates in public schools is as high as 75 percent.

The level of Cherokee education is well below the average for the State of Oklahoma, and below the average for rural and non-whites in the State.<sup>5</sup>

The disparity between these two sets of facts provides dramatic testimony to what might have been accomplished if the policy of the

<sup>4</sup> Senate Subcommittee on Indian Education Hearings, Pt. 2, p. 918.

<sup>5</sup> *Ibid.*, p. 820.

Federal Government had been one of Indian self-determination. It also points up the disastrous effects of imposed white control.

Cherokee education was truly a development of the tribes itself. In 1821 Sequoyah, a member of the tribe, presented tribal officials with his invention—a Cherokee alphabet. Within 6 years of that date Cherokees were publishing their own bilingual newspaper, and the Cherokee Nation was on its way toward the end of illiteracy and the beginning of a model of self-government and self-education.

The Cherokee Indians established a government of laws in 1820 and, in 1827, a constitution patterned after that of the United States. Their nation was divided into districts, and each district sent representatives to the Nation's capital, which had a two-house legislative structure. The system compared favorably with that of the Federal Government and any State government then in existence.

The Cherokee education system itself was just as exemplary as its governmental system. Using funds primarily received from the Federal Government as the result of ceding large tracts of land, a school system described by one authority as "the finest school system west of the Mississippi River" soon developed.<sup>6</sup> Treaty money was used by Sequoyah to develop the Cherokee alphabet, as well as to purchase a printing press. In a period of several years the Cherokee had established remarkable achievement and literary levels, as indicated by statistics cited above. But in 1903 the Federal Government appointed a superintendent to take control of Cherokee education, and when Oklahoma became a State in 1906 and the whole system was abolished, Cherokee educational performance was to begin its decline.

Authorities who have analyzed the decline concur on one point: the Cherokees are alienated from the white man's school. Anthropologist Willard Walker simply stated that "the Cherokees have viewed the school as a white man's institution over which parents have no control." Dr. Jack Forbes of the Far West Regional Laboratory for Research and Development said that the Federal and State schools operated for the Cherokees have had negative impact because of little, if any, parent-community involvement. Several researchers have also commented upon the lack of bilingual materials in the schools, and the ensuing feeling by Cherokees that reading English is associated with coercive instruction.

Alfred L. Wahrhaftig makes the point that the Indian child communicates in Cherokee and considers it his "socializing" language. English is simply an "instrumental" language one learns in school, a place which the Cherokee student sees no value in attending anyway.

In the 1890's Cherokees knew there was a forum for their opinions on how their children should be educated, and they used that forum. Wahrhaftig's study showed Cherokee parents haven't lost interest in their children's education, just their faith in a white-controlled system's ability to listen to them and respond. "Cherokees finally have become totally alienated from the school system," he reported. "The tribe has surrendered to the school bureaucracy, but tribal opinion is unchanged."<sup>7</sup>

<sup>6</sup> *Ibid.*, p. 870.

<sup>7</sup> *Ibid.*, p. 920.

## E. SUMMARY OF HISTORICAL FINDINGS

**I. Policy Failure**

*The dominant policy of the Federal Government towards the American Indian has been one of coercive assimilation. The policy has resulted in:*

- A. The destruction and disorganization of Indian communities and individuals.
- B. A desperately severe and self-perpetuating cycle of poverty for most Indians.
- C. The growth of a large, ineffective, and self-perpetuating bureaucracy which retards the elimination of Indian poverty.
- D. A waste of Federal appropriations.

**II. National Attitudes**

*The coercive assimilation policy has had a strong negative influence on national attitudes. It has resulted in:*

- A. A nation that is massively uninformed and misinformed about the American Indian, and his past and present.
- B. Prejudice, racial intolerance, and discrimination towards Indians far more widespread and serious than generally recognized.

**III. Education Failure**

*The coercive assimilation policy has had disastrous effects on the education of Indian children. It has resulted in:*

- A. The classroom and the school becoming a kind of battleground where the Indian child attempts to protect his integrity and identity as an individual by defeating the purposes of the school.
- B. Schools which fail to understand or adapt to, and in fact often denigrate, cultural differences.
- C. Schools which blame their own failures on the Indian student and reinforce his defensiveness.
- D. Schools which fail to recognize the importance and validity of the Indian community. The community and child retaliate by treating the school as an alien institution.
- E. A dismal record of absenteeism, dropouts, negative self-image, low achievement, and, ultimately, academic failure for many Indian children.
- F. A perpetuation of the cycle of poverty which undermines the success of all other Federal programs.

**IV. Causes of the Policy Failure**

*The coercive assimilation policy has two primary historical roots:*

- A. A continuous desire to exploit, and expropriate, Indian land and physical resources.
- B. A self-righteous intolerance of tribal communities and cultural differences.



## II. Failure of Public Schools

### A. GENERAL ANALYSIS

To thousands of Americans, the American Indian is, and always will be, dirty, lazy, and drunk. That's the way they picture him; that's the way they treat him.

A Kansas newspaper in the middle of the 19th century described Indians as "a set of miserable, dirty, blanketed, thieving, lying, sneaking, murdering, graceless, faithless, gut-eating skunks as the Lord ever permitted to infest the earth, and whose immediate and final extermination all men, except Indian agents and traders, should pray for." In its investigation into the conditions of Indian education in all parts of the country, the subcommittee found anti-Indian attitudes still prevalent today in many white communities. In every community visited by the subcommittee there was evidence among the white population of stereotyped opinions of Indians. The subcommittee research record is full of examples verifying the presence of such attitudes.

Superior Court Judge Robert L. Winslow of Ukiah, Calif., told the subcommittee that in Mendocino County, Calif., there was a "common feeling that Indians are inferior to non-Indians."<sup>1</sup> A study of Indian-white relations in Ukiah said that whites generally looked upon Pomo Indians as "lazy, shiftless, dirty, biologically and culturally inferior."<sup>2</sup> A Pomo Indian testified, "Some think the Indian is not very much or probably not even human."<sup>3</sup> A Southwest study found many people convinced that Apaches were hostile, mean, lazy, and dumb.<sup>4</sup> An Oklahoma principal said of his Indian students, "(they) are even worse than our coloreds and the best you can do is just leave them alone."<sup>5</sup>

The basis for these stereotypes goes back into history—a history created by the white man to justify his exploitation of the Indian, a history the Indian is continually reminded of at school, on television, in books and at the movies.

It is a history which calls an Indian victory a massacre and a U.S. victory an heroic feat. It is a history which makes heroes and pioneers of goldminers who seized Indian land, killed whole bands and families and ruthlessly took what they wanted. It is a history which equates Indians and wild animals, and uses the term "savages" as a synonym for Indians.

It is this kind of history—the kind taught formally in the classroom and informally on street corners—which creates feelings of inferiority among Indian students, gives them a warped understanding of their cultural heritage and propagates stereotypes.

<sup>1</sup> Senate Subcommittee on Indian Education Hearings, pt. 1, appendix, p. 491.

<sup>2</sup> Frederick E. Robin, "Culture Contact and Public Opinion in a Bicultural Community": M.A., Columbia University, 1941.

<sup>3</sup> Hearings, pt. 1, p. 248.

<sup>4</sup> Hearings, pt. 3, p. 1141.

<sup>5</sup> Hearings, pt. 2, 1969, appendix, p. 1550.

The manner in which Indians are treated in textbooks—one of the most powerful means by which our society transmits ideas from generation to generation—typifies the misunderstanding the American public as a whole has regarding the Indian, and indicates how misconceptions can become a part of a person's mind-set. After examining more than a hundred history texts, one historian concluded that the American Indian has been obliterated, defamed, disparaged, and disembodied.<sup>6</sup> He noted that they are often viewed as subhuman wild beasts in the path of civilization, that "Indian menace" and "Indian peril" and "savage barrier" are commonly found descriptions. Other authors talk about the "idle, shiftless savage" who "was never so happy as when, in the dead of night, he roused his sleeping enemies with an unearthly yell, and massacred them by the light of their burning homes."<sup>7</sup>

Textbook studies by a number of States indicate that misconceptions, myths, inaccuracies and stereotypes about Indians are common to the curriculum of most schools. A report prepared for the subcommittee by the University of Alaska showed that: (1) 20 widely used texts contain no mention of Alaska Natives at all, and in some cases, no mention of Alaska; (2) although some textbooks provide some coverage of the Alaskan Eskimo, very few even mention Indians; and (3) many texts at the elementary and secondary level contain serious and often demeaning inaccuracies in their treatment of the Alaskan Native.<sup>8</sup>

A similar study by the University of Idaho found Indians continually depicted as inarticulate, backward, unable to adjust to modern Euro-American culture, sly, vicious, barbaric, superstitious and destined to extinction.<sup>9</sup> Minnesota has for years been using an elementary school social studies text which depicts Indians as lazy savages incapable of doing little more than hunting, fishing, and harvesting wild rice. Some schools continue to use the text. California, with its progressive public school program, found in a study of 43 texts used in fourth, fifth, and eighth grades that hardly any mention at all was made of the American Indian's contribution or of his role in the colonial period, gold rush era or mission period of California history, and, when mentioned, the reference was usually distorted or misinterpreted.<sup>10</sup>

The president of the American Indian Historical Society told the subcommittee, "There is not one Indian child who has not come home in shame and tears after one of those sessions in which he is taught that his people were dirty, animal-like, something less than a human being."<sup>11</sup>

For the most part, the subcommittee's field research bore out the findings of these reports. There were some examples, though, of concerned school officials providing special materials. In Grand Portage, Minn., for example, a husband-and-wife teaching team found themselves teaching Chippewa students, but without textbooks on Chippewa culture or language. So they prepared their own Chippewa texts.<sup>12</sup>

<sup>6</sup> Vogel, Virgil J., "The American Indian in American History Textbooks." *Integrated Education*, VI: 3:16-32, May-June 1968.

<sup>7</sup> *Ibid.*, p. 21.

<sup>8</sup> Hearings, pt. 1, 1969, p. 511.

<sup>9</sup> *Ibid.*

<sup>10</sup> Hearings, pt. 1, p. 243.

<sup>11</sup> Hearings, pt. 1, p. 243.

<sup>12</sup> Hearings, pt. 1, 1969, p. 93.

Textbook changes have been made in the State of California, and the State of Idaho has undertaken the development of new materials. In Tuba City, Ariz., public school officials have recognized some of the special needs of their 90-percent Indian school population and have developed bilingual programs.<sup>13</sup> New York State now includes State Indian history in its sixth and seventh grade social studies programs.<sup>14</sup> But these examples are the exceptions not the rule, and the improvements rarely go far enough either in terms of quantity or quality. These are all of very recent date.

While visiting the public schools serving Indian students on the Fort Hall Reservation in Idaho, Senator Robert F. Kennedy asked if the school had any books about Indians. After a frantic search in the back closet of the school's library a school administrator came running up to the Senator with his find. It was a book entitled "Captive of the Delawares," which had a cover picture of a white child being scalped by an Indian.<sup>15</sup> When the Senator later inquired whether the culture and traditions of the Indians there were included in the school's curriculum he was informed that "there isn't any history to this tribe."

With attitudes toward Indians being shaped, often unconsciously; by educational materials filled with inaccurate stereotypes—as well as by teachers whose own education has contained those same stereotypes and historical misconceptions—it is easy to see how the "lazy, dirty, drunken" Indian becomes the symbol for all Indians. When the public looks at an Indian they cannot react rationally because they have never known the facts. They do not feel responsible for the Indian because they are convinced that the "savages" have brought their conditions upon themselves. They truly believe the Indian is inferior to them. The subcommittee found this climate of disrespect and discrimination common in off-reservation towns which educate many Indian students in their public schools. The Indian is despised, exploited, and discriminated against—but always held in check by the white power structure so that his situation will not change.

At the heart of the matter, educationally at least, is the relationship between the Indian community and the public school and the general powerlessness the Indian feels in regard to the education of his children. A recent report by the Carnegie Foundation described the relationship between white people, especially the white power structure, and Indians as "one of the most crucial problems in the education of Indian children." The report continued: "This relationship frequently demeans Indians, destroys their self-respect and self-confidence, develops or encourages apathy and a sense of alienation from the educational process, and deprives them of an opportunity to develop the ability and experience to control their own affairs through participation in effective local government."<sup>16</sup>

One means the white power structure employs to limit Indian control, or even participation, is to prevent Indians from getting on local school boards. The subcommittee uncovered numerous instances of school districts educating Indians with no Indian members on the

<sup>13</sup> Hearings, pt. 3, p. 1036.

<sup>14</sup> Committee print, "The Education of American Indians: Field Investigation and Research Reports."

<sup>15</sup> Committee print, "Field Investigation and Research Reports."

<sup>16</sup> Hearings, pt. 2, 1969, appendix, p. 1599.

school board. When Ponca City, Okla., Indians tried to crack the white power structure by electing an Indian to the board of an all Indian public school, some were threatened with loss of their rented homes while others were led to believe registration procedures were extremely complicated and would place them in jeopardy of having their land taxed.<sup>17</sup> The election of the Indian marked the first time in 20 years that an Indian sat on the board. Chippewas of the Leech Lake Reservation in Minnesota have alleged that their school district has been redrawn to prevent Indians from being elected to the all-white school board.<sup>18</sup> The Mesquakie Tribe of Tama, Iowa, send most of their children to South Tama County public school, yet the Indians cannot vote for members of the school board.<sup>19</sup>

The subcommittee does not mean to suggest that Indians are never on public school boards or that a board will necessarily be effective if it contains Indian members. There are a number of public school districts in which Indians exercise some influence in school decision-making. But the point is that there are far too many instances of school boards in districts containing Indians making policies which adversely affect Indian students. This is sometimes due to a willful intent by the board to keep Indians in check, but more often to a lack of understanding about the Indian community and the special needs of Indian students.

History provides several examples of Indian-controlled school systems which have had great success. In the 1800's, for example, the Choctaw Indians of Mississippi and Oklahoma operated about 200 schools and academies and sent numerous graduates to eastern colleges. Using bilingual teachers and Cherokee texts, the Cherokees, during the same period, controlled a school system which produced a tribe almost 100 percent literate. Children were taught to read and write in both their native language and English. Some used these skills to establish the first American Indian press, a newspaper printed in Cherokee and English. Anthropologists have determined that as a result of this school system, the literacy level in English of western Oklahoma Cherokees was higher than the white populations of either Texas or Arkansas.

But the Cherokee and Choctaw school systems were abolished when Oklahoma became a State in 1906. Now, after almost 70 years of Federal and State controlled education, the Cherokees have the following education record: 40 percent of adult Cherokees are functionally illiterate in English; only 30 percent have completed the eighth grade; the median educational level of the tribe's adult population is only 5.5 years; dropout rates of Indian students are often as high as 75 percent. Wahrhaftig and others who have studied this dramatic decline, feel that the primary cause is the almost complete alienation of the Cherokee community from the white-controlled public school systems.<sup>20</sup>

The Carnegie report cited an example of the problems Indian parents face in dealing with the power structure. Indians were trying to get a course in Ponca history and culture included in the curriculum

<sup>17</sup> *Ibid.*

<sup>18</sup> Conference between Leech Lake Chippewas and Senator Walter F. Mondale in March 1980.

<sup>19</sup> Hearings, pt. 1, 1969, p. 16.

<sup>20</sup> Hearings, pt. 2, n. 531.

of their all-Indian public school. The superintendent's response to their request is explained in the Carnegie report:

He had reviewed the schedule and found that if the course were taught, the children would be deprived of 54 hours of subjects they needed, such as math, English, science, and so forth. Further, he said, the teachers were doing very well in incorporating Indian culture into their teaching. Besides, he didn't see the value because this was "a competitive world and their culture was going to be lost anyway and they would be better off in the long run if they knew less of it." He also said that many felt the theme of the course would be to "teach the children to hate white people."<sup>21</sup>

The principal of a Chinle, Ariz., public school had similar feelings about the teaching of Navajo culture in his school. He told an Office of Economic Opportunity evaluating team that he considered it "not American" to help any "faction" perpetuate its way of life. He felt the Rough Rock Demonstration School, with its emphasis on the Navajo culture, was a "backward step," and that the country had never moved ahead by "catering" to ethnic groups.<sup>22</sup>

One outcome of the Indians' powerlessness and the atmosphere of the white community in which Indians attend school is discrimination within the public schools. Indian students on the Muckleshoot Reservation, in western Washington, for example, were automatically retained an extra year in the first grade of their public school. School officials felt that, for the Indians, the first year should be a non-academic, socializing experience. The Nooksack Indians of western Washington, were automatically placed in a class of slow learners without achievement testing.<sup>23</sup> The subcommittee found a tracking system operating in the Nome public schools which several officials described as highly discriminatory. The system assigned most natives to the lowest level and most whites to the highest. A similar tracking system was recently declared unconstitutional in Washington, D.C., in the case of *Hobson v. Hansen*, 269 F. Supp. 401 (DDC 1967). The school superintendent in Chinle, Ariz., admitted that his district has a policy of falsifying the Indian achievement test results. He told OEO evaluators that these children were so far behind national norms that "it just wouldn't look good. People who don't know conditions here just wouldn't understand."<sup>24</sup> (This is a district which depends upon Federal money for a major share of its operating budget.)

Oklahomans for Indian Opportunity, a responsible Indian organization aimed at assisting Indians, reported to the subcommittee that the non-Indian teachers of northwest Oklahoma "usually are lacking in even the most elementary understanding of or respect for the Indian students. The report quotes a principal as saying, "To tell the truth, our Indians are even worse than our coloreds and the best you can do is just leave them alone." The report concludes that "in general, the teachers and administrators in the schools of northwest Oklahoma

<sup>21</sup> Hearings, pt. 2, 1969, appendix, p. 1599.

<sup>22</sup> Donald A. Erickson and Henrietta Schwartz, "Community School at Rough Rock, An Evaluation for the Office of Economic Opportunity," April 1969, p. 3.4.

<sup>23</sup> Letter to Adrian Parmeter from Dr. Lionel de Montigny, Deputy Director, Division of Indian Health, Portland, Oreg., Feb. 28, 1969.

seem incapable of treating the Indian students as sensitive human beings with the same needs and desires that non-Indian people have."<sup>24</sup>

Excerpts from the records of Indian students attending public schools in Idaho indicate how teachers' views of certain students developed. One student was rated "very good" by his 3d grade teacher, "good aptitude" by his 4th grade teacher, and "poor work, makes no effort" by the time he was in 7th grade. Another student went from "a good 3d grade student, has developed greatly" to "poor student, no initiative" in the 5th grade. A further study of Indians in these schools found that they fall progressively further behind the longer they continue in school.<sup>25</sup>

A freshman Indian high school student's statement after Senator Robert Kennedy visited his school indicated the kind of concern he felt the school administration had toward Indians:

When Robert Kennedy came, that was the only time they ever showed any respect for the Indians; just on that one day, and after that they could care less.<sup>26</sup>

Language is another area in which the Indian is discriminated against in school. The Bureau of Indian Affairs contends that one-half to two-thirds of Indian children enter school with little or no skill in the English language. Dr. B. Gaarder of the U.S. Office of Education estimated that more than half of the Indians in the United States between the ages of 6 and 18 use their native tongues.<sup>27</sup> It is estimated that for half the Indians in New Mexico public schools, English is a second language.<sup>28</sup> Unfamiliarity with the language of the classroom becomes a tremendous handicap for the Indian student, and records indicate he immediately falls behind his Anglo classmates.<sup>29</sup> Most public school teachers are not trained to teach English as a second language. The student's position is complicated by the insistence of teachers, who have no understanding of Indian cultures, that he disregard the language spoken by his parents at home.

The Indian thus feels like an alien in a strange country. And the school feels it is its responsibility not just to teach skills, but to impress the "alien" Indian with the values of the dominant culture. Teachers, textbooks, and curriculums, therefore, are programed to bring about adoption of such values of American life as competitiveness, acquisition, rugged individualism, and success. But for the Indian whose culture is oriented to completely different values, school becomes the source of much conflict and tension. He is told he must be competitive, when at home he is taught the value of cooperation. At school he is impressed with the importance of individual success, but at home the value of good interpersonal relations is emphasized.

The teacher complains about him not being motivated. But anthropologist Anne M. Smith asks if can be expected to be motivated

\* Hearings, pt. 2, 1969, appendix, p. 1550.

\* Committee print, "Field Investigation and Research Reports."

\* *Ibid.*

\* Gaarder, B. "Education of American Indian Children." U.S. Office of Education (not official USOE policy), June 1967.

\* Miles V. Zinn. "Problems of Classroom Adjustment of Indian Children in Public Elementary Schools in the Southwest." *Science Education*, XLVI: 261-269, April 1962.

\* Dr. Brewster Berry. "The Education of American Indians. A Survey of the Literature." prepared for the Special Subcommittee on Indian Education, 91st Cong., first sess., February 1969, p. 64.

when to do so means rejection of his parents and their teachings, as well as his religion, race, and history.<sup>30</sup>

Condemned for his language and his culture, berated because his values aren't those of his teacher, treated demeaningly simply because he is Indian, the Indian student begins asking himself if he really isn't inferior. He becomes the object of a self-fulfilling prophecy which says "Indians are no good." Dr. Brewton Berry explains it thus:

The theory is that if teachers and other members of the dominant group are convinced that the Indian is innately inferior and incapable of learning, such attitudes will be conveyed in various and subtle ways, a child will come to think of himself in the negative way and set for himself lower standards of effort, achievement, and ambition. Thus the teacher's expectation and prediction that her Indian pupils will do poorly in school, and in later life become major factors in guaranteeing the accuracy of her prediction.<sup>31</sup>

Study after study confirms this is exactly what the dominant society, and the dominant school society in particular, is doing. Study after study shows Indian children growing up with attitudes and feelings of alienation, hopelessness, powerlessness, rejection, depression, anxiety, estrangement, and frustration.<sup>32</sup> Few studies, if any, show the public schools doing anything to change this pattern. The public school becomes a place of discomfort for the Indian student, a place to leave when he becomes 15 or 16. According to Dr. Lionel H. DeMontigny, deputy Indian Health director of the Division of Indian Health in Portland, Oreg., the Indian child comes to believe "he can only succeed if he were white."<sup>33</sup>

Substantial evidence indicates that the question of identity is uppermost in the minds of Indians and that feelings of alienation, anxiety, and inadequacy are problems with which they are trying to cope.<sup>34</sup> One of the most significant of recent studies in this area is the Coleman report, the "Equality of Educational Opportunity" study funded by the U.S. Office of Education. Among its findings were:

One-fourth of elementary and secondary schoolteachers, by their own admission, would prefer not to teach Indian children.

Indian children, more than any other group, believe themselves to be below average in intelligence.

Indian children in the 12th grade have the poorest self-concept of all minority groups tested.<sup>35</sup>

The report offers evidence showing the close relationship between the achievement of disadvantaged children and the way they feel about themselves and their future. The report states, "A pupil attitude factor which appears to have a stronger relationship to achievement than do all school factors together, is the extent to which

<sup>30</sup> Anne M. Smith, "The Status of the American Indian," *The New Mexico Review*, September 1969, p. 11.

<sup>31</sup> Dr. Brewton Berry, *op. cit.*, p. 34.

<sup>32</sup> *Ibid.*, p. 66.

<sup>33</sup> *Hearings*, pt. 5, p. 1903.

<sup>34</sup> Dr. Brewton Berry, *op. cit.*, p. 66.

<sup>35</sup> Coleman, James S., et al., "Equality of Educational Opportunity," U.S. Government Printing Office, Washington, 1966.

an individual feels that has control over his own destiny." The report discovered that Indian students "have far less conviction than whites that they can affect their own environments and futures." In the book, "The Disadvantaged Learner," Jolnitz stated unequivocally, "The primary causal factor in the low achievement of culturally deprived children is the low, negative image they have of themselves."<sup>30</sup>

On many occasions in the field, subcommittee staff members heard Indian children describe themselves as "dumb Indians." A survey of Oglala Sioux high school students in South Dakota found a majority of the Indians expressing negative attitudes toward Indians. "Indians have greater problems because they're real stupid," one student said. Ironically, a majority of white students who have contact with the Oglala Sioux students blamed discrimination on the part of their own ethnic group as the major reason for Indians having problems.<sup>31</sup>

What then happens to the student who is told he is dirty, lazy, and inferior and must undergo school experiences daily which reinforce these attitudes? The statistical data speak for themselves:

87 percent dropout rate by the 6th grade at an all-Indian public elementary school near Ponca City, Okla.<sup>32</sup>

90 percent dropout rate in Nome, Alaska, public schools, with about one-fourth of the students (primarily Eskimo) taking two to three years to get through the first grade.<sup>33</sup>

21 of 28 Indian students in a Washington 8th grade were non-readers; one-third of the 123 Yakima Indians enrolled in 8th grade of a Washington public school were reading two to six grades below the median level; 70 percent Indian dropout rate; average grade was "D" for the Indian senior high students in public school serving Yakima Indians.<sup>34</sup>

62 percent Indian dropout rate in Minneapolis Public Schools; between 45 and 75 percent statewide Indian dropout rate; 70 percent Indian dropout rate in parts of California.<sup>35</sup>

80 percent of the 74 Indian students who entered school in three Idaho public school districts in 1956 dropped out of school before their class graduated.<sup>36</sup> A 1968 study of graduates and dropouts of Lothrop High School in Fairbanks showed a 75 percent dropout rate among native students. A student transferring from a state-operated rural school had the least chance of graduating, and native students receiving the majority of their elementary education in state-operated schools had the highest dropout rate. Seventy-five percent of the native dropouts tested revealed more than enough intelligence to complete high school.<sup>37</sup>

\* Webster, Staten W. (ed.). "The Disadvantaged Learner," Chandler Publishing Co., San Francisco, 1966.

<sup>30</sup> Hearings, pt. 1, p. 1892.

<sup>31</sup> Hearings, pt. 2, 1969, appendix, p. 1598.

<sup>32</sup> City of Nome Comprehensive Development Plan, by Alaska Consultants, 1968, pp. 128-130.

<sup>33</sup> Hearings, pt. 5, p. 1935.

<sup>34</sup> Minnesota State Plan for the Education of Indian Children, Minnesota Department of Education, 1969, pp. 23-24.

<sup>35</sup> California Indian Education: Report of the First All-Indian Statewide Conference on California Indian Education, Ad Hoc Committee on California Indian Education, 1349 Crawford Road, Modesto, Calif.

<sup>36</sup> Committee print, "Field Investigation and Research Reports."

<sup>37</sup> *Ibid.*

Public schools which have been educating Indians for some time reveal by their statistics their failure in educating Indian students. The 10-year-record of Indian students at Union High School near Warm Springs, Oreg., is indicative of the public school record since the 1930's: no progress. In fact, the Indian students graduating from the school between 1956 and 1965 actually showed regression in grade point average in comparison with non-Indians.<sup>45</sup>

Indians have been attending public schools in Klamath, Oreg., for 27 years, yet the Indian dropout rate is 90 percent. That is a 30 percent increase just since the tribe was terminated in 1954.<sup>46</sup> A public school district in western Oklahoma with a 25-percent Indian enrollment has been educating Indians for 40 years. During that period, 11 Indians have stayed in school long enough to graduate.<sup>47</sup> Since the 1930's nine States (California, Idaho, Michigan, Minnesota, Nebraska, Oregon, Texas, Washington, and Wisconsin) have assumed total responsibility for the education of their Indians, but data on Indian education from most of those States, as indicated in some of the examples above, is far from impressive.<sup>48</sup> These public schools have indeed failed their Indian constituents.

Some public schools have made significant attempts in recent years to reach Indian students. There are Elementary and Secondary Education Act funds, for example, which are benefiting Indian students. Five bilingual projects affecting 773 Indian children are being funded under ESEA title VII (\$306,000 out of a \$7.5 million program). One dropout prevention program affecting 750 Indian children is being funded under ESEA title VIII (\$220,000 of a \$5 million program). The number of Indian students in public schools affected by the other titles is not known because data on race are not available. Several Teacher Corps programs are aimed at educating Indian children, along with Upward Bound programs involving 1,241 Indians in 17 States. The Indian Upward Bound programs constitute about 5.5 percent of the total Upward Bound budget.<sup>49</sup>

These initiatives are a recognition that a longstanding problem has never been dealt with adequately, that the public schools have not provided their Indian students with an equal educational opportunity. Yet, in toto, these various new program efforts are just barely scratching the surface of the problem, and few if any have had much effect on the core problem of the powerlessness and alienation of Indian communities from the schools their children attend.

But the question needs to be raised whether public schools are entirely to blame for not solving their Indian education problems. Dr. Leon Osview of Temple University, in his consultant report to the subcommittee, says: "No."<sup>50</sup> He contends the Federal Government has failed to live up to its responsibilities in providing funds and leadership for assisting public school districts to better understand and meet the special needs of Indian students. He states:

<sup>45</sup> Comparative Study of Educational Attainment of Warm Springs Indians and non-Indians in the Madras Union High School for the years 1956-65. Dissertation by Robert Severt Johnson, Washington State University, 1967.

<sup>46</sup> Hearings, pt. 5, pp. 1985-1986.

<sup>47</sup> Hearings, pt. 2, p. 848.

<sup>48</sup> Committee print, "Field Investigation and Research Reports."

<sup>49</sup> Data supplied by the U.S. Office of Education.

<sup>50</sup> Hearings, pt. 1, 1969, p. 244.

Of course, Federal control in public school education is prohibited, and anything which looks like control is potentially disturbing. Even so, the Federal Government has assumed responsibility for Indians, including their education. How then does this responsibility get discharged? Is it ethical for the Government to give over Indian children to public schools, even with Johnson-O'Malley money, and leave it at that? I doubt it.

Indian children are special, if for no other reasons than that they are seriously disadvantaged economically and socially. With respect to Anglo culture they are also culturally disadvantaged. The evidence of widespread lack of positive self-concept, the greater than normal incidence of mental health problems which characterizes the Indian teenage population, the need to provide strong additional language education (English as a second language), as well as all the special problems of acculturation is quite clear. Public schools cannot be assumed to be attuned to all these needs, to have developed programs to deal with them, or to be willing to spend their resources in doing so.

I was shocked to find that BIA does not, apparently as a matter of policy, engage in any programmatic cooperation with public school people, of whose desire and willingness to do justice to their Indian students there can be no doubt. BIA knows about Indian children, or if they don't, they should. Public schools don't, and can't really be expected to, on their own.

How can this leadership best be provided? Dr. Osview's report suggests that more than a change of policy will be required. Federal schools must have the quality and effectiveness that will permit them to become centers of leadership for assisting public schools in meeting the special needs of Indian children. This will be no easy task, for his report also finds the Federal school system woefully inadequate.

Ever since the policy of educating Indians in public schools was adopted, it was assumed that the public schools, with their integrated settings, were the best means of educating Indians. The subcommittee's public school findings—high dropout rates, low achievement levels, anti-Indian attitudes, insensitive curriculums—raise serious doubts as to the validity of that assumption.

## B. FEDERAL LEGISLATION

The public school education received by Indian students has been subsidized to some extent by the Federal Government since the 1890's. At that time legislation was passed authorizing the Office of Indian Affairs to reimburse public schools for the extra expense incurred by instructing Indian children.

The purpose of the legislation appeared to be twofold. First, it gave legislative authority to the policy of integrating Indians into the white culture, thus establishing the goal of assimilation and the public schools as the vehicle for attaining that goal. Second, it established the precedent of providing subsidies to public schools in order to get

them to assume responsibility for Indian education. The Federal subsidy was necessary, both because there was a reluctance on the part of Indians to enter the schools and because the school district was reluctant to assume the extra costs (in many cases the Indian students lived on nontaxable trust land) and problems anticipated with Indian students. The subsidy was, in effect, an inducement which the State or school district was almost always willing to take in exchange for providing a chair and a desk in a classroom for an Indian.

This subsidizing approach was formalized by the Johnson-O'Malley Act of 1934, which permitted the Bureau of Indian Affairs to contract with States to provide for the education of Indian students. Indian education was further subsidized in the 1950's with passage of Public Laws 81-815 and 81-874, impacted aid legislation which later became applicable to Indians. These three laws, treated separately in this chapter, provide the basic Federal subsidy for public school education of Indian students.

Congress in 1950 enacted two pieces of legislation which, although adopted primarily as the result of defense and military activities, had important implications for Indian education. The acts, Public Laws 81-815 and 81-874, have become known as the federally impacted areas legislation.

Essentially, Public Law 815 provided financial assistance for the construction of school facilities in districts which experienced an increased enrollment due to the presence of federally connected children. Public Law 874 provided moneys to local educational agencies for the additional expenses of education caused by the increase in attendance as the result of Federal activities. The acts have been interpreted, not as a means of providing aid, but as a means of providing payments in lieu of taxes.<sup>51</sup> Indians were included only minimally in the original Public Law 815, and at the request of State directors of Indian education, were excluded from Public Law 874.<sup>52</sup> A 1953 amendment to Public Law 815 brought Indians under its purview, while it wasn't until 1958 that Public Law 874 was amended to include Indians.

#### 1. PUBLIC LAW 81-815, SEPTEMBER 23, 1950

This law, called the "School Facilities Construction Act," provided for the transfer of a number of Indian students from Federal schools to public schools during the 1950's by authorizing Federal assistance in construction of public schools attended by Indians.

The original act made payments to school districts on the basis of a sudden and substantial increase in school enrollment of children who either (1) resided on Federal property with a parent employed on Federal property; (2) resided on Federal property or resided off Federal property with a parent employed on Federal property; (3) were attending a school because of activities of the U.S. Government. Districts received a different amount of money depending upon the

<sup>51</sup> Report of Education Subcommittee of the Senate Committee on Labor and Public Welfare, "Impacted Areas Legislation," August 1965, p. 20.

<sup>52</sup> Statement by B. Aiden Lillywhite, Deputy Associate Commissioner, Office of Education, Department of Health, Education, and Welfare, at Brigham City, Utah, Sept. 19, 1956. (At the time of the address, Dr. Lillywhite was Associate Director of the School Assistance to Federal Affected Areas Division.)

categories in which its "increased" enrollment fell. They received the most money, for example, for the section 3(a) pupils because they caused the greatest impact to a district's tax base (their parents lived and worked on tax-exempt land).

Initially, the act contained no specific provisions for assisting school districts educating children living on Indian lands. Indian reservations were included, though, under the definition of "Federal property." But because of the enrollment-increase requirement, most districts educating Indians did not qualify for assistance. Their problem wasn't one of large increases in school enrollment, but rather of large numbers of children not attending public schools because no facilities were available to them.<sup>53</sup>

In 1953, a provision was added to the act to include Indians under its jurisdiction.<sup>54</sup> This amendment was designed specifically to provide facilities to districts which did not qualify under the act's eligibility provisions because the districts were not characterized by the substantial increases which occurred around military installations. Almost all funding for Indians has been made under this section of the act, which is now designated as "section 14." Funds are granted under this section for construction of minimum school facilities for Indian students, when the district has neither bonding capacity nor other resources sufficient to construct the needed facilities.

## 2. PUBLIC LAW 81-874, SEPTEMBER 30, 1950

The Federally Impacted Areas Act was passed on September 30, 1950, to provide school districts affected by Federal activities with funds for general operating expenses. It is regarded as "in lieu of taxes" legislation because it provided money to school districts which suffer a loss in tax revenue because of the presence of Federal property. The rate of payment depends upon whether the student and his parent live and/or work on Federal property, and the cost of education in comparable communities.

Since the law's inception, "Federal property" has been defined to include Indian reservations. But because many public schools educating Indians were utilizing Johnson-O'Malley money for general operations, Indians were excluded from the act's provisions until 1958. (The Johnson-O'Malley Act provided money to districts for the needs of Indian students in public schools.) In 1958 the differentiation was made that whereas Johnson-O'Malley funds were to be used for special services for Indian students, special services didn't necessarily mean educational services.<sup>55</sup> A district receiving Johnson-O'Malley money could therefore also seek Public Law 874 money for educational purposes. Congress permitted this dual funding because it recognized a distinction between providing general educational budget support in lieu of taxes and providing special programs, such as transportation and hot lunches, to meet special needs of Indian students.<sup>56</sup>

<sup>53</sup> Statement by Dr. B. Alden Lillywhite, at Window Rock, Ariz., Feb. 18, 1962.

<sup>54</sup> Public Law 82-276, Aug. 8, 1953.

<sup>55</sup> Lillywhite, Brigham City, op. cit.

<sup>56</sup> Statement by Dr. B. Alden Lillywhite to Navajo Education Conference at Window Rock, Ariz., Feb. 18, 1962.

The distinction in use of funds under the two laws is obliterated, though, by the continued use of JOM money for general budget support in lieu of taxes. In fact, JOM money now is used primarily as a budget-balancing device to make up the difference between a school district's expenditure and revenues after Public Law 874 money has been added. JOM assistance is not given until after a district's eligibility is determined under Public Law 874.<sup>57</sup> The "in lieu of taxes" provision rather than special needs has thus become the determining factor.

In 1968-69, Public Law 874 provided about \$19 million for public school districts educating Indians. Approximately 60,000 Indian students benefited from the act because their parents lived and worked on Federal property. Another 20,000 Indians received partial benefits because their parents lived on and worked off, or lived off and worked on Federal property.<sup>58</sup> (See chart at end of section.) Nationwide, about 300,000 students are eligible for assistance under the "live and work on Federal property" category, and about 2 million qualify under the remaining categories.<sup>59</sup> In fiscal 1969, \$505.9 million was appropriated under this act.

### 3. THE FUNDING PROBLEM

Public Laws 815 and 874 have served as inducements for a number of years to public schools to get them to accept Indian children, but insufficient funding in recent years has left many districts with Indian students but no funds to educate them.

#### *Public Law 815*

In the first fiscal year that section 14, the section applicable to Indians, was used in effect, \$6.6 million was appropriated for school construction. The following year, 1955, the appropriation was \$4 million. Since that year the appropriation for construction of schools educating Indians has decreased. Because of limited appropriations, requests for 1968 and 1969 under sections 5, 8, and 14 have not been funded.<sup>60</sup>

Section 14 has not been getting funded because the language of the law gives priority in funding to other sections. First priority goes to section 16 funds, which provide assistance in disaster situations. The law authorizes use of funds appropriated for other sections of the act if necessary to provide the disaster assistance needed. The other priority sections are section 9, where the effect of Federal activities will be temporary, and section 10, where tax revenues are not available for free public education and no local agency is able to provide suitable free public education.

In 1968, requests under the full act totaled about \$80 million. Congress appropriated about \$22.9 million. In 1969 when requests again totaled about \$80 million, Congress appropriated \$14.7 million, or 19 percent of authorization.<sup>61</sup>

<sup>57</sup> Interview with Charles Zellers, MIA Assistant Commissioner for Education, May 22, 1969.

<sup>58</sup> School Assistance to Federally Affected Areas (SAFA) Division, U.S. Office of Education.

<sup>59</sup> Seventeenth annual report of the Commissioner of Education, Part 11 "Administration of Public Laws 874 and 815," Office of Education, Department of HEW, June 30, 1967.

<sup>60</sup> SAFA Division, U.S. Office of Education.

<sup>61</sup> Legislative Division, Office of Education.

## PUBLIC LAW #1-815

Fiscal Year:	Authorization	Appropriation	Percent of authorization
1951	74,500,000	74,500,000	100
1952	75,000,000	50,000,000	67
1953	195,000,000	195,000,000	100
1954	125,000,000	125,000,000	100
1955	118,500,000	118,500,000	100
1956	33,900,000	33,900,000	100
1957	108,500,000	108,500,000	100
1958	98,650,000	98,650,000	100
1959	75,400,000	75,400,000	100
1960	61,135,000	61,135,000	100
1961	63,392,000	63,392,000	100
1962	61,942,000	61,942,000	100
1963	63,686,000	63,686,000	100
1964	60,406,000	23,740,000	39
1965	58,400,000	58,400,000	100
1966	50,078,000	50,078,000	100
1967	58,000,000	52,937,000	91
1968	80,000,000	22,937,000	29
1969	79,162,000	14,745,000	19
1970	79,347,000		

Source: School Assistance for Federally Affected Areas Division (SAFA), U.S. Office of Education.

## PUBLIC LAW 81-815, SCHOOL CONSTRUCTION PROJECTS: ASSISTANCE TO SCHOOL DISTRICTS CLAIMING CHILDREN RESIDING ON INDIAN LANDS (1951-69)

State or territory	Number of Projects	Sec. 5	Sec. 14	Total federal funds	Non-Federal funds	Total cost	Facilities Provided				
							Classrooms	Multi-Purpose rooms	Libraries	Administration space	Teacher averages
Total.....	238	\$6,845,765.78	\$42,313,024.57	\$49,158,790.35	\$6,014,383.18	\$55,173,173.53	1,418	78	63	68	81
Alaska.....	5	303,000.00	722,948.75	1,025,948.75	229,552.01	1,255,500.76	21	1	2	2	
Arizona.....	47	3,130,002.56	16,837,269.23	19,967,271.79	177,102.31	20,144,374.10	260	23	18	24	32
California.....	6		860,990.99	86,990.99	151,876.82	1,012,867.81	35	1		2	2
Colorado.....	3	127,312.00	149,500.00	276,812.00	24,585.97	301,297.97	19				
Guam.....	3		1,069,411.00	1,069,411.00	30,691.50	1,100,102.50	62	3	3	3	3
Idaho.....	3		174,976.97	276,851.97	318,309.40	545,161.37	24				
Minnesota.....	7	51,875.00	618,565.24	618,565.34	211,749.90	829,815.24	19	4	4	1	1
Montana.....	32	368,494.00	3,157,029.40	3,525,523.40	821,170.90	4,346,694.30	119	10	3	8	10
Nebraska.....	2		187,660.31	187,660.31	14,879.00	202,539.31	9	1	1		
Nevada.....	1		60,000.00	60,000.00	105.03	60,105.03	2	1			
New Mexico.....	40	2,281,034.00	13,734,879.25	16,015,913.25	1,446,693.57	17,462,606.82	300	15	19	16	27
North Dakota.....	5	24,575.00	312,119.00	345,694.00	606,934.83	952,628.83	34	3	2	2	
Oklahoma.....	47	82,780.00	2,107,604.41	2,190,384.41	798,766.19	2,989,150.60	155	7	8	8	
South Dakota.....	11	262,040.22	208,616.00	470,656.22	668,837.70	1,139,493.92	33	2	1	1	2
Utah.....	3	149,595.00	144,953.00	294,558.00	38,445.00	333,003.00	2	1		1	
Washington.....	8		660,741.64	60,741.64	53,797.00	714,538.64	7	3			21
Wisconsin.....	8		951,529.22	951,529.22	274,011.03	1,225,540.25	32	2	1		
Wyoming.....	7	65,058.00	345,320.06	410,378.06	147,375.02	557,753.08	15	1	1		

The Alaska State Department of Education makes application with respect to schools in unorganized areas. During the period 1951 through 1967, the Alaska State Department of Education received \$5,851,132 in Public Law 81-815 funds under sec. 5 of the act. Membership data for earlier years are not available. However, under the 1967 application, a substantial portion of children were claimed with respect to homesteads (including native allotments and townships), Indian health hospitals, Indian schools, native reserve lands, public domain lands, restricted deeds and township petitions (unpat. land). The number of children living on and having a parent employed on such lands (subsec. 5(a)(1) category) was 1,643, or 39.2 percent of the total membership of all children (4,195). The number of children living on such properties (subsec. 5(a)(2) category) was 322, or 7.7 percent of

the total membership. The maximum grant under the application is \$797,438. Based on above percentages, \$373,999 may be considered attributable to children claimed with respect to Alaska "Indian" lands. Public Law 81-815 funds in amount of \$575,000 have been reserved for a project now under construction, at a regional high school near Nome, to provide a new physical education facility, exercise room, and remodeling of existing building to provide 2 nonmaking instructional rooms and one general classroom.

Table includes projects completed, under construction, and for which funds have been reserved during fiscal 1969.

Source: SAFA Division, U.S. Office of Education.

*Public Law 874*

One of the main problems with Public Law 874 has been late funding. Many districts educating Indians, particularly those on Indian reservations, depend upon Public Law 874 for a substantial part of their budgets. The Ingebreton, North Dakota, school district, for example, depends upon Public Law 874 funds for 74.9% of its operating budget. For Lower Brule, South Dakota, the figure is 63.9%, for Eudora, Kansas it is 57.1% and for Kayenta, Arizona School District it is 58%. Other states with districts having substantial Public Law 874 entitlement for Indians include Montana, Alaska, Colorado, Michigan, Minnesota, Nebraska, New Mexico, Oklahoma, Washington, Wisconsin, and Wyoming.<sup>62</sup> Late payments of Public Law 874 money means an excessive hardship to all these districts. The subcommittee has reports from a number of such districts who have indicated that late funding and partial entitlement annually places them in an uncertain position as to whether they will have to reduce their faculties or services in midyear.<sup>63</sup> The legislation has been between 90 and 100 percent funded every year. The fiscal 1969 appropriation was 90 percent of full entitlement.<sup>64</sup>

## PUBLIC LAW 81-874

Fiscal year:	Authorization	Appropriation	Percent of authorization
1951.....	29,686,010	29,080,788	98
1952.....	51,570,000	51,570,000	100
1953.....	60,500,000	60,500,000	100
1954.....	72,350,000	72,350,000	100
1955.....	75,287,517	75,000,000	100
1956.....	90,000,000	90,000,000	100
1957.....	113,050,000	113,050,000	100
1958.....	127,000,000	127,000,000	100
1959.....	157,362,000	157,362,000	100
1960.....	186,300,000	186,300,000	100
1961.....	217,300,000	217,300,000	100
1962.....	251,330,356	247,000,000	98
1963.....	282,322,000	282,322,000	100
1964.....	320,670,000	320,670,000	100
1965.....	359,450,000	332,000,000	92
1966.....	388,000,000	388,000,000	100
1967.....	433,400,000	416,200,000	96
1968.....	598,130,000	598,130,000	100
1969.....	560,950,000	505,900,000	90
1970.....	622,246,000	.....	.....

Source: SAFA Division, U.S. Office of Education.

<sup>62</sup> SAFA Division, U.S. Office of Education.

<sup>63</sup> Letter from Superintendent D. L. MacKinnon, Jr., of Hoonah, Alaska, public schools to Senator Ernest Gruening, Feb. 5, 1968.

<sup>64</sup> Division of Legislation, Office of Education, Department of Health, Education, and Welfare (see accompanying chart).

## NUMBER OF PUPILS CLAIMED AGAINST INDIAN PROPERTIES (1968-69) UNDER P. L. 874

	Categories of Entitlement			Number of Public Law 874 applicants claiming	Amount of entitlement	Total Public Law 81-874 entitlement
	sec. 3(a)	sec. 3(b)1	sec. 3(b)2			
United States.....	59,694	6,380	14,376	695	19,463,640	84,061,892
Alaska.....	1,354	198	202	18	888,405	15,542,869
Arizona.....	13,769	342	1,436	79	3,862,972	7,619,009
California.....	871	800	759	51	433,652	5,042,698
Colorado.....	752	22	218	6	306,489	638,431
Florida.....	155	29	34	4	46,879	1,471,643
Idaho.....	803	80	568	18	316,220	1,251,903
Iowa.....	58	115	.....	1	46,300	46,300
Kansas.....	57	13	193	9	64,563	296,402
Michigan.....	104	63	20	4	39,900	184,243
Minnesota.....	4,747	158	78	17	519,092	661,794
Montana.....	4,168	205	1,244	52	2,024,226	2,409,572
Nebraska.....	497	12	76	5	203,284	212,715
Nevada.....	875	381	210	12	311,852	3,850,472
New Mexico.....	13,541	1,092	3,146	26	3,915,934	10,288,980
North Carolina.....	205	.....	82	2	61,624	107,278
North Dakota.....	1,179	49	341	21	382,430	1,308,319
Oklahoma.....	4,759	1,194	1,538	199	1,665,696	8,709,827
Oregon.....	586	19	144	10	256,471	1,137,735
South Dakota.....	3,904	142	1,221	47	1,567,265	10,522,256
Utah.....	1,327	12	755	14	429,286	5,993,964
Washington.....	2,563	934	1,897	78	1,089,109	5,169,242
Wisconsin.....	603	513	55	14	312,219	417,707
Wyoming.....	1,041	3	159	8	718,166	777,643

Source: School Assistance to Federally Affected Areas, SAFA Division, U.S. Office of Education.

## 4. JOHNSON-O'MALLEY ACT, APRIL 10, 1934

The Johnson-O'Malley act authorized the Secretary of Interior to contract with States or territories for the education, medical attention, agricultural assistance, and social welfare of Indians in the State.<sup>65</sup> In 1936 the act was amended to its present form. The amendment expanded the contracting authority of the Secretary of the Interior, giving him the authority to contract with State universities, colleges, schools, or with any appropriate State or private corporation, agency, or institution.

The intent of the act as expressed in the identical reports submitted to each House of Congress, was to "arrange for the handling of certain Indian problems with those States in which the Indian tribal life is largely broken up and in which the Indians are to a considerable extent mixed with the general population."<sup>66</sup> The report noted that in many areas Indians are mixed with the white population, and therefore "it becomes advisable to fit them into the general public school scheme rather than to provide separate schools for them."<sup>67</sup> The act thus gave legislative authority to the Bureau's policy of gradually turning over its education function to the public schools. The act also facilitated Federal-State cooperation by making contracts negotiable at the State level rather than the local. It has become one of the primary means of Federal subsidization of Indian education.

In 1935, California became the first State to contract for and under Johnson-O'Malley, and by 1940, contracts had also been negotiated with Arizona, Minnesota, and Washington.<sup>68</sup> By 1951, 14 States and

<sup>65</sup> 48 Stat. 596.

<sup>66</sup> H. Rept. 864, Mar. 2, 1934, and S. Rept. 511, Mar. 20, 1934.

<sup>67</sup> *Ibid.*

<sup>68</sup> Felix Cohen, "Handbook of Federal Indian Law," 1940 ed., p. 241..

five districts within States were receiving \$2,505,933 in Johnson-O'Malley funds. The estimated expenditure for fiscal 1969 is \$11,552,000, or approximately \$174 per student.<sup>99</sup>

Since the act's inception, the number of Indian students in public schools has increased to about two-thirds of all Indian students. Although the act brought about increased enrollment of Indians in public schools, its success in meeting the educational needs of those students is open to serious question.

Why hasn't the Johnson-O'Malley act dealt adequately with the needs of Indian students? The problem lies not so much with the act itself, as with the manner in which it has been interpreted. For though the language of the act is broad, its interpretation has been narrow, and therefore the intent of the legislation has not been realized.

The Bureau of Indian Affairs, for example, has adopted a more restricted eligibility requirement than that suggested by Congress. Congressional intent was to service Indians in States "in which the Indian tribal life is largely broken up and in which the Indians are to a considerable extent mixed with the general population."<sup>100</sup> The Bureau's policy is to serve Indian children (one-fourth or more Indian blood) "whose parents live on or near Indian reservations under the jurisdiction of the Bureau of Indian Affairs." The policy statement declares that "the tax-free status of land where the parents live will be the major consideration in determining the eligibility of the children."<sup>101</sup>

Despite the act's expressed intent to deal only with Indian needs, the Johnson-O'Malley money has been traditionally used by school districts to supplement their general operating budget, thus benefiting all their students. The Code of Federal Regulations (1958) sanctions this use by stating that Johnson-O'Malley money can be used to meet the financial needs of those school districts which have "large blocks of nontaxable Indian-owned property \* \* \* and relatively large numbers of Indians which create situations in which local funds are inadequate to meet."<sup>102</sup>

Use of the money for "meeting educational problems under extraordinary and exceptional circumstances" is limited by regulation to those districts which receive Public Law 81-874 money to meet partial costs of normal school operation. (Public Law 81-874 funds provide "in lieu of taxes" money to districts which, because of the presence of tax-exempt land, need additional money for normal school operations.) With the inclusion of Indians in Public Law 81-874 in 1958, that law took care of some of the basic support money heretofore provided by Johnson-O'Malley. Yet the policy of the Bureau continues to place the tax-exempt status of land as the prime determinant of Johnson-O'Malley eligibility rather than educational need.<sup>103</sup>

The Johnson-O'Malley money not used for basic support (operation and maintenance) is used to provide lunches, transportation, administrative costs and—occasionally—special instructional services. Twenty to twenty-five percent of Johnson-O'Malley expenditures are for school lunches for Indian students, as compared to 3.8 percent of Title I, ESEA, expenditures for feeding programs. About 5 percent of the

<sup>99</sup> BIA Branch of Public School Relations.

<sup>100</sup> H. Rept. 864, Mar. 2, 1934.

<sup>101</sup> Indian Affairs Manual, 62 IAM 3.5.

<sup>102</sup> Indian Affairs Manual, 62 IAM 3.25.

annual expenditure is for administration, an amount generally in line with expenditures for administration under the ESEA. Indian Education directors in State departments of education which hold Johnson-O'Malley contracts are paid out of the Johnson-O'Malley appropriation. The Bureau reports that in 1969, it budgeted 30 percent of the funds for "special services."

In some States, special services means providing bus service for Indian children. In others it means buying volleyball standards and tumbling pads. Some use it to pay off the mortgage on a bus, increase teacher salaries, or hire attendance officers. In a few cases it is used to hire teacher aides and provide libraries and study halls for Indians. There is no detailed accountability of the use of the money.

Today, 35 years after it was originally adopted, it is still highly questionable if the Johnson-O'Malley Act is fulfilling the intent of Congress. It is true that more Indians are in public schools, but it is doubtful if the needs of these Indian children are being met any more than they were 35 years ago.

#### *Conflict with Public Law 874*

One of the main problems with the act has been the conflict between it and Public Law 874. Public Law 874 provides funds for school districts which educate large numbers of children whose parents live or work on tax-exempt property. The law became applicable to Indians in 1958, and since that time, school districts educating Indian children have received compensation for the nearby presence of tax-exempt reservations.

Congress never intended that duplicate payments should be made to the same school for the same purpose by two different Federal agencies. But often, both Public Law 874 and Johnson-O'Malley money do just that. The Federal regulation permits such use of Johnson-O'Malley money when Public Law 874 funds are insufficient for general school operations.<sup>13</sup> Few local administrators are likely to admit they have enough money for normal school operations when they know they can get more, and thus Johnson-O'Malley is continually drained for normal operating budget purposes.

Dr. Alphonse Selinger of the Northwest Regional Educational Laboratory testified before the subcommittee that he had encountered at least one principal who admitted giving passing grades to Indian students only to keep them in school so the district could receive Johnson-O'Malley money. Officials from two different schools told Dr. Selinger there was very little they could do for Indian children, so they kept them in the school for the additional funds they brought into the system.<sup>14</sup>

Generally, though, the regulation limits Johnson-O'Malley funds to districts not qualifying under Public Law 874 and to those Public Law 874 districts in which there are "educational problems under extraordinary and exceptional circumstances." (To qualify under Pub-

<sup>13</sup> 62 IAM 8, 27.

<sup>14</sup> Hearings before the Senate Subcommittee on Indian Education, Pt. VI.

lic Law 874 a district must meet a 3-percent impact requirement and have a minimum daily attendance of 10 federally connected pupils.)<sup>13</sup> In practice, the money is used as a budget-balancing device for those districts receiving Public Law 874 money. Johnson-O'Malley makes up the difference between a district's education expenditures and its revenues after Public Law 874 has been included.<sup>14</sup>

When Public Law 874 became applicable to Indians in 1959, the Johnson-O'Malley budget suffered considerably. The 1959 Johnson-O'Malley appropriation of \$7,953,000 was cut to \$5 million in 1960. Although Johnson-O'Malley and Public Law 874 serve different functions, Public Law 874 was, and continues to be, interpreted by BIA officials as replacement money for Johnson-O'Malley.

The problem with a school district replacing Johnson-O'Malley funds with Public Law 874 aid is that there is no guarantee the Public Law 874 money will be used to benefit Indian students. Such money goes to the school district itself, and any benefit received by Indian children would only be indirect. Johnson-O'Malley funds, though, are supposed to aid only Indian children.<sup>15</sup>

Congress also has no control over the use of Public Law 874 money. School districts apply it in their operating budget as they see fit. The Federal Government is prohibited from setting standards for its use or requiring, for example, that it be used for special Indian needs.

### *Excludes Many Indians*

A most important problem with Johnson-O'Malley is that, as presently administered, it excludes from participation Indians who have left the reservation. Thousands of such Indians now live in urban areas, where Indian children attend public schools. Their needs are being ignored just as much there as in rural areas. In Minneapolis, Minn., for example, an estimated 10,000 Indians live in the city. The Indian dropout rate in the city's public school system is more than 60 percent.<sup>16</sup> Some 45,000 Indians live in California cities.<sup>17</sup> The Indian dropout rate in some public schools there approaches 70 percent.<sup>18</sup> Most urban school districts are not eligible for either Johnson-O'Malley or Public Law 874 because the Indian parents do not live or work on tax-exempt reservations. Thus these Indians are not eligible for the special-needs funds Congress intended for them.

A special case exemplifying Johnson-O'Malley problems can be found in California, where some 80,000 Indians are now without Johnson-O'Malley assistance. The first State to enter into a contract

<sup>13</sup> Impacted areas legislation report and recommendation, prepared for Senate Subcommittee on Education by the U.S. Department of Health, Education, and Welfare, August 1963, pp. 5...538.

<sup>14</sup> Interview with Charles Zellers, BIA Assistant Commissioner for Education, May 22, 1969.

<sup>15</sup> 48 Stat. 596 (Johnson-O'Malley Act).

<sup>16</sup> Minnesota State Plan for the education of Indian children, Minnesota Department of Education 1969.

<sup>17</sup> "The Education of American Indian: An Evaluation of the Literature," Brewton Berry,

p. 25.  
<sup>18</sup> *Ibid.*, p. 20.

with the BIA under this act, California has since had its Johnson-O'Malley program phased out. It was completely terminated in 1958.

The reasons for the withdrawal of services are many. Many people, including BIA personnel, were under the impression that the termination policy espoused in the midfifties would lead to termination of all Indian aid policies, and California seemed as good a place as any to start cutting programs. There were some who claimed Indians were already receiving an adequate education in California without Federal funds. Others were led to believe—falsely—that Public Law 874 and Public Law 815 would adequately replace Johnson-O'Malley funds. Then in 1953, California's annual Johnson-O'Malley funding of \$318,000 was reduced by \$50,000. The California appropriation was reduced another \$50,000 every year until by 1958, nothing was appropriated.

Noting such evidence as the fact that California high schools with relatively large Indian enrollments have dropout rates three times higher for Indians than for non-Indians, California has sought the return of Johnson-O'Malley money. California educators have argued that many Indians have educational problems requiring special attention and that Public Law 874 has not replaced the need for Johnson-O'Malley funds. But the BIA appears to be following a policy of "once withdrawn, always withdrawn," and thus California Indians continue without the moneys for programs to meet their special needs.<sup>81</sup>

Three other eligible States west of the Mississippi are not under Johnson-O'Malley State contracts. Oregon terminated its contract after being led to believe that Public Law 815 and Public Law 874 would take care of the education of the Indian, and that the BIA intended to terminate all services to Indians shortly anyway. Utah terminated its contract because officials felt the State could get more money under Public Law 874 than Johnson-O'Malley.<sup>82</sup>

In 1969, Wyoming sought a State contract for its Indians, but has been unable to get approval from the Bureau's Washington office. Wyoming school officials claimed their plan called for liaison people between Indian communities and school districts to assist in developing better relationships between the two groups. The Wyoming State education superintendent said the BIA completely rewrote the State's proposed plan, and that the "watered-down" version offered in its place was hardly worthwhile.<sup>83</sup> Bureau officials have indicated their reluctance to give Wyoming Johnson-O'Malley money because they contend that Public Law 874 money is adequately serving the needs of Indians in Wyoming public schools.<sup>84</sup>

Complaints are innumerable regarding the administration of Johnson-O'Malley. For one thing, the levels of aid are extremely uneven. In

<sup>81</sup> A Johnson-O'Malley educational Program for California Indians. State Advisor's Commission on Indian Affairs. June 1967.

<sup>82</sup> *Ibid.*

<sup>83</sup> Interview with Wyoming State Superintendent of Education, June 1969.

<sup>84</sup> *Op. cit.*, interview with Zellers.

1967-68, Alaska received \$690 per Johnson-O'Malley pupil while Oklahoma received \$37. Arizona received \$236 per pupil while neighboring New Mexico received \$135. Even within States, the levels vary greatly. In 1966-67, Santa Fe County, N. Mex., received \$310 per Johnson-O'Malley pupil, while McKinley County (Gallup), N. Mex., received \$41. According to Dr. Anne M. Smith, anthropologist and author of "Indian Education in New Mexico," "It has not proved possible to discover on what policy basis the allocation of funds is made."<sup>45</sup>

One State, Arizona, has been reducing State aid to districts which receive Johnson-O'Malley funds. Several States were doing the same thing with regard to Public Law 874 money, but the courts ruled against the practice. (See, for example, *Shepherd v. Godwin*, 250 F. Supp. 869, 1968) BIA officials are hopeful the Arizona legislature will resolve the problem before court action is necessary.

#### *Poor accountability*

A major problem with the Johnson-O'Malley program is poor accountability of the funds administered. The legislation requires the State or contracting district to submit an annual report showing expenditures, but far too often these reports are summary and undetailed. Except for a school enrollment data form, there is little uniformity in reporting techniques. One State, for example, will report transportation expenditures under basic support, whereas another State will report such expenditures under special services. In neither case is an explanation of the purpose of the transportation given. The special services sections are almost entirely devoid of meaningful explanations of the services provided.

The reports also provide no evaluation of the previous year's programs. There is apparently never any attitudinal or achievement testing to test the effect, if any, the Johnson-O'Malley programs in particular school districts are having upon Indian students.

#### *Utilizing the amendment*

The Bureau of Indian Affairs has not been particularly creative in using the expanded contracting authority granted by the 1936 amendment to the act for educational projects. This amendment authorized the Bureau to contract Johnson-O'Malley projects with State universities, colleges, schools, and appropriate State or private corporations, agencies, and institutions. In the past the amendment has been used for such contracts as those with: (1) The Idaho Elks Rehabilitation Center at Boise for the care of Alaska native children in specialized schools; (2) The Utah School for the Deaf and Blind, for its Indian patients;

<sup>45</sup> Anne Smith, *Indian Education in New Mexico*, University of New Mexico, 1968.

and (3) The Salvation Army Booth Memorial Home at Anchorage for the care of native children and eligible adults.

In recent years, the contracting authority has been used for more innovative programs. Johnson-O'Malley money went to the Rough Rock Demonstration School, for example, since it was a nonprofit corporation. A contract was negotiated with the University of Alaska to develop a model of a cultural and educational center for Alaskan natives. And most recently, a contract has been negotiated with the United Tribes of North Dakota, set up as a nonprofit corporation, for the operation of a training center.<sup>66</sup>

#### *Lack of Indian participation*

Johnson-O'Malley is supposed to serve the needs of Indian students, but Indians rarely get an opportunity to decide how the money should be spent. The proposals are usually drawn up by school administrators of white, middle-class backgrounds who direct the money toward general school operations or problem-solving techniques which might work for the middle-class student, but not the Indian. The people who are affected most by the law have little to say about how the money should be used to help their children.

#### *New approaches by the BIA*

In recent years, the Bureau has looked at Johnson-O'Malley a little more imaginatively than in the past, and has funded a few programs which deal more specifically with the needs of Indian students. A home-visitation program in Oklahoma, for example, is working to improve relations between the Indian home and the school. A night study hall for Indians was established in Nevada. Teacher workshops designed to help teachers in dealing with the special needs of Indian students have become more common. A resource center which sends out a circuit rider is now operating in Alaska. In an attempt to get away from the institutional boarding school concept, Johnson-O'Malley money is also being used to set up a home boarding program so that students can live-in with families. Bureau officials also have their sights on Johnson-O'Malley kindergarten programs as well as model school programs for each State with a Johnson-O'Malley contract.

To streamline Johnson-O'Malley procedures, the Bureau tries to confer regularly with State education officials so that the States can share information and hear new Johnson-O'Malley approaches. Two field men, one in Albuquerque and one in Aberdeen, devote a good share of their time to working with State directors and tribal groups in helping them formulate the best possible Johnson-O'Malley budget. The field men are also expected to meet with tribal groups and consider their recommendations for Johnson-O'Malley usage. Bureau officials report that funding for this kind of activity is low, and that such activity often has to be conducted on a limited basis.

<sup>66</sup> Interview with J. Leonard Norwood, BIA Acting Commissioner, June 1969.

*Johnson-O'Malley Education Contracts, 1969*

<i>Area and State</i>	
Aberdeen	\$1,235,000
Nebraska	240,000
North Dakota	310,000
South Dakota	745,000
Albuquerque: Colorado	170,000
Andarko: Kansas	20,000
Bilhings	200,000
Montana	180,000
Wyoming	20,000
Juneau: Alaska	1,485,000
Minneapolis	665,000
Minnesota	375,000
Wisconsin	235,000
Iowa (Tama)	55,000
Muskogee	587,000
Oklahoma	580,000
Mississippi	7,000
Navajo	3,275,000
New Mexico	1,655,000
Peripheral	1,620,000
Phoenix	3,465,000
Arizona	3,370,000
Nevada	95,000
Portland	370,000
Idaho	185,000
Washington	175,000
Seminole (agency): Florida	20,000
<b>Total</b>	<b>11,552,000</b>

NOTE.—Total number of students, 66, 218.

Source: Bureau of Indian Affairs.

## JOHNSON-O'MALLEY EXPENDITURES, BY STATE AND PURPOSE, FISCAL YEAR 1968

State	Adminis- tration	Lunches	Other parental cost <sup>1</sup>	Operation and mainte- nance (basic support) <sup>1</sup>	Special services <sup>1</sup>	Total expenditures
Alaska	\$60,000	\$135,216		\$735,584		\$930,800
Arizona	75,437	307,608		2,571,902	\$51,464	3,006,411
Colorado	4,000	20,520	\$9,800	68,000	40,300	142,620
Florida		10,128			200	10,328
Idaho	13,437	29,150		108,028	10,835	161,450
Iowa		4,865		45,135		50,000
Kansas	3,263				17,737	21,000
Minnesota	50,462	109,842		104,696	18,000	283,000
Montana	29,018	80,895		5,096	12,036	127,045
Nebraska	9,681	27,322		85,145	71,350	193,498
Nevada	9,761	41,243		5,308	35,688	92,000
New Mexico	50,000	589,055		354,326	531,489	1,524,870
North Dakota	13,470	56,129		234,901		274,500
Oklahoma	46,364	316,267	5,746	75,736	105,887	550,000
South Dakota	22,840	112,994		458,911	36,255	629,000
Washington	20,061	23,843		42,288	63,813	150,025
Wisconsin	22,237	48,810		73,953	35,000	180,000
Wyoming				12,525		12,525
Peripheral (dormitories)		27,068	34,020	1,403,876	46,000	1,510,964
Oshrin (Hospital)					7,000	7,000
<b>Total</b>	<b>430,031</b>	<b>1,940,975</b>	<b>49,566</b>	<b>6,353,410</b>	<b>1,083,054</b>	<b>9,857,036</b>

<sup>1</sup> The remainder of the expenditures was placed in these 3 general categories and represents a variety of items.

Note: The above information was taken from the States' annual reports. The cost of lunches and administration was in sufficient detail to provide an accurate breakdown.

Source: Bureau of Indian Affairs.

## JOHNSON-O'MALLEY ENROLLMENTS, AND EXPENDITURES, 1967-68

State	JOM enrollment	JOM expenditure	Estimated expenditure per pupil
Alaska	1,349	930,800	690
Arizona	12,765	3,006,411	236
Colorado	707	142,620	202
Florida	219	10,328	47
Idaho	1,492	161,450	108
Iowa	116	50,000	431
Kansas	91	21,000	231
Minnesota	2,577	283,000	110
Mississippi	20	4,500	225
Montana	2,300	127,045	55
Nebraska	675	193,498	287
Nevada	1,535	92,000	60
New Mexico	11,320	1,524,870	135
North Dakota	1,553	274,500	176
Oklahoma	14,584	550,000	38
South Dakota	4,187	629,000	150
Washington	3,763	150,025	40
Wisconsin	1,183	180,000	152
Wyoming	20	12,525	626
Peripheral dorms (Navajo)	2,220	1,510,964	681
Oshrin Hospital	7	7,000	1,000
<b>Total</b>	<b>62,676</b>	<b>9,861,536</b>	<b>157</b>

Source: Bureau of Indian Affairs.

## JOHNSON-O'MALLEY FUNDS APPROPRIATED FOR FISCAL YEARS 1944-69

Fiscal Year	Amount ap- propriated	Fiscal Year	Amount ap- propriated
1944	\$1,020,055	1957	\$6,381,000
1945	979,215	1958	7,353,000
1946	449,455	1959	7,953,000
1947	1,237,719	1960	5,000,000
1948	1,442,826	1961	5,100,000
1949	1,636,847	1962	6,520,000
1950	2,150,000	1963	7,290,000
1951	2,503,190	1964	7,390,000
1952	2,548,190	1965	7,890,000
1953	2,761,109	1966	8,648,000
1954	3,168,535	1967	9,452,000
1955	3,535,430	1968	9,952,000
1956	5,425,475	1969	11,552,000

Source: Bureau of Indian Affairs.

### C. THE TRANSFER POLICY

Despite evidence of the failure of public schools to provide Indian students with an adequate education and despite the absence of a commitment by local, State or National authorities to provide Indians with an equal education, the Bureau of Indian Affairs continues its policy of transferring Indians into public schools. Between 1930 and the present, the number of Indian students attending public schools has increased from one-half to two-thirds of all Indian students enrolled in schools. In 1926, about 37,700 Indian students were in public schools.<sup>87</sup> In 1968 there were about 90,000.<sup>88</sup> Nine States (California, Idaho, Michigan, Minnesota, Nebraska, Oregon, Texas, Washington, and Wisconsin) had assumed complete responsibility for educating Indians within their States.

#### 1. ANALYSIS

The transfer procedure employed by the Bureau has been discretionary. When the Bureau felt a public school was ready to handle Indian students, the change was effected. The transfer was often a gradual process, involving a phasing out of the educational services at the Indian school.

Former Bureau Commissioner Robert Bennett testified before the subcommittee that after 1950 the Bureau undertook a "mutual agreement" policy in regard to transfer. When the Bureau decided that the Indian community and the school district were mutually agreeable to the transfer, the transfer was made. Bennett said the Bureau's latest policy was one of "mutual readiness"—with the stipulation that no transfer be effected without the majority approval in a referendum of the Indian people affected.<sup>89</sup>

<sup>87</sup> "The Problem of Indian Administration," Lewis Meriam, p. 416.

<sup>88</sup> Division of Public School Relations, Bureau of Indian Affairs.

<sup>89</sup> Hearings before the Subcommittee on Indian Education, U.S. Senate, pt. VI.

Since Bennett is no longer Commissioner, and since the Bureau has not issued a statement regarding its transfer policy under its new commissioner, the exact policy of the Bureau is not known. The Bureau's official policy on transfer, recorded in a 1952 regulation, states that Indian students should be enrolled in public schools when public schools are "within normal transporting distance of Indian homes," and that "the transfer of responsibility for education of Indian children to public schools should be completed wherever such a transfer of responsibility is feasible."<sup>90</sup>

No particular criteria appear to be used to determine when a school is "ready" to accept Indian students. This determination continues to be made arbitrarily by the Bureau of Indian Affairs. No evaluation of the quality of education in the public school is done before the transfer is effected. According to a Bureau official, "We know generally what their education program is." The Bureau's only requirement seems to be that the public school has enough space and personnel to handle the additional students.

The Bureau's means of determining when Indians are "ready" for a transfer is even more puzzling. In the past it appears that the determination was made by the Bureau without consulting with the Indians affected by the change. The Indians were usually informed of the transfer after the decision had been made.

## 2. MESQUAKIE CASE STUDY<sup>91</sup>

A case exemplifying the Bureau's transfer policy involves the Mesquakie Tribe of Tama, Iowa. The tribe's conflicts with the BIA over the closing of their settlement day school and the transfer of those students to the local public school are recorded in the following case study.

The Mesquakie Indians of Tama, Iowa, have had a history of conflict.

In the early 1700's their raiding practices on French shipping made them an object of extermination. In 1856, they disagreed with their Sac and Fox brethren in Kansas over the issue of acculturation, and moved to Iowa, establishing their own settlement on the Iowa River near Tama.

In 1897, they became embroiled in a controversy with the BIA over sending their children to a boarding school which educated "in the white man's way," and for 3 years in the 1930's, they withheld their children from the white man's public schools because of the hostile attitude toward Indians in the nearby white community.

It was not unusual, therefore, that when the Bureau of Indian Affairs announced in July, 1968 its intention to transfer all Indian children from the Settlement Day School to the Tama public schools that the Mesquakies refused to comply.

The Mesquakies had been sending their children to a day school operated in their settlement by the BIA since 1940. The school contained grades one through eight. Most Mesquakie children attended high school at boarding schools. A few attended the local public

<sup>90</sup> Indian Affairs Manual, sec. 201.

<sup>91</sup> Information compiled from hearing testimony of Mesquakies (pt. 1, 1968), correspondence from Bureau of Indian Affairs officials, the report prepared for the subcommittee by Paul Petrafeso, and court records of the U.S. district court, Cedar Rapids, Iowa.

schools, but the Indians were not looked upon fondly by the area's white citizenry, and thus the Indians shied away from the public schools.

But in 1954, the Bureau began to phase out the day school. In 1954, the eighth grade went. In 1957, it was the seventh grade. In the mid-1960's, the sixth grade was eliminated, and in 1967, the day school's fifth grade was reduced by half. In most cases the students were transferred to public schools in the South Tama County School District.

By 1968, more than 150 Mesquakies, or about 75 percent of Mesquakie children, were being educated in the South Tama County public schools. The Mesquakie settlement school, or the Sac and Fox day school as it is officially known, was anticipating a 1968 enrollment of 56 children for grades one through four. Then, in early July 1968, the tribal chairman was notified that all Mesquakies were being transferred to public schools beginning the fall of 1968.

It was evident from the Bureau's phaseout procedure that its eventual goal was termination of the day school, and public school education for all Mesquakies. In October 1967, the Bureau had announced such intentions at a meeting attended by representatives of the county school board and the tribal council. Subsequent meetings, which sometimes included Mesquakies, laid the groundwork for the fall 1968 transfer.

On July 26, the tribal council met and responded with a motion opposing the closing of the day school. The Mesquakies maintained that treaty rights would be violated if the BIA did not provide education for Indians. On August 2, the council urged a boycott of the public schools in grades one through five, and in the first week of September, the tribe filed for an injunction in Federal court against the closing of the school. In late September, the court ruled that the day school be reopened by October 31, and that the Mesquakies and the Bureau of Indian Affairs both submit proposals for resolution of the problem. The school was reopened and staffed with teachers contracted by the BIA through the public school system.

The Bureau sought dismissal of the suit in November, arguing that "sovereign immunity" prevented the court from issuing an injunction against a governmental body such as the BIA. The court denied the Bureau's motion in February 1969.

The Mesquakies submitted to the court a proposal for a Mesquakie operated and controlled school on the settlement to include grades kindergarten through nine. The school would be contracted through the BIA, and would include course work in Mesquakie history and culture and the teaching of English as a second language. The BIA responded with a plan that the status quo—a Mesquakie day school for grades one through four—continue for another year, and that the public school takeover of Mesquakie education be delayed another year. The Mesquakie tribal council voted to accept the Bureau's offer to continue operation of the Mesquakie settlement school for grades one through four for another year, and the lawsuit was withdrawn. The Bureau has also stated that it has extended its mutual readiness policy so that no transfer will occur without approval by referendum of the Indian people. No such provision has been written into the Bureau's transfer regulation, though.

The Mesquakie situation provides a glaring example of many of the problems involved in the Bureau's transfer policy.

The Bureau admits to initiating the transfer of all Mesquakies to the local public schools, but it contends there were no objections until the last minute.

Some Mesquakies complained they weren't informed of the intended transfer, or the meetings in which it was discussed. Questions were also raised as to how many Mesquakies actually thought transfer was in the best interest of their children.

But one of the main problem areas highlighted by the situation was the Bureau's "mutual readiness" policy, and the Bureau's means of determining such readiness.

The impetus for the decision to transfer came from the Bureau's determination (or assumption) that the South Tama County public schools were "ready" to educate all Mesquakie children, and that the Mesquakies were ready for the public schools to handle that function.

In a July 2, 1968, letter to the Mesquakie Tribal Council from the Minneapolis Area Office Director making the transfer official, the Bureau noted that "the South Tama County officials are willing and ready to assume the responsibility of providing quality education for all children of the settlement, and have geared their educational program for this transfer."

In response to a request by the subcommittee, Charles Zellers, BIA Assistant Commissioner for Education, explained how the BIA had determined the South Tama County public schools and the Mesquakies "ready" for complete transfer. In regard to the readiness of the Mesquakies, he made the following comments:

"The criteria used for initiating plans for the transfer of the Mesquakie children to the public school are in keeping with the overall policy of the Bureau to transfer the responsibility for the education of Indian children to public schools whenever feasible and when it is in the best interest of the people.

Strong consideration was given to the fact that a progressive number of Mesquakie children in the upper grades and high school were attending public school with no serious objections from the people.

The tribal council's resolution to support construction of public school facilities to accommodate 200 of their children would certainly indicate their interest in the transfer of all their children to the South Tama schools. (In March 1966, the tribal council passed a resolution favoring a proposal to utilize \$200,000 of Public Law 81-815 funds to construct an addition to the schools.)

The following excerpts from the BIA response explain how the public school's "readiness" was determined:

For many years, the district has enrolled approximately 75 percent of the Mesquakie Indian children in its schools and the teachers of these children have had considerable experience in working with them.

The larger, modern public school facilities offer a better learning environment, better teachers, an integration factor, and the latest equipment and facilities. Through the various contacts with new students, teachers, and community, Mesquakie pupils will be better prepared to become a part of the larger society.

Records indicate that Mesquakie students who have attended public schools from kindergarten on, score better on achievement tests, have better attendance records, and remain in school longer than those who begin their education in the Sac and Fox day school. (When asked to produce these records, Zellers said he had never seen them, but had been advised of their substance by his fieldmen. The subcommittee sought such records from the Minneapolis area office of the BIA and the South Tama County school officials, but neither was able to come up with them.)

As a regular part of the in-service training of teachers and the administration, a workshop especially geared to receiving the additional Mesquakie children was conducted prior to the opening of school. This included an information address by the school superintendent.

Special education is available to disadvantaged children, but no special curriculum is being offered the Mesquakie Indian students at the South Tama schools. Teachers are made aware of special needs of Indian students.

Indian culture and history are taught only as a part of the State social studies curriculum. The school library contains many references to Indian history and culture.

The Mesquakies maintained they were not ready for the public schools because the public schools were not ready for them.

"The program or the curriculum has not been geared to our tribal way of thinking," Don Wanatee of the Mesquakies Tribal Council testified before the subcommittee. Mr. Wanatee also noted that "the Indian children in their early years do not have the English language well enough to compete with the white children," but the school has no special program of teaching English for these students. He indicated the whole Tama atmosphere was hostile to the Mesquakies because the white people refused to try to understand Mesquakie viewpoints on education or the Mesquakie cultural heritage.

An investigative report prepared for the subcommittee by Paul Petrafeso of the Upper Midwest Regional Educational Laboratory bore out many of the Mesquakie complaints. Among the report's findings were:

(1) The public school has not adopted any programs that deal specifically with the teaching of disadvantaged youth or Indian children.

(2) The school superintendent did not acknowledge any language problem for Mesquakie children. He admitted "hearing about" a study made by a teacher which showed that upon entering school many Mesquakie children are more familiar with Mesquakie language than English, but he said he had never read it.

(3) In the past there have been no inservice training programs for teachers to acquaint them with problems of teaching Indian children. In a telephone interview with the subcommittee staff, the superintendent said, "There has never been time" to provide such training and that any orientation to teaching Mesquakies was usually restricted to "a one-shot affair on the peculiarities of the Mesquakies."

Mr. Petrafeso noted in his report that three school staff members will be attending a BIA sponsored workshop on Indian culture in the summer of 1969, and that they are expected to set up an inservice program for the remainder of the South Tama County public school staff.

(4) The only steps taken toward acknowledging the presence of Indians in the school are the addition to the library of a number of books on Indian history and culture, and the high school history department's present project of developing an Indian history unit in the American history course.

(5) No accurate data is kept on dropouts.

(6) Despite an awareness that the achievement test scores of Indian children show them several years behind the average level, school officials do not individualize instruction or even prescribe special programs that would allow the child to catch up.

(7) During the 1968-69 school year, Mesquakie students averaged about 20 days of absence per student.

(8) Most Indian students are placed in the general course of study track. Only eight Indians are in the college prep course, and none are enrolled in the vocational education track.

The Bureau's Assistant Commissioner for Education has said that the Bureau conducts no formal evaluation of a public school's educational program before Indians are transferred into public schools. "We know generally what their education program is," he stated in an interview. There seem to be enough discrepancies between the Bureau's analysis of Mesquakie education in the public schools and Mr. Petrafeso's report to indicate the need for a formal evaluation before any transfer of Indian students is effected.

The 1969-70 school year has begun with the South Tama school district operating the Sac and Fox Day School for grades 1 through 4. The remaining Mesquakie children attend the Tama public schools. The lawsuit has been withdrawn, but no one knows at this time what the Mesquakies' school situation will be next year.

#### D. SUMMARY OF PUBLIC SCHOOL FINDINGS

##### 1. Indian Participation and Control

*American Indians have little, if any, influence or control in the education of their children in the public schools.*

A. Indian membership on school boards which have jurisdiction in districts educating Indians is rare.

B. The white power structure often thwarts Indian attempts to gain representation on school boards.

C. Indian attempts to win curriculum reforms which recognize Indian history and culture are often met with resistance from school administrators.

D. A strong feeling of powerlessness pervades Indian communities in regard to their attempts to improve the education provided in public schools.

## 2. Curriculum

*Public schools educating Indians rarely include coursework which recognizes Indian history, culture or language, and often use materials and approaches which are derogatory toward Indians.*

A. Public schools in many States use history and social studies textbooks which ignore the Indian's role in history or grossly distort that role.

B. The primary result of the manner Indians are treated in the history textbooks in use today is a propagation of inaccurate stereotypes.

C. Most public schools do not take into consideration the language difficulties of many Indian students.

D. There is a definite lack of bilingual and bicultural materials in schools educating Indians.

## 3. Attitudes

*Many school administrators and teachers consider Indian pupils inferior to white students, and thus expect them to fail, both in school and in life.*

A. An anti-Indian attitude is often prevalent in white communities in which Indians receive public school education.

B. Many school districts relegate Indians to the lowest level in their tracking systems.

C. Some administrators refuse to cooperate with the Indian community in their school district and discourage or do not permit Indian participation in decisionmaking.

D. Indians are often promoted each year regardless of grades just so they can be kept in school, thus assuring the local district of receiving Federal aid because of the presence of Indian students. One public school district goes so far as to falsify Indian achievement-test results because the students were so far behind national norms that "it just wouldn't look good."

E. Teachers and administrators are often insensitive to Indian values and ignorant of Indian culture.

## 4. Transfer from BIA to Public Schools

*Little attention is paid to whether Indians want their students transferred from a Bureau of Indian Affairs-operated school to a public school, or whether the public school is ready to accept Indian students, when the decision to make such a transfer is made.*

A. The Bureau's policy on transferring students from Federally-operated to public schools has changed periodically over the years, and at this point, the official policy remains unclear.

B. Public schools are rarely equipped to handle the unique problems with which they must deal when they accept Indian students, without special preparation and effort.

C. Indians have not been given the opportunity to decide for themselves if they want their children educated in Federal schools, public schools, or in some other educational program.

## 5. Federal Legislation and Indian Education in Public Schools

### (a) Public Law 81-815

*Lack of funding for Public Law 81-815 prevents any construction of public school facilities for Indian students.*

A. Indians are not included in the sections of the law which are given priority in funding.

B. Many public schools accepted Indian students under the impression they would receive Federal money for constructing the additional facilities necessary to educate those Indian students, yet such Federal money has rarely been appropriated.

### (b) Public Law 81-874

*While Indian education is receiving some financial assistance through Public Law 81-874, it is hardly enough to provide students with an equal educational opportunity.*

A. Many public school districts educating Indians use Public Law 81-874 funds for a good share of their operating budgets, which results in a situation where Indian students receive insufficient benefit.

B. Indian districts are in greater need of financial assistance than many other districts receiving aid under Public Law 81-874.

C. Late funding for this law has created crises in school planning and has been especially harmful to Indian districts which depend upon it for so much of their budget.

### (c) Johnson-O'Malley Act

*The intent of the Johnson-O'Malley Act to provide for the special needs of Indian students is not being fully satisfied.*

A. Johnson-O'Malley money is traditionally used by school districts to supplement their general operating budgets rather than to provide for special Indian needs.

B. The question of whether an Indian lives on or near Federal property plays a more important part in deciding if a district receives JOM money than does the question of need.

C. There is very poor accountability for the use of JOM money.

D. Urban Indians receive no benefits under JOM as it is presently administered.

E. Some States with substantial Indian populations are excluded from JOM contracts.

F. The expanded contracting authority granted the act by a 1936 amendment has not been utilized to the fullest extent.

G. Indians rarely have an opportunity to decide how the JOM money, designed to serve their needs, is to be spent.

H. JOM has not been funded at a level adequately meeting the special problems of Indian students.

### III. THE FAILURE OF FEDERAL SCHOOLS

#### A. BACKGROUND

The Bureau of Indian Affairs operates 226 schools in 17 States, on Indian reservations and in remote geographic areas throughout the country. Of these, 77 are boarding schools.

There are 31,605 American Indian children currently enrolled in BIA boarding schools, 15,450 in BIA day schools, and 3,854 housed in peripheral dormitories while attending public schools with BIA financial support. In addition, 62,676 Indian youngsters attend public schools supported by the Johnson-O'Malley Act, which is administered by BIA.

In fiscal year 1969 there were 16,045 BIA employees. Of this number, 7,027 were employed in education. Education's allotment of funds from the Department of the Interior's fiscal year 1969 appropriation was \$94,164,000. Other funds for education, from sources such as title I of the ESEA, totaled \$9,912,744, bring the total funding for the year to \$104,067,744.

According to statistics compiled by the BIA in 1968, 82.1 percent of the students enrolled in Federal schools are "Full Blood" Indians and slightly more than 97 percent of students were one-half or more Indian blood. Approximately 90 percent of the students will enter the first grade with little or no English language facility.

Perhaps the most striking fact about the Federal school system is the growth rate of the student population. The present growth rate of the Indian population on reservations is 3.3 percent per year, or three times the natural rate of increase for the U.S. population at large. If the present rate of growth continues, the population will double in 21 years. This dramatic growth rate is primarily a function of substantial improvement in Indian health in the last 15 years following the transfer of the Indian health program from BIA to the Public Health Service. Fertility rates have always been high and have slightly increased but the death rate has substantially declined.

The consequences of this extraordinary growth rate are reflected in the following statistics. Enrollment in BIA high schools doubled in an 8-year period from 1959 to 1967. The increase was from 5,661 students enrolled in 1959 to 11,633 students enrolled in 1967. On the Navajo Reservation, in the 6 years from 1960 to 1966, the school age population increased by 48 percent from 31,000 to 46,000. Unfortunately, a substantial proportion of these children were not enrolled in school. Due to a crash construction program in the early 1950's the percentage of enrolled children increased from 52 percent in 1950 to 81 percent in 1955. After 1955 the percentage of school-age children

1. AICT Associates, "System Analysis, Program Development, and Cost-Effectiveness Modeling of Indian Education for the Bureau of Indian Affairs," AICT Associates, Inc. Cambridge, Mass., June 1969, vol. II, p. 88.

actually enrolled remained relatively constant, showing only a slight increase by 1966.<sup>2</sup> The failure to close the gap following 1955 was primarily a function of the "termination policy" and a consequent reduction in appropriations. A major construction program was again launched in the early 1960's but could hardly keep pace with the increased growth rate. The failure of the Federal Government to provide adequate classroom space for thousands of Navajo and Alaskan native school-age children continues to be a tragedy and a disgrace.

## B. GENERAL ANALYSIS

Although great concern has often been expressed about the adequacy of the BIA education program, one searches in vain for analytical studies of the problems and performance of Federal schools. With the exception of several important mental health studies of boarding schools in the last decade, competent evaluations of instructional practices done either by the BIA central office or independent agencies are practically nonexistent. The last comprehensive survey appears to be the Meriam Report of 1928.

Following its initial hearings in December of 1967, the subcommittee requested that the Bureau of Indian Affairs contract for a comprehensive study of its Federal school system. Dr. Charles Zellers had already initiated plans for such a study, and further discussions between subcommittee staff and BIA officials resulted in a contract being let to ABT Associates, Inc., in Cambridge, Massachusetts.

The ABT study involved more than 20 professionals over a period of 1 year in extensive field investigation. The five volume report was finished and made available to the subcommittee in June 1969.

More than 200 classrooms were observed for the purpose of identifying educational objectives and instructional practices were observed and evaluated in 100 classrooms. The ABT study provides a revealing and discouraging description of the serious inadequacies of the BIA education program. In general, the findings of the ABT study are congruent with the findings of the subcommittee investigations and provide a useful general overview of problems and deficiencies.

### 1. EDUCATION BUDGET ANALYSIS

The BIA education budget was found to be greatly inadequate:

Since most Indian children begin school with the environmental handicaps of rural poverty, cultural isolation, low level of parent education, and in many cases a non-English native language, equality of educational inputs requires greatly superior in-school resources of teachers, curriculum, facilities, and equipment to balance the inadequate preschool preparation of most Indian children. Such superior education has not been and cannot be supplied by the BIA on its current budget of some \$1,000 per student year, which must also pay for the boarding expenses of nearly half the students.<sup>3</sup>

It has been pointed out that the Job Corps spent from \$7,000 to \$9,000 per student year for its resident high-school level education

<sup>2</sup> *Ibid.*, vol. II, p. 98.

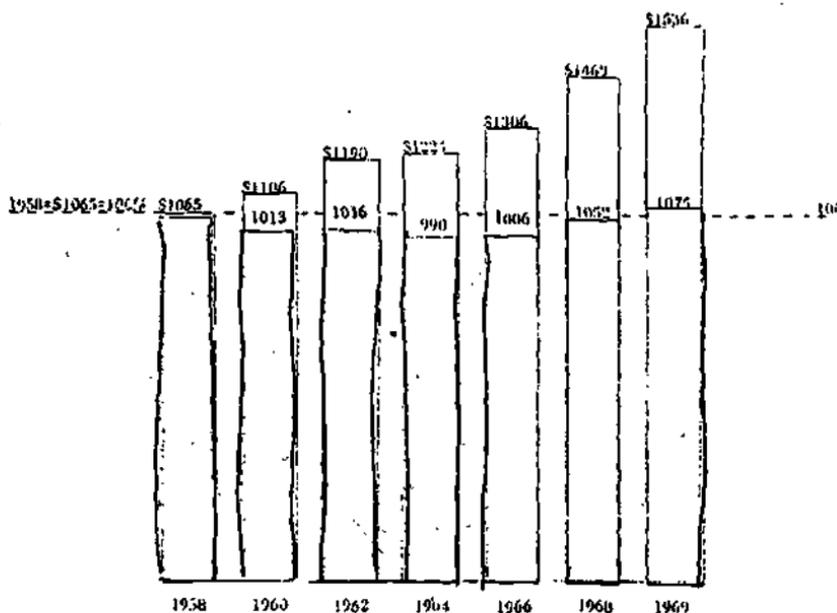
<sup>3</sup> *Ibid.*, vol. I, p. 2.

program. A number of witnesses testifying before the subcommittee have suggested that the amount of expenditure per pupil in BIA schools should be doubled or tripled if equality of educational opportunity is to be provided. The ABT report appears to agree with these suggestions, stating, "BIA schools are at this time insufficiently funded to overcome the students' initial difficulties resulting from poverty and cultural barriers. The price of this economy is ultimately paid in high welfare payments and reduced revenues. Annual per pupil expenditures, now around \$1,000 should be greatly increased on the basis of conserving future welfare costs and income tax collections." The subcommittee has investigated the BIA education budget and found the following:

## INDIAN BOARDING SCHOOLS

1969 PER CAPITA BUYS . MORE THAN IN 1958!

16.00



Purchasing Power:

Year	Inflation Factor	Adjusted Value
1958	100%	\$1065/1065
1960	104.2%	1106/1065
1962	117.1%	1190/1016
1964	123.6%	1271/990
1966	129.8%	1306/1006
1968	139.7%	1469/1052
1969	142.8%	1536/1075

1969 Educator Inflation Factor is 42.8% of 1958 Base.

Source: School Management, Issues January, 1965 and January, 1969.

January 1969

When inflationary factors are taken into consideration, the following chart makes clear that the BIA education program has been grossly underfunded for a substantial period of time. More precisely, the amount of real dollars for per capita expenditure in the BIA education program decreased from \$1,065 in 1958 to \$1,006 in 1966. By 1968 the per capita expenditures of real dollars was \$1,052, still below the amount available in 1958, 10 years earlier. The chart reveals that between 1968 and 1969 there was a budget increase for education programs in BIA and the amount per capita increased slightly from \$1,058 to \$1,075. It would appear that appropriations for the BIA education program have not taken into account inflationary factors or the accelerated rate of student population growth during the last 10 years. In addition, it is apparent that the Bureau of Indian Affairs has not been able to establish or clearly justify what would constitute an "equal educational opportunity investment" per child per year. The BIA is still using an old-fashioned line-item budget which is based not on program needs but rather on what the BIA "thinks it can get." This lack of adequate standards or definition of equal educational opportunity continues to be a major deficiency in BIA budget requests.

A memorandum prepared by the Education Division of the Bureau of Indian Affairs points out that:

The education program is faced with a severe funding crisis in fiscal year 1969 which can only be compounded in fiscal year 1970 unless additional funds above those already before Congress are secured.

The report goes on to state:

Over the past few year increasing cost of normal operations in addition to necessary actions taken in order to remain competitive in the field of professional personnel has caused a dangerous erosion of educational funding capability. In fiscal year 1969 this has reached a point that even with the diversion of funds appropriated for innovative and improved programs only a bare minimum of instructional supplies, textbooks, dormitory supplies and materials and replacement equipment can be purchased for school operation and will at the end of fiscal year 1969 have depleted all stocks of materials through the normal operation—carryover will not be available in 1970. In addition, at the present time 420 sorely needed educational dormitory personnel positions must remain vacant due to the shortage of funds.

The memorandum points out that an additional requirement for \$5 million above the present funding request before Congress will be needed simply to maintain a minimum base. For example, based on the school management cost of education index, \$40 per child represents an appropriate expenditure for textbooks, supplies, and materials. Presently the Bureau of Indian Affairs expends approximately \$18 per child in this category, less than half the appropriate national standard.

The 5-year education plan for the Bureau of Indian Affairs indicates that in order to overcome long-standing deficiencies and achieve

a minimum level of satisfactory funding an increase of \$158 million over the present \$110 million budget request will be necessary. In addition it points out that there is a need for \$178 million in construction funds to provide for the replacement of many substandard buildings and new schools for increasing enrollments, as well as \$18 million for major alterations and improvements to existing facilities. These projected figures indicate the substantial inadequacies of the past funding of the BIA education program, and the present failure of the Bureau of Indian Affairs to even approach an "equal educational opportunity investment" per child.<sup>4</sup>

Equally disturbing is the fact that a substantial portion of the money appropriated by Congress for the education program is being diverted for other purposes. According to an investigation report of the House Appropriations Committee in February 1968, "BIA officials cited six administrative-type programs and support activities that are supported by assessments of the education program funds. In fiscal years 1966 and 1967, these assessments amounted to \$11,073,000 and \$12,235,000, respectively."<sup>5</sup> Thus it is apparent that there is relatively little integrity in the BIA education budget.

It should also be noted that the BIA has failed badly to conduct any meaningful long-range planning, to provide a reliable census of school-age children, or to integrate its planning with other components of reservation development: for example, roads on the Navajo Reservation. The results have been substantial numbers of Indian children not in school and many times not even accounted for, severely overcrowded school facilities, large numbers of Alaskan Native children shipped out of the State to Oregon or Oklahoma so that they can receive a high school education, and a variety of unsatisfactory makeshift arrangements (such as the conversion of dormitory space) which must have a deleterious effect on an effective educational program.

A study published by Dr. William H. Kelly in 1967 was astounded to discover that 340 school-age children in the 16-to-18 age category and an additional 894 in the 6-to-15 age group were not enrolled in any school and could not be accounted for by BIA officials. And this study covered only a part of southern Arizona.<sup>6</sup> Another recent study found 2,365 school-age Indian children not accounted for in the State of New Mexico. In Alaska and on the Navajo Reservation no one seems to know how many school-age Indian or native children are not enrolled in school, but it numbers in the thousands. The estimate of Navajo children runs anywhere from 4,000 to 8,000.

## 2. ACADEMIC PERFORMANCE

The academic performance of students in BIA schools indicates to some degree the magnitude of the problem. Only 60 percent of the Indian students in BIA high schools graduate, compared with a national average of 74 percent. Of the number of students who graduate from high school, only 28 percent enter college, as compared with a national

<sup>4</sup> Hearings, Subcommittee on Indian Education, pt. 1, 1969, pp. 442-445.

<sup>5</sup> Hearings, "Department of the Interior and Related Agencies Appropriations for 1969," pt. 2, p. 591.

<sup>6</sup> Hearings, Subcommittee on Indian Education, pt. 3, 1968, pp. 1067-1110.

average of 50 percent. Of those Indian students who enter college, only 28 percent graduate. In addition, less than 1 percent of Indian graduate students complete a master's degree.

For every 400 Indian students entering Federal high schools at the freshman level, only one will graduate from college. It is predicted that only about "150 Indians will receive bachelors degrees in 1969. Furthermore, there is no reason to believe that this situation will improve if drastic changes do not occur." Also, the Indian student in a BIA school is on the average 2 or more years behind his non-Indian peers in terms of achievement test scores when he graduates from high school. Thus to bring its program up to national norms the Bureau of Indian Affairs must cut the number of dropouts in half, must doubt the number of Indian students going on to college provide an adequate elementary and secondary education background which will permit a doubling of the number of Indian students graduating from college, and a tenfold increase in the number of Indian students completing a masters degree.

Unfortunately, the Bureau of Indian Affairs does not have well-specified goals, and has never stated how or over what period of time they feel they can close the gap. The three charts on pages 61, 62, and 63 summarize the serious educational achievement deficiencies of the Indian student as compared with the non-Indian.

### 3. GOALS AND OPERATIONAL PHILOSOPHY

One of the most important findings of the ABT study was the dramatic disparity between the educational goals of the students and the expectations of the teachers and administrators. This is particularly important because educational research has demonstrated that teacher expectations have an important effect on student achievement. The self-fulfilling prophecy of failure seems to be a pervasive element in BIA schools.

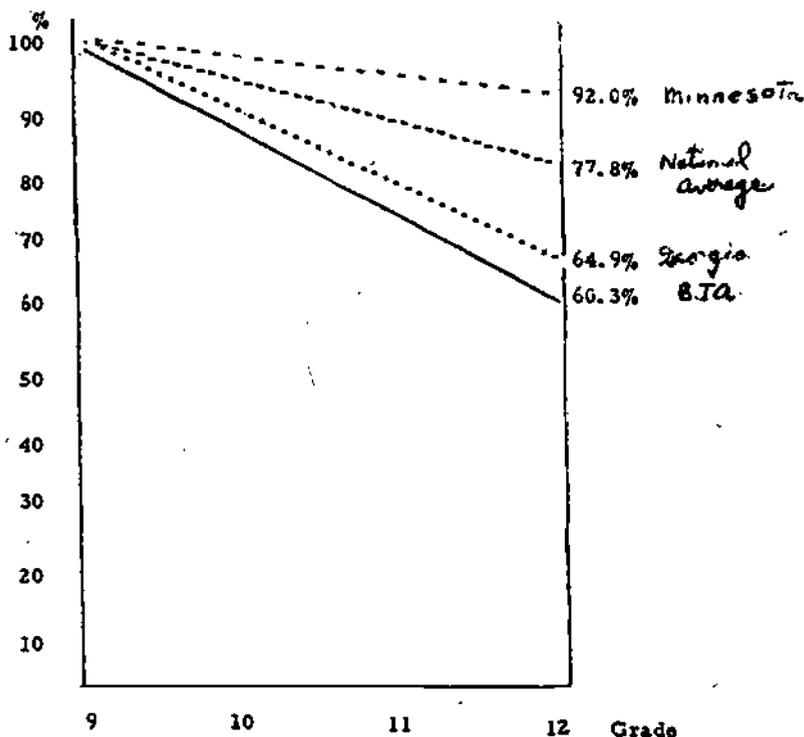
The study found that three-quarters of the Indian students wanted to go to college. Most of the students had a reasonable understanding of what college work entailed and 3 percent desired graduate studies at the masters or doctoral level. The students clearly desired a firm grounding in the core subject of English, mathematics, and science.

In dramatic contrast to the student goals, however, were those of teachers and administrators. When asked to name the most important things the schools should do for the students, only about one-tenth of the teachers mentioned academic achievement as an important goal. Teachers stressed the educational objectives of personality development, socialization, and citizenship.

Administrators generally responded similarly to teachers: this is not surprising, since all of them were formerly teachers, most quite recently. Only one administrator of the 35 interviewed was concerned primarily with the academic achievement of the student. The administrators do not generally express any need for a more intellectually challenging curriculum or for college preparations.<sup>7</sup>

<sup>7</sup> Ob. cit., ABT Associates, vol. II, p. 47.

Percentage of Ninth Grade Enrollment  
That Graduates From High School



LEGEND:

-----  
(1966-67)

National Average

-----  
(1969-70 projected)

BIA Schools

.....

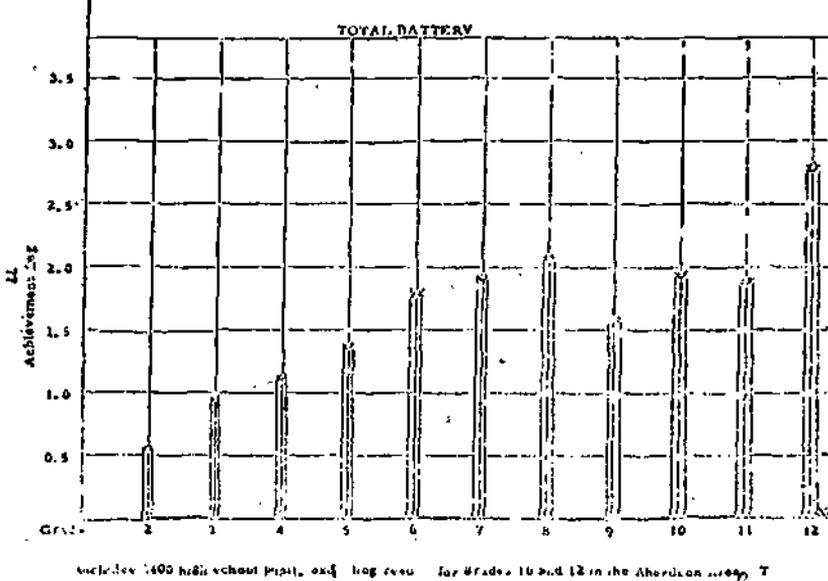
Georgia (poorest state average)

-----  
(1966-67)

Minnesota (best state average)

Apparently, many of the teachers still see their role as that of "civilizing the native." The study also found that, "teachers believe in a quiet obsolete form of occupational preparation, for which students show commendable little enthusiasm." One consequence of the unfortunate situation is a serious communications breakdown between student and staff and a serious lack of productive student-staff interactions.

In terms of operational philosophy several other deficiencies were noted: BIA administrators and teachers believe that Indians

ACHIEVEMENT RAO BEHIND NATIONAL NORMS OF ABOUT 22,000 INDIAN PUPILS IN BIA SCHOOLS<sup>1</sup>

can choose only between total "Indianess"—whatever that is—and complete assimilation into the dominant society. There seems to be little if any understanding of acculturation processes or the desirability of "combining a firm cultural identity with occupational success and consequent self-esteem." Thus, the goal of BIA education appears to direct students toward migration to a city while at the same time it fails to "prepare students academically, socially, psychologically, or vocationally for urban life. As a result, many return to the reservations disillusioned, to spend the rest of their lives in economic and intellectual stagnation." The counterpart of this Alice-in-Wonderland philosophy is an almost total neglect of reservation life and problems. The study notes that "the common social problems of family instability, poor health, inadequate housing, alcoholism, and underemployment is today almost unaffected by educational programs."

#### 4. QUALITY OF INSTRUCTION

The quality and effectiveness of instructional practices were found very unsatisfactory. For example:

\* The primary in-school cause of the low adequacy achievement levels of Indian students is the inadequacy of the instruction offered them for overcoming their severe environmental handicaps. A great proportion of the teachers in the BIA system lack the training necessary to teach pupils with the linguistic and economic disadvantages of the Indian child successfully. Only a handful of the Bureau's teachers are themselves Indians, although some bilingual Indian teaching aides are employed. Virtually no non-Indian teachers learn to

**COMPARISON OF LEVELS OF EDUCATIONAL ACHIEVEMENT  
OF INDIAN AND NON INDIAN CITIZENS**

	U.S. Non Indian Average	Indian Average	Deficits to be Corrected
Years schooling	10.6 <sup>1</sup>	8 <sup>2</sup>	2.6 years behind in 1960
Overage students (in all grades, stated as % of total enrollment)	Under 20 %	40% (7% 9-yr. or more behind)	20% over-age
Academic achievement stated in average number of years behind on standardized achievement tests: gr. 3-5 gr. 6-8 gr. 9-12	0 0 0	1 yr. 4 2 yrs. 2 yrs.	2 years retardation to overcome by the end of high school
Kindergarten enrollment as % of eligible children	7% of all 5-year olds, 1965 <sup>5</sup>	under 1% of all children in kindergarten in FY 1967 <sup>6</sup>	13,000 more Indian children in Kindergarten

<sup>1</sup> Statistical Abstract, 1967, based on 1960 Census Data

<sup>2</sup> Census Reports, 1966.

<sup>3</sup> Based on 1964 annual school attendance reports, 1967.

<sup>4</sup> All academic achievement data is based on different tests given to about 150 IIA schools enrolling almost 22,000 students, 3400 of whom were in the 11 high schools included in the sample.

<sup>5</sup> Statistical Abstract, 1967

<sup>6</sup> BIA Enumeration and Estimated Kindergarten-aged children.

speaking an Indian language, nor are they given formal help to do so. Many tend to take little interest in intellectual and artistic achievement, and therefore fail to stimulate the development of intellectual curiosity and creativity in their pupils.\*

\* The curriculums used in Bureau schools are generally inappropriate to the experience and needs of the students. Those for teaching linguistic skills are particularly unsuitable, as they fail to respond to the Indian child's unique language problems. Vocational training courses bear little relation to existing job markets. The teaching techniques commonly employed force upon Indian students a competition alien to their upbringings.\*

\* Ibid., vol. II.  
\* Ibid., vol. II.

## 5. GUIDANCE AND COUNSELING

Serious deficiencies in the guidance and counseling program in BIA schools were discovered. For example:

\* The ratio of guidance counselors to students is now approximately 1:600, counselors often lack professional training, and receive insufficient supervision; career and occupational counseling are only rarely offered; and psychological counseling is almost nonexistent. The ratio of counselors to Students should be reduced to 1:250.<sup>10</sup>

\* The common ratio of 1 dormitory counselor to well over 100 children is unacceptable, especially in light of the generally low level of professional training of the dormitory staff and the youth of the elementary school children. A major improvement in the number and quality of dormitory personnel is essential to bring supervision, guidance, and counseling up to the standards even of mediocre private boarding schools. These improvements would presumably require a sevenfold increase in expenditures on dormitory personnel.<sup>11</sup>

## 6. DISCIPLINE--STUDENT LIFE

School environment was sterile, impersonal and rigid, with a major emphasis on discipline and punishment, which is deeply resented by the students. They find the schools highly unacceptable from the standpoint of emotional, personality, and leadership development. For example:

\* Social activities involving both sexes, such as plays, concerts, dances, and social clubs, are relatively infrequent. According to the students, even when they are held they are usually over-chaperoned and end very early. Many teenage students also expressed great frustration with the boredom of weekends in the boarding school dormitories. Teachers and all but a few counselors depart, and almost no social activities are planned; it is hardly surprising, therefore, that students occasionally resort to drinking and glue-sniffing in order to relieve their boredom.<sup>12</sup>

\* Students complained bitterly of the lack of privacy in the dormitories, of the rigidity of their hours, and of the considerable attention devoted by dormitory staff to inspections and the enforcement of rules and order. At Haskell Institute, students reported that all electric power in the dormitories is turned off at night, to prevent them from reading or listening to the radio. Several students mentioned that they often needed flashlights to complete their reading assignments; they would hide beneath their blankets, so as to evade the notice of dormitory aides conducting bed checks.<sup>13</sup>

\* Dormitory discipline is often unnecessarily strict and confining. Students in their late teens and early twenties are often forced to conform to rules appropriate for children half

<sup>10</sup> Ibid., vol. II.

<sup>11</sup> Ibid., vol. II, p. 67.

<sup>12</sup> Ibid., vol. II, p. 68.

<sup>13</sup> Ibid., vol. II, p. 68.

their age. Although students tend to observe these rules, this does not negate their harmful effect on student maturity, self-reliance, and self-discipline.<sup>14</sup>

#### 7. PARENTAL PARTICIPATION AND COMMUNITY CONTROL

The BIA has simply failed in its implementation of the "new policy" goal of maximizing parental and community participation in the schools in spite of the wishes of the Indian communities:

\* Despite a Presidential directive issued more than 2 years ago, only a few BIA schools are governed by elected school boards. This may in part be attributed to the reluctance of Indians and Eskimos in many areas to serve on school boards. Existing programs to enlist the participation of Indian adults in the control of the schools in their communities have enjoyed only partial success. In addition, no community control exists over those high schools which are located off the reservation and which include students from more than one tribe.<sup>15</sup>

(4) The relationship between school staff members and parents is usually too formal and distant. On the rare occasions when parents visit their children's schools, they often feel unwelcome.<sup>16</sup>

\* With few exceptions, the facilities, staff, and equipment of BIA schools are not used as community resources for adult education and other activities.<sup>17</sup>

\* Indians participate little or not at all in the planning and development of new programs for Indian education, training, employment, and economic development, despite approval of such participation by the national office of the BIA.<sup>18</sup>

#### 8. ORGANIZATION AND ADMINISTRATION

The present organization and administration of the BIA school system could hardly be worse:

\* The special educational problems of a culturally different school population from unusually impoverished rural homes require an unusual degree of school system effectiveness, yet BIA schools are organized and managed in an unusually ineffective manner.<sup>19</sup>

\* There is at present no central authority that can relate educational expenditures to educational results. There is no standardized information on Indian student achievement or school profiles or teacher/student ratios or educational programs or educational curriculum which is used to make the Indian school system a better school system.<sup>20</sup>

\* At present, there is no clear chain of command from the Assistant Commissioner of Indian Affairs, Education, to the

<sup>14</sup> *Ibid.*, vol. II.

<sup>15</sup> *Ibid.*, vol. I, p. 41.

<sup>16</sup> *Ibid.*, vol. I, p. 52.

<sup>17</sup> *Ibid.*, vol. I, p. 46.

<sup>18</sup> *Ibid.*, vol. I, p. 46.

<sup>19</sup> *Ibid.*, vol. II, p. 191.

<sup>20</sup> *Ibid.*, vol. II, p. 197.

individual schools. Schools are dependent for many of their policies and resources on BIA administrators having no direct responsibility for, or knowledge of, education. The confusion and uncertainty of authority resulting from this lack of a clear chain of command from highest to lowest education officials has prevented effective program development, planning, budgeting, management, and control at all levels of the BIA school system.<sup>21</sup>

<sup>21</sup> The BIA schools are organized as if the municipal water commissioner controlled a city's schools' textbook budget, and the parks commissioner controlled the schools' facilities, equipment, and personnel acquisitions, with the city school superintendent only an advisor to the mayor, yet responsible for the effective operation of the schools.<sup>22</sup>

#### 9. PERSONNEL SYSTEM

One particularly crucial area of concern in the overall effectiveness of the BIA school system lies in the area of personnel recruitment, retention, reward, and utilization. The BIA personnel system contains major deficiencies which undoubtedly have contributed very substantially to all of the other inadequacies already cited.

The turnover rate of teachers is much too high, and often the most ambitious and promising teachers leave the system first. The present centralized recruitment system is cumbersome and ineffective and controlled by non-educators.

In addition, the civil service status of BIA teachers and staff has severe disadvantages. It is very difficult to reward the outstanding teacher and even more difficult to fire the incompetent. It has been suggested that "the teachers ability to rely on their civil service tenure militates against the total commitment needed from them." They tend instead to provide a minimum of effort and time and "take little interest in the problems of the school and community." Also, the rigidity of the civil service system has made it difficult if not impossible to permit Indian tribes and communities some authority over teacher selection and training. Indian communities consider this to be the most critical aspect of their involvement in the school. The subcommittee concurs with the ABT report's conclusion regarding BIA personnel:

The systems analysis of BIA schools concludes that while many of the problems of the schools are determined by forces beyond their control, the existing staff is inadequate, in quality and quantity, to deal with them effectively. BIA personnel from administrators to dormitory staff, frequently neglect their responsibilities and take no individual initiative, either from frustration or cynicism. Many of the most capable personnel resign from the system after a short term of service. A few dedicated persons continue to exert themselves, in the hope that some Indian children will benefit by their efforts.<sup>23</sup>

<sup>21</sup> *Ibid.*, vol. II, p. 192.

<sup>22</sup> *Ibid.*, vol. II, p. 193.

<sup>23</sup> *Ibid.*, vol. II, p. 146.

Why the Bureau of Indian Affairs has not considered its personnel system a top-priority concern, even to the extent of conducting a thorough study of the problems and alternative solutions, is difficult to understand. It stands out as another example of the Bureau's inability to confront its problems and carry out reform.

### C. SPECIAL PROBLEMS

#### 1. ELEMENTARY BOARDING SCHOOLS

As early as its first hearings in December of 1967, the subcommittee was informed that 7,476 Navajo children, ages 9 and under, were in 48 elementary boarding schools, on the Navajo Reservation. Although there are special educational and social reasons for placing children in boarding schools, in this case it was simply a matter of not having a day school (public or Federal) available.

Daniel J. O'Connell, M.D., executive secretary of National Committee on Indian Health, and the Association of American Indian affairs went on record as opposed to the placement of children of this age group in boarding schools as a "destructive" practice which resulted in emotional damage to the children.<sup>24</sup>

Dr. O'Connell stated, "that there is almost universal agreement in the field of developmental psychology that early separation of a child from the family unit is a destructive influence." In addition, the point was made that extended family relationships are more complex and important to an Indian child than a white child and crucial to his development of a sense of identity. Thus, separation from the family is probably even more traumatic and emotionally destructive. The elementary boarding schools on the Navajo Reservation are totally inadequate as a substitute for parents and family. Even with very substantial improvements, they can never be an adequate or desirable substitute.

Not long after the first subcommittee hearings, a letter was received from a BIA teacher in one of the largest elementary boarding schools on the Navajo Reservation. It is a very perceptive letter and provided an excellent description of how one of these schools function.

- I've only had experience (2 years) in teaching here at the Tuba City Boarding School. But I've seen enough here and at schools that I've visited, and talked with enough people from different places to come to some—hopefully accurate—conclusions. I hope they prove to be valid, and useful.

One major problem of course, is the boarding school per se. Although the idea of a boarding school, which draws in students from a broad area, is undoubtedly less expensive and more readily controlled than a large number of small day schools, and offers the students advantages such as a good diet and health and sanitation facilities, the problems that it creates are vast, and require solutions. The problems are often recognized, and are often bemoaned, but little has been done to eliminate them. One of these is distance from the home.

In an age and area which need local community interest, involvement, and understanding, in which we are supposed to

<sup>24</sup> Hearings, Subcommittee on Indian Education, pt. I, 1968, pp. 51-53.

be building and maintaining a harmony between cultures, we find many schools at such distances from the homes of the students, that meaningful contact is difficult to say the least. These distances make meaningful relationships, or even mere visiting, a severe hardship. (For example, the two young boys who froze to death while running away from a boarding school were trying to get to their homes—50 miles away.) The lack of transportation and the ruggedness of the terrain compound the problem.

As a result, most children on the reservation starting at the age of 6, only see their parents on occasional weekends, if that often. At these times parents are usually "allowed to check out their children"—if the child's conduct in school warrants it, in the opinion of the school administration. If he has been a "problem" (e.g., has run away) parents are often not allowed to take him until he has "learned his lesson." This may take up to a month to accomplish. This may tend to cut down on runaways, but it would seem that we should work toward eliminating the cause, rather than punishing the results.

However, these are often the lucky children. I have no evidence of this, except the word of teachers who are directly involved, but I have been told of schools (e.g., Toadlena Boarding School) at which parents are not allowed to check their children out on weekends, in order to eliminate runaways (except for emergencies).

When children are taken from their homes for 9 months a year, from age 6 onward, family ties are severely strained, and often dissolved. Even brothers and sisters in the same boarding school rarely see each other, due to dormitory situations, class, and dining hall arrangements. The children become estranged from relatives, culture, and much-admired traditional skills. (For example few of my students have been able to learn the art of rug weaving, or are familiar with Navajo legends, and sandpaintings.)

Yet, this could almost be understood if we were replacing it with something strong on which they could build a new life. We are not. We may be providing some opportunities for academic training—but that is all we are doing.

For example, my own school, the Tuba City Boarding School is the largest on the reservation, housing 1,200 elementary students. This alone creates immense problems. I don't believe any public school system in the country would tolerate an elementary school of this size, for the simple reason that the individual student would be lost in the crowd. We have them here, not only for an ordinary school day, but 24 hours a day, 7 days a week, 9 months a year.

The problems of properly running any institution of this size are enormous—be it hospital, prison, or whatever. However when we are involved in what is actually the home situation of young children from another culture, we had best do

everything possible to provide a secure, pleasant, stable, and enlightening environment for them. We aren't.

For instance, if day schools are not possible, could we not at least provide some overnight guest facilities for parents who would like to visit their children? Nothing elaborate or expensive would be necessary—a hogan would suffice and could be put together easily by Navajos in the vicinity. Or, a small frame building might be constructed.

Yet, as far as I know, this is not done anywhere. This might tend to make the school more of a Navajo school, and less a white school for Navajos.

There are many other ways in which the schools could serve. For instance, they could be opened in the evening to provide training, or formal courses, or just things of interest, to the people. Areas which require instruction, such as English, or writing, could be taught by the teachers themselves. In many depressed areas, teachers earn extra money by such professional means. Why not here? Also, many talented Navajos might wish earn extra money by conducting courses in the weaving of quality rugs, or in teaching oral English to the people. Consumer and health education could be included, with field trips to make them meaningful. The possibilities are endless. Yet nothing is being done in this area. \* \* \*

However, no matter how lacking our program may appear to be, we always manage to consider the academic department to be high quality when we compare ourselves with our dormitory counterpart, the "guidance" department. Herein lies the most serious deficiency of the entire boarding school system, for these people are in charge of the children 18 hours a day, 7 days a week, yet they are understaffed, underprogrammed, undersupervised and overextended. For example, each dormitory has only one teacher, and it is extremely difficult to find suitable personnel for these crucial, demanding positions. Yet, even the finest teachers could accomplish little, when they are working with 150 children of a different culture, and are responsible for their care and welfare 7 days a week.

Of course, there are aids working with the teachers—usually two, but occasionally only one on duty at a time. However, what with trying to mend clothes, supply linens, check roll, keep order, fill out forms, prepare children for meals, bathing, school, and bed, there is little time to do more than keep the walls from being pulled down. There is nothing to take the place of the homes they have left behind, or the personal interest and training they would have received from their families. The social relationships and interaction which brings about stability and contentment are denied them.

Even an effective guidance program could not replace that. But the truth is, we don't have an effective guidance program, only a "maintenance" program, due to the shortages of guidance personnel, funding, and planning. This accounts for the high degree of regimented confusion that abounds after the

school day ends. Vast blocks of time are filled with boredom or meaningless activity. There are no learning activities, and few recreational or craft areas being worked in.

The children search everywhere for something—they grasp most hungrily at any attention shown them, or to any straw that might offer escape from boredom. You can't help but see it in their faces when you visit the dorms of the younger children. At the older boy's dormitories, they are used to the conditions—you can see that too. They no longer expect anything meaningful from anyone. Many have lost the ability to accept anything past the material level, even when it is offered. Unless you lived with them over a period of time, and see the loneliness and the monotony of the daily routine, you cannot appreciate the tragedy of it but it's there.

Because of the shortage of personnel, there is a tendency—a pronounced tendency—to "herd" rather than guide. The boys and girls are yelled at, bossed around, chased here and there, told and untold, until it is almost impossible for them to attempt to do anything on their own initiative—except, of course, to run away. The guidance people indefinitely need help.<sup>25</sup>

Despite the historical precedent of extensive utilization of Federal day schools in the 1930's and the fact that means have been found to bus 2,300 Navajo Headstart children on a daily basis to 115 different sites across the reservation (by leasing smaller buses), the usual reason put forward for the existence of elementary boarding schools is the lack of all-weather roads on the reservation. It is surprising, therefore, to discover that two-thirds of the Navajo children in elementary boarding schools live 25 miles or less from the school they attend, and 90 percent of them live 50 miles or less. In light of this information (which the BIA had not been aware of until requested to prepare the data for the subcommittee) one would assume there would be an integrated school and road construction plan. However, according to a recent report of the House Appropriations Committee investigating staff, "BIA has never requested or required a study on the Navajo Indian Reservation which would show the effect of road construction on proposed school construction and operations. There are no present plans to revise the 10-year road construction plan to take into consideration BIA school construction or operations. BIA procedures require that separate proposals be submitted for road construction and for school construction."<sup>26</sup> The subcommittee hearings in Flagstaff also revealed the fact that Navajo families and communities are never involved in the planning or the site selection for new schools. They have objected vociferously on numerous occasions but have as yet to be listened to.

Despite a general agreement that elementary boarding schools are destructive, no concerted effort has been made to do anything about them, and a thorough study of the problem by an independent team of consultants has never been requested or conducted. In May 1967 the American Academy of Pediatrics Committee on Indian Health requested that such a study be conducted. Nothing has happened to date.

<sup>25</sup> Hearings, Subcommittee on Indian Education, pt. 5, 1968, pp. 2130-2133.

<sup>26</sup> Hearings, Department of the Interior and Related Agencies Appropriations for 1969, pt. 2, p. 597.

Because of this lack of sufficient data, the subcommittee held public hearings in the fall of 1968 to gain additional information. At those hearings two psychiatrists, Dr. Karl Menninger and Dr. Robert Leon, testified that elementary boarding schools were destructive and should be abolished. Dr. Robert Bergman, the psychiatrist presently serving the Navajo reservation, has pointed out in a paper prepared for the subcommittee that the boarding schools have a negative effect on the Navajo family and social structure as well as on the children.

Among the young adults who are the first generation of Navajo in which the majority went to school, there are many severe problems. The problems that occur with excessive frequency are ones involving the breakdown of social control: drunkenness, child neglect, and drunken and reckless driving. Alarming numbers of people have lapsed into an alienated, apathetic life marked by episodes of delinquency and irresponsibility. \* \* \* I have encountered many mothers who take the attitude that they should not have to be burdened with their children and that the hospital or some other institution should care for them. It seems a reasonable hypothesis that their having been placed by their own parents in an impersonal institution contributes to such attitudes, and it is noticeable that the boarding schools provide children and adolescents with little or no opportunity to take care of other children or even of themselves.<sup>2</sup>

The Meriam Report in 1928 had noted the same thing.

Indian parents nearly everywhere ask to have their children during the early years, and they are right. The regrettable situations are not those of Indians who want their children at home, but of those who do not, and there is apparently a growing class of Indian parents who have become so used to being fed and clothed by the Government that they are glad to get rid of the expense and care of their children by turning them over to the boarding school.

## 2. OFF-RESERVATION BOARDING SCHOOLS

As early as its first hearings in December of 1967, the Senate Subcommittee on Indian Education was made aware of the mental health problems associated with Indian boarding schools. Since that time, the subcommittee has sought to gather as much information as possible about those boarding schools which appeared most problematic: the elementary boarding schools on the Navajo Reservation and the off-reservation boarding schools in which students with a variety of "social" problems are enrolled.

The Bureau of Indian Affairs operates boarding schools in all, with a total student population that exceeds 34,000. More than 12,000 students attend the 19 off-reservation boarding schools; approximately 10,000 students are enrolled in the 13 off-reservation boarding schools in which subcommittee staff and consultants have conducted formal evaluations. (These are published in a separate Committee print).

<sup>2</sup> Hearings, Subcommittee on Indian Education, Pt. 3, 1968, p. 1126.

The following criteria are used as the basis for admission:

*Education criteria.*

1. Those for whom a public or Federal day school is not available. \* \* \*
2. Those who need special vocational or preparatory courses, not available to them locally, to fit them for gainful employment. \* \* \*
3. Those retarded scholastically 3 or more years or those having pronounced bilingual difficulties. \* \* \*

*Social Criteria*

1. Those who are rejected or neglected for whom no suitable plan can be made.
2. Those who belong to large families with no suitable home and whose separation from each other is undesirable.
3. Those whose behavior problems are too difficult for solution by their families or through existing community facilities. \* \* \*
4. Those whose health or proper care is jeopardized by illness of other members of the household.

The determination of "eligibility" of students enrolled under one of the social criteria is made by Bureau social workers on the student's reservation. Although parental approval and approval of the reservation superintendent are also required, social workers usually initiate the application process and are the primary decision agents. As John Bjork notes in his evaluation of the Flandreau School:

Decisions to send children to boarding schools are made at the local level and may well be one of the most vital effects upon his life that a child will ever encounter. Once in the boarding school system he is not likely to leave it.<sup>29</sup>

Mr. Bjork recommends that the decisionmaking process by reservation school administrators, social workers, tribal councils, and the courts is worthy of "determined study and analysis." The subcommittee concurs.

As the evaluation reports make clear, the student population of the off-reservation boarding schools is one with special social and emotional problems. At the Albuquerque Indian School, 50 percent of the students were enrolled under the social criteria; at Busby, 98 percent; Chilocco, 75 percent; Flandreau, 90 percent; and Stewart, 80 percent. Further, the Bureau estimates that at least 25 percent of the students in these schools are public school dropout (or pushouts). Others have accepted boarding school placement as an alternative to a reformatory. And many move from school to school year after year.

Student mobility among boarding schools causes its own particular problems. Reporting on the Pierre school, Bjork notes that

The academic record of a child generally accompanies him without too much difficulty; the system fails, however, if the child moves frequently. Social summaries continue to be brief and outdated in many instances.<sup>29</sup>

And, at the Intermountain school, the evaluation report cites the staggering administrative problem caused by the arrival of hundreds of students without records of any kind. This year there were over 600.

<sup>29</sup> "A Compendium of Federal Boarding School Evaluations." Committee Print, vol. 3, October 1969. Subcommittee on Indian Education.

<sup>29</sup> *Ibid.*

Scattered among the boarding school students who are enrolled for social reasons are those whose presence is derived solely from the inaccessibility of education close to home. Several of the evaluation reports highlight the difficulties of such heterogeneity. The Bureau's Intermountain evaluation, for example, states:

A decision needs to be made about the direction of the school and the type of student it will serve. At present Intermountain School has such a varied student body that it is impossible for the present staff and faculty to meet all needs of all students. And, again we heard the comment, we do not know what our mission is, are we going to serve as a dumping ground for youngsters the reservation schools do not want, do we operate a vocational high school with some terminal training, or do we operate a comprehensive high school program?<sup>30</sup>

The effects on Chilocco, as observed and reported by Richard Hovis, a student teacher, are similarly distressing:

The few delinquents at Chilocco give the whole school a reform school atmosphere. A small number of the students are sent there because they can't get along anywhere else. These students force the administration to be very strict with rules and regulations. As a result, many teachers categorize all the students as delinquent cases and treat them as such. It is no wonder that the students have little to say in class when they are thought of as poor, ignorant, Indian juvenile delinquents.<sup>31</sup>

At Flandreau, the report quotes the principal's remark that he is not sure anyone knows or agrees upon the goals of the school. To the agency social worker and the superintendent, Flandreau is a dumping ground. The principal stated:

Students now come for social reasons, but the staffing hasn't changed one bit to meet the social reasons . . . We talk social problems yet respond in an academic manner.<sup>32</sup>

The same lack of appropriate response to social problems is presented by Dr. Anthony S. Elite in his report of the Phoenix Indian School. Dr. Elite says:

At the Phoenix Indian School alone, for example, out of an enrollment of approximately 1,000 students, over 200 come from broken homes. Five hundred and eighty students are considered academically retarded. There are at least 60 students enrolled where there exists a serious family drinking problem. From September to December of 1967, there were 16 reported cases of serious glue sniffing. The school is often pressured into accepting students with a history of juvenile delinquency and overt emotional disturbance.

With this great change in the profile of the student body there has not been a concomitant change in staffing skilled workers or training existing personnel to cope with these problems.

<sup>30</sup> Ibid.  
<sup>31</sup> Ibid.  
<sup>32</sup> Ibid.

The situation has reached crisis proportions.<sup>35</sup>

Although one would expect that the program offered to Indian students in off-reservation boarding schools would differ from the standard secondary fare, reviewers discovered quite the opposite.

The Oglala team, for example found the following:

The curriculum is basically college preparatory. During the freshman year, each student is required to take a course in the practical arts; but, the advance offerings in this area are very limited. During our visitation with students, they expressed a desire for courses which would better prepare them to go directly to employment. The present curriculum has no department which is providing terminal education.<sup>36</sup>

At Busby, the evaluators conclude that "The program has practically no relevancy to any student needs." About Flandreau, Bjork writes:

The school appears to have resolved the old "saw" of whether schools are providing "terminal" education with a firm negative response from everyone, except those staff members concerned with other than academic education.<sup>36</sup>

At Stewart, the evaluators found students who required intensive remedial work. Instead, they were offered "watered-down 'easy' curriculum".

The mathematics program provides a good example. The first course for "high school" students teaches addition and subtraction. The second-level course deals with all four basic operations plus fractions. The next course is concerned with proportions for simple algebra, while the top course is finally algebra.<sup>36</sup>

The Stewart evaluation concludes:

One of the major problems at Stewart is that no one seems to have identified the fact that Stewart is a specialized school dealing almost exclusively with problem children who are low achievers. Eighty percent of the students are assigned to Stewart for this reason and yet the school is operated as though this wasn't true.<sup>37</sup>

After reading these reports, it is not difficult to understand why the academic performance of boarding school students, as measured by standardized tests in school after school, falls 2½ to 3 years below grade level, sometimes more. Not only do the students bring learning handicaps at entry, but the educational program proceeds in complete oblivion of their need.

If the evaluation teams found the schools' programs sorely in need of change, their impressions of staff adequacy were hardly more encouraging. In many cases, neither the quality nor the quantity of personnel was judged satisfactory. The reports frequently cite insufficient numbers of dormitory personnel and lack of training for these positions as especially serious flaws.

The summary of the Seneca evaluation comments:

The boarding school staff is almost entirely Indian, with the median age in the forties; many of them have attended board-

<sup>35</sup> Ibid.  
<sup>36</sup> Ibid.  
<sup>37</sup> Ibid.  
<sup>38</sup> Ibid.  
<sup>39</sup> Ibid.

ing school or have spent all or most of their working lives in boarding schools. Their approach to dealing with youth, whatever it may be, appears to be based on this background.<sup>38</sup>

An evaluator of the Sherman Institute writes:

\* \* \* A rapid survey of the Institute produces the impression of a rigid, uncompromising, bureaucratic, authoritarian, non-innovative feudal barony in which students are "handled" or "processed" rather than educated.<sup>39</sup>

And, in the reports on Flandreau and Pierre, these statements appear:

Staffing patterns should be adjusted to needs of the pupils. If the schools continue to be operated for children in trouble of one kind or another, the proportion of education specialists capable of remedial instruction, social welfare, guidance, counseling, analysis, and recreation should be sharply stepped up. These services are vitally needed now and there is probably no circumstance of redefinition of the schools' mission which should not include at least a modest increase in these kinds of personnel. If schools assume a parental role and provide a home, they should be vastly more concerned for the hours of pupils outside the classroom—in recreation, games, entertainment, work, study, and personal growth.

Pre-service and in-service preparation of teachers must be organized and pushed. It is not humane nor efficient to allow teachers to learn their profession by practicing on the defenseless. The preparation and development of instructional aides and matrons is a matter of high priority.<sup>40</sup>

Neither the program nor the personnel, and obviously the two are related, suit the majority of the student body of the off-reservation boarding schools. In his report on Flandreau, John Bjork offers his understanding:

The schools are operated solely by educators for students referred, in the main, by social workers. The schools accept, knowingly, a wide variety of complex social, psychological, educational and cultural disorders. Social workers and educators "use" the outmoded idea that sending people far from the scene of their social and emotional problems will somehow, almost miraculously, solve the problems. (The demise, years ago, of orphanages and, more recently, large isolated state mental hospitals, attest to the abandonment of this theory in social and psychiatric thinking.) Further, it is commonly acknowledged by BIA social workers and educators alike that when social histories are written, the sophisticated referral includes just enough damaging evidence to "justify" removal of the child from his home community, but not enough to preclude his acceptance at the school. The school is, indeed, a dumping ground. Should the adjustment process prove too difficult for school or student, he is returned home or passed along to another boarding school, day school, public school, training school, state hospital, or lost completely. For the

<sup>38</sup> Ibid.  
<sup>39</sup> Ibid.  
<sup>40</sup> Ibid.

student, the psychosocial nomadism and chameleon responses, described by the Flandreau Papers, set in. For the staff, distrust and alienation are heightened.

The situation demands imaginative and cooperative child health, welfare, and education programing at the local level. Fragmentation of effort is rampant and the power structure is well established.<sup>41</sup>

Not only at Flandreau, but all the off-reservation boarding schools, the institutions are operated solely by educators for students referred primarily by social workers. They are not equipped to deal with the problems for which the students were referred. Once the referral is completed, there is little communication between the educators and the social workers. Nor is there adequate communication between the Division of Indian Health personnel and the school staffs. Clearly, much of the blame for these schools' failings must be attributed to this fractionalization of responsibility. Its effects are well described in the Busby evaluation:

It is not doing any kind of a job of rehabilitating the misfit children in its boarding school program; but then it was not designed, funded or staffed as a mental health clinic. The Busby school, both day and boarding, seems to be operating primarily as a custodial institution, designed and functioning to give Indian children something apparently relevant to do until they are 18 years old while creating a minimum of anxiety for all concerned—pupils, parents and staff.<sup>42</sup>

Perhaps the greatest irony of all is that even as custodial institutions, the Bureau's off-reservation boarding schools are not satisfactory. Several reports point to examples of overcrowding in dormitories or classrooms, of lack of privacy for the students, of inadequate areas for study and recreation, of unappealing meals, of rules which irritate older students by their rigid enforcement and inappropriateness to the student's age, and of punitive discipline. That the dormitories are like "harracks": that the living conditions are "sterile" and "unimaginative" and "institutional"—these are the descriptions that reappear.

If the boarding schools acted only as custodial institutions, criticism enough could be directed at their failing to educate and at their failing to meet the psychological and social needs of the students as individuals. A strong case can be made, however, that the boarding schools contribute to the students' mental health problems. In testimony before the subcommittee, Dr. Robert Leon reported the following:

Some of the effects of Indian boarding schools are demonstrated by the very people who are now working in the boarding schools. Many Indian employees, most of whom are guidance personnel, are themselves a product of the Indian boarding school. I have found that some of these people have great difficulty in discussing their own experience as Indian students. Many of them show, what I would call, a blunting of their emotional responses. This I would attribute to the separation from the parents and the oppressive atmosphere of the boarding school.<sup>43</sup>

<sup>41</sup> Ibid.

<sup>42</sup> Ibid.

<sup>43</sup> Hearings, Subcommittee on Indian Education, Pt. 5, 1968, p. 2152.

Another observer, Dr. Thaddeus Krush, reported his "Thoughts on the Formation of Personality Disorder" after a study of an Indian boarding school population. He concluded that the students' "frequency of movement and the necessity to conform to changing standards can only lead to confusion and disorganization of the child's personality. The frequency of movement further interferes with and discourages the development of lasting relations in which love and concern permit adequate maturation." "Other mental health experts have expressed similar concerns about the effects of boarding school institutionalization. If they continue to exist, it is painfully obvious that their mission, staffing and program must be freshly tailored to the very special needs of their student bodies.

Of that, the summary of the Stewart evaluators leaves little doubt:

Stated succinctly, we feel Stewart is a tragedy. Historically an isolated school for problem children, it is now the school to which Indian children from the Southwest are sent as the only alternative to dropping out of education entirely. At Stewart these children are passed from one vocational department to another, never receiving sufficient training to prepare them for jobs, and never receiving the remedial programs necessary to cope with their deficiencies in reading and writing English. They graduate from the school with a high school diploma and a ninth-grade education. \* \* \*

The teachers at Stewart know their task is hopeless. They accept the "low potential" of their students, and expect to prepare them for the lowest of occupations. They are indifferent, uncreative, and defeated. The guidance staff attempts to ameliorate the schools' archaic social rules, but must fight dormitory aides who were educated at Stewart and who believe in and enforce strict discipline and puritanism. The principal believes in trying new approaches and remedial programs, but must work with teachers whom he has not chosen, and a completely inadequate budget. The students must obey rigid social rules characteristic of reform schools, while living under the lie that they are actually receiving a high school education. They have almost no contact with the world outside the barbed-wire boundaries of the campus, and cannot even return to their homes for Christmas. That they remain vibrantly alive human beings at Stewart is neither an excuse for the schools' existence nor a negation of the tragedy. They remain children confused and threatened by White America, deprived of an adequate education and subjected to inhumane rules restricting every aspect of their lives.<sup>45</sup>

Dr. Jones M. Kilgore, Jr., a psychiatrist who since 1960 has been a consultant to the Public Health Service and has worked with students at the Phoenix Indian School, has made the following recommendations in a report to the subcommittee:

In my rethinking the problems of a boarding school off the reservation, I have arrived at several conclusions. There are tremendous problems involved in managing a boarding school off the reservation in terms of teaching and taking care

<sup>45</sup> Op. Cit. Committee print, vol. 3, October 1960.

<sup>46</sup> Ibid.

of the students as well as meeting their emotional needs and giving them guidance in developing into young adults. Most of the students come to the boarding school because they are having problems on the reservation with the schools that are locally available to them or with their parents and many have rather severe psychological problems imbedded within their early personality development. \* \* \* It is my opinion that the boarding school, if it is to continue and be allowed to exist, should be made into a "residential treatment center school" with emphasis not only on giving adequate education, but also providing adequate foster parents and appropriate plans for mental health development and treatment of mental disorders.<sup>46</sup>

A similar recommendation for transforming the off-reservation boarding school was made to the subcommittee by Dr. Robert L. Leon in his testimony on October 1, 1968. Dr. Leon phrased his recommendation this way:

I propose to you that funds be made available from the Congress to convert many of the Indian boarding schools into residential treatment centers for emotionally disturbed children. The schools which are converted into residential treatment centers should be administered by mental health personnel. The program should be planned and developed jointly by mental health and educational personnel. All educational and dormitory personnel should have training in the care and treatment of emotionally disturbed and socially deprived children.<sup>47</sup>

In making this recommendation, Dr. Leon contends that the present inadequacy of the boarding schools to treat the emotional problems of the student nullifies the educational effort; that, bluntly, the boarding school experience "does more harm than good. They do not educate; they alienate."

Dr. Kilgore and Dr. Leon are not unprecedented in their suggestion. The Meriani report, some 40 years back, suggested that some of the off-reservation boarding schools "might well become special schools for distinctive groups of children":

For the mentally defective that are beyond the point of ordinary home and school care; for \* \* \* extreme "behavior problem" cases, thereby relieving the general boarding schools from a certain number of their pupils whose record is that of delinquents, who complicate unnecessarily the discipline problem, and for whom special treatment is clearly indicated.

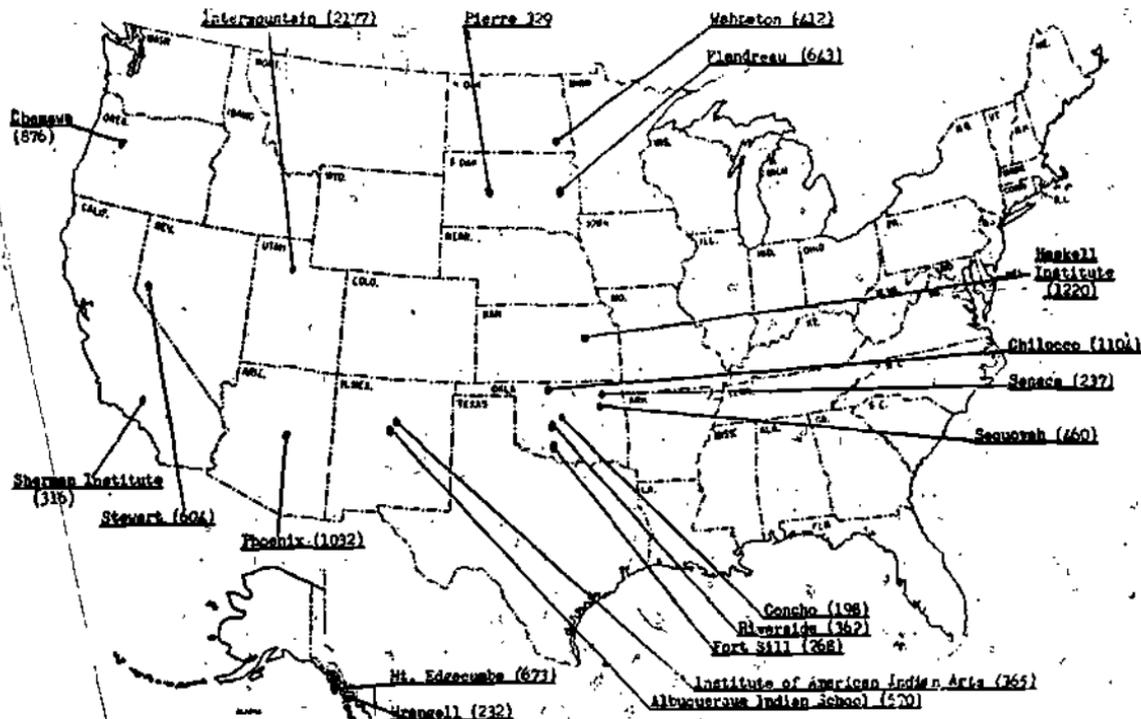
Since so many of the students in the off-reservation boarding schools do comprise a group with special psychological problems, these recommendations make eminent good sense. It is unfair not only to these students, but to their more fortunate classmates, to treat them in an undifferentiated curriculum. It is overly harsh to send these young people to off-reservation boarding schools because of "social" reasons and then to fail to provide assistance for their problems.

<sup>46</sup> *Ibid.*

<sup>47</sup> Hearing<sup>s</sup>, Subcommittee on Indian Education, pt. 5, 1968, p. 2155.

**BUREAU OF INDIAN AFFAIRS**

Off-Reservation Boarding Schools  
(enrollment Fiscal Year 1968)



## D. SPECIAL PROGRAMS

## 1. VOCATIONAL EDUCATION

In 1928, the Meriam report criticized the inadequate and ineffective vocational training programs being offered by the BIA. As a result, a number of changes were made and new programs initiated.

Vocational courses were improved and an attempt was made to relate them to the economic base of the reservations. Although academic courses were upgraded and increased and provision was made for higher education, vocational education still dominated the Bureau's approach to Indian education.

It was the Bureau relocation program, begun in 1952 that spotlighted the deficiencies in the Bureau high school vocational program. The relocation program was designed to provide the means whereby Indians could leave the economically depressed reservations and go to an urban area where jobs were more plentiful.

The Indian family or single adult was transported to certain cities where the BIA had established relocation field offices to receive them. Field office staff provided general counseling to the relocatees and assisted them in finding employment and housing. Financial support was provided until the relocatee was employed and receiving wages.

It soon became apparent that the undereducated, poorly trained Indian with his rural background and cultural differences had not been adequately equipped to compete in the labor market or make an adequate social adjustment to his new environment.

As a result of these deficiencies, between 1953 and 1957, three out of 10 relocatees returned to the reservation in the same year they had been relocated. There are no statistics which would show how many eventually returned, but the rough estimates run as high as 75 percent. A follow-up study conducted by the Bureau in 1968 of Indians relocated in 1963 indicated that only 17 percent were still in the area to which they had been relocated.

The general failure of the relocation program to achieve the objectives for which it had been established had a major impact on vocational education in the BIA and generated a response in two areas. New legislation was passed in 1956 to provide training for Indian adults so that they could meet the labor market standards of the cities where they were relocated.

The second impact of the relocation debacle was on the Federal school system. The failure of the program brought into sharp focus the shortcomings of the vocational education program provided in high schools operated the Bureau. In 1957, a period of study and evaluation began and in 1963, a new policy was set forth which, in theory, ended vocational education in Bureau high schools.

Under the new policy, BIA high schools would now provide only prevocational education. Thus, at the high school level, a prevocational curricula would be adopted that would qualify students for admission to post-secondary schools. Such a curricula would include, at the ninth grade level, emphasis on reading, writing, and arithmetic, a series of "practical arts" courses which would teach purchasing, packaging, money management, etc., and field trips to acquaint students with various occupational fields. At the 10th, 11th, and 12th grade level, the

curricula would be focused on preparatory or "exploratory" shop courses which would give the student a basic knowledge and experience in occupational fields.

With a curricula now giving primary emphasis to academic courses and offering only prevocational education, the Bureau established a goal of 90 percent graduation rate by 1970 with 50 percent of those graduating going on to college and 50 percent attending postsecondary vocational schools.

Recent data demonstrates that the 1963 policy for Bureau high schools falls far short of the goals set for 1970. The 1967 statistics reveal a 40 percent dropout rate of students entering high school with only 28 percent of those who finish high school entering college. Of the 28 percent going to college, only one-fourth graduate. It appears that 45 percent of the high school graduates continue their training other than at college, but information is not available on how many complete their training. BIA schools maintain very inadequate followup records or no records at all.

The success of the prevocational program is dependent upon the adequacy of the academic program, the ability of the students to master the program, and the adequacy of vocational guidance counseling. Several studies have been made of the achievement level of Indian students entering high school. Many of these studies indicate that Indian students have an achievement level 2 or 3 years below grade level when they enter the ninth grade, and fall even farther behind in high school. Obviously, such students will have great difficulty in post high school training programs.

Other studies point out a desperate shortage of trained guidance counselors in the Bureau schools. Coupled with this is the fact that many of the qualified counselors in the Federal schools are not being used effectively or are not being used at all in their professional capacity. Moreover, qualified counselors rarely have a background in vocational education. Counseling in the field of vocational education requires special knowledge. One study states that there is a "built-in bias" in all high schools in providing counseling for college-bound students, but very little guidance for those students interested in vocational schooling. Reports from Bureau personnel confirm that this attitude is even more prevalent in Bureau schools.

Another source of information on how well the 1963 policy is functioning with regard to prevocational training are the evaluations of Federal Boarding Schools conducted by the subcommittee staff and consultants. The following excerpts and comments on the evaluation reports of four BIA schools point up dramatically the inadequacy of the present high school program.

*Stewart Indian School.*—" \* \* \* the Stewart experience falls far short of an academic challenge." Students see the school "as an easy place." The "watered down" academic curricula is " \* \* \* given secondary consideration to the vocational program."

However, the vocational program (prevocational except for house and sign painting) is not much better.

Initially, students are rotated from one vocation specialty to another " \* \* \* until the junior year, after which they spend one half day of each school day in one vocation " \* \* \* The

boys who do best are encouraged to take painting or carpentry, while the "low" achievers are placed in general farm work and heavy equipment operations. The girls may choose from one two fields—general and home services (domestic work) or "hospital ward attendant" training, which the girls considered a degrading farce—a euphemism (they say) for more domestic work.

\* \* \* the children \* \* \* are passed from one vocation department to another never receiving sufficient training to prepare them for jobs. They graduate from the school with a high school diploma and a 9th grade education and expect to compete with other Indians as well as non-Indians in post-graduate vocational schools and the job market.<sup>44</sup>

It is readily apparent from such a description that not only does the high school prevocational effort at Stewart fail to prepare the student for employment, but it also fails to prepare him for further vocational training.

*Flandreau Indian Boarding School, Flandreau, South Dakota.*—The Flandreau school receives many of the academically retarded and "social problem" students and is considered a "dumping ground" for this purpose. The curricula is intended to be prevocational, but the evaluation team found considerable confusion as to the specific goals of the school.

The students appear to want more vocational training as "[they] are spending more time in the shops than they did the previous year when classes were an hour long." \* \* \* Students progress at their own rate [in the shops] and take tests when they feel they are ready. \* \* \* Of the upper classmen who do not take shop, half can't because they've failed required courses. \* \* \* Mr. Mullin [an instructor] admitted that some of the training was being given with obsolete equipment.<sup>45</sup>

In defense of the administrators of the Flandreau school, it can be said that the "confusion" as to its purpose and goals reflects the indecision and vacillation at the policy-making levels of the Bureau.

*Chilocco Indian School, Chilocco, Okla.*—As with the Flandreau and Stewart schools, Chilocco receives many of the academically retarded and socially maladjusted Indian students. Also, as in the Flandreau school, there is pitiful lack of program direction. The evaluation report states that, "There seems to be a question of whether Chilocco should provide a vocational, comprehensive, or academic program."<sup>46</sup>

According to the administrators, "Chilocco is de-emphasizing its vocational program in accordance with the 1963 policy statement, but 50% of its students entering 9th grade fail to graduate," and "the number of graduates entering college is practically nil." One evaluation team states that, "\* \* \* the program at Chilocco is inadequate in every respect." The classes are too large, there is not enough equipment, and what equipment they have is obsolete and inoperable.<sup>47</sup>

*Sherman Institute, Riverside, California.*—The evaluators of this school summarized their findings as follows:

<sup>44</sup> Op. cit., Committee Print, vol. 3, October 1969.

<sup>45</sup> Ibid.

<sup>46</sup> Ibid.

1. Inadequate outside evaluation.
2. Inadequate staff, both administrative and qualitative.
3. Inadequate administrative skill in budgeting, use of surplus property, etc.
4. Inadequate vigor in defending the interests of the students.
5. Inadequate admissions criteria.
6. Inadequate feed back of results.
7. Inadequate funding.
8. Inadequately identified goals.
9. Inadequate plant facilities.
10. Inadequate vocational training.<sup>51</sup>

Even had the vocational program of the school been found adequate, it could not have operated effectively in light of these serious general deficiencies.

The evaluators found that the industrial arts courses appeared to be "hobby shops."

The shops and labs are pro forma. Metal and wood working machines and tools are limited in scope and are of World War II vintage. By most minimal vocational training standards, they are inadequate in size, equipment, and staff.<sup>52</sup>

One theme running through these evaluations is that the vocational programs lack a central, unified, coherent structure and focus, both within each school and within the Bureau system. In summary, although the current philosophy of the Bureau is to prepare students for off-reservation employment, it does "not prepare students academically, socially, psychologically, or vocationally for urban life." It can equally well be said that the limited prevocational program in BIA schools has no relevance to manpower needs or economic development of the Indian community.

## 2. HIGHER EDUCATION

In an average class of 400 Indian students in Bureau high schools, 240 can be expected to graduate from high school. Of those 240, 67 can be expected to attend college. Of these 67, only 19 will graduate from college.<sup>53</sup> According to October 1966 statistics, 2.2 percent of the national population was enrolled in college. Only one percent of the Indian population was in college at that time.<sup>54</sup>

Yet despite the few number of Indians in college, and the even fewer number who graduate from college, Indian students have expressed a definite desire to attend college. The study by ABT Associates, Inc., found that three-fourths of the Indian students in Bureau schools wanted to go to college.<sup>55</sup> Three percent desired graduate studies at the masters or doctoral levels. Less than 18 percent wanted their education to end after high school. The study found the students' aspirations unmatched with their teacher expectations, though. According to the report, "The majority of the teachers not only did not consider

<sup>51</sup> Ibid.

<sup>52</sup> Ibid.

<sup>53</sup> Report of ABT Associates, Inc., Cambridge, Mass., prepared for BIA, 1968.

<sup>54</sup> Legislative Reference Service, Library of Congress, Washington, D.C.

<sup>55</sup> ABT Study, p. 46.

college preparation the primary objective, but almost totally rejected graduate education as a goal."<sup>56</sup>

There are many reasons why there aren't more Indians in college, and why, once they are enrolled, they are more prone than non-Indians to dropping out. The expectations of teachers, as cited above, are most important. If a teacher doesn't think his pupils are worthy of college, the pupil begins to internalize the teacher's belief, and looks upon himself as unfit for college. The subcommittee hearings record several examples of teachers and counselors discouraging Indians from higher education, in some instances, just because they were Indian.

Dr. Lionel H. de Montigny, Deputy Director of the Division of Indian Health in the Public Health Service at Portland, Oregon, reported the following incident in a letter to the subcommittee:

David Butler, a Makah Indian, wanted to enter college with the hope of entering medical school at a later date. His local advisers told him that it was out of the question. No Makah had ever applied before and he could not be expected to make it. He was advised to become a cook.<sup>57</sup>

Guidance counselors in Bureau schools often serve more as dormitory managers and disciplinarians than as persons interested in guiding Indians into higher education. Bureau guidance counselors meet civil service requirements, but very few are State-certified professional counselors. A 1969 survey of the Navajo area school system showed that only 30 of 160 guidance counselors were professional counselors certified by the State.<sup>58</sup>

When many Indians get into a college they find themselves inadequately prepared academically to deal with college work. Most Indians graduate from high school about 2 years behind the average non-Indian high school graduate in the United States. The language difference also serves as a handicap to many Indian students. McGrath's study of more than 600 Indian college students in the Southwest found that facility with English, as measured by standard tests and instructors' evaluations, was definitely correlated with success in college.<sup>59</sup> Another study showed that the bilingual college student lacked self confidence, felt unprepared to deal with the college environment, and, on the whole, had a more difficult time learning and retaining class material.<sup>60</sup>

The emotional and social adjustment problems the Indian encounters in college also play a part in his inability to succeed in college. Although most college students have problems in this area, studies indicate the problems of Indians to be of a more serious nature. Many are thrown into a new environment with different customs and different values, and they never fully recover from the trauma. McGrath's study indicated that difficulty in participating in social events, difficulty in making non-Indian friends and difficulty even in making Indian friends were all related to academic achievement. He said that Indians

<sup>56</sup> Ibid., p. 49.

<sup>57</sup> Letter from Dr. Lionel H. de Montigny to Adrian Parmeter.

<sup>58</sup> Legislative Reference Service, Library of Congress, Washington, D.C.

<sup>59</sup> McGrath, G. D., et al. Higher Education of Southwestern Indians With Reference to Success and Failure, Arizona State University, 1962.

<sup>60</sup> Artchoker, John, and Nell M. Palmer. The Sioux Indian Goes to College, Institute of Indian Studies, University of South Dakota, Vermillion, 1959.

with such difficulties—and several studies reported Indians as having such difficulties—tend to receive lower grades and eventually drop out of college. Other studies have suggested that the difference in values held by Indian groups and those held by the American educational system hamper Indian adjustment to the college environment. As Zintz stated:

The value system which gives direction to living and determines life goals for Indians has not established the kinds of motivations, aspirations, and thought patterns necessary for success in college.<sup>61</sup>

Another contributory cause to the small Indian college enrollment is insufficient funds, especially for clothing and spending money. The research of Artichoker and Palmer found this to be one of the decisive factors in the Indian's academic failure.<sup>62</sup> Financial difficulties were generally found to be most severe for those who attended college at least a year.<sup>63</sup>

Attempts have been made to deal with the causes of Indian dropout from college, but they have not adequately solved the problem. Loan and grant programs available to Indian students, for example, have increased considerably in recent years, yet still don't begin to meet the need.

The Bureau of Indian Affairs made scholarship grants to 2,669 of the approximately 4,300 Indians attending college on a regular basis in 1968. The grant averaged \$859 per student.<sup>64</sup> The total expended for scholarships that year was \$2,296,000. Just 5 years earlier, in 1963, the Bureau was spending only about \$56,000 for scholarships. The Bureau hopes to increase its scholarship program so that by 1975, more than 7,000 Indians will benefit from it.<sup>65</sup>

In addition to the BIA program, national defense loans and work-study programs are also available to Indian students. A number of States, including New York, Minnesota, North Dakota, South Dakota, Montana, and Wisconsin, have State scholarship programs for Indians.<sup>66</sup> A number of tribes have their own scholarship and educational loan programs. McGrath reported, for example, that 14 of 37 Southwestern tribes studied awarded scholarships. The United Scholarship Service, a private nonprofit corporation in Denver, Colo., has aided Indians in finding scholarships.

But despite the growing number of scholarship and financial aid programs, the full need is not being met. The number of applicants is increasing yearly, and so is the cost of tuition and the other expenses that are a part of college. The Bureau has been able to provide only limited funding for graduate students. It estimated that some 400 Indian graduate students will be requiring money.<sup>67</sup>

Because the Bureau scholarships do not provide any additional subsistence for married students, such Indian students, especially those

<sup>61</sup> Zintz, Miles V. *Education Across Cultures*. William C. Brown Book Co., Dubuque, Iowa, 1963.

<sup>62</sup> Artichoker, *ibid.*

<sup>63</sup> Berry, Dr. Brewton, *The Education of American Indians, a Survey of the Literature*.

P. 77.

<sup>64</sup> Branch of Public School Relations, Bureau of Indian Affairs.

<sup>65</sup> Bureau of Indian Affairs.

<sup>66</sup> Subcommittee hearings, pt. 1, p. 200.

<sup>67</sup> Branch of Public School Relations, Bureau of Indian Affairs.

with families, must suffer serious financial problems or withdraw from school. Between 350 and 400 Indian students attended school under these circumstances in 1968. The Bureau reports that "many others could not accept single grant amounts and, therefore, did not attend a college at all."<sup>68</sup> Bureau regulations exclude from grant assistance most Indians living away from the reservation. The Bureau estimates there are at least 500 applicants in this category who need supplemental aid.<sup>69</sup> Indian students less than one-quarter degree Indian blood also do not qualify for Bureau scholarships—regardless of their financial need. The Bureau is authorized to grant loans and scholarships only "after all other sources of funds are considered."<sup>70</sup>

A number of attempts are also being made to make the transition from high school to college less traumatic for the Indian student. The programs attempt to satisfy both remedial skill building and self-control development objectives.

The Office of Economic Opportunity initiated a pilot program in 1965 to accomplish these tasks. The program, Upward Bound, brings high school students from low-income families together at college for a special program which emphasizes use of such skills as reading, writing, developing thought processes, and explaining ideas. Some programs are being conducted on or near Indian reservations, but the number of Indians participating is small compared to the number who could benefit from this experience. Of the 10,000 Upward Bound students who graduated from high school in 1968, only 4 percent were Indians. Approximately 1,200 of the 24,000 youngsters in the program are Indian. The program has had an enviable record of preparing students for college. For example, of the students who participated in 1967 and graduated from high school, 80 percent were admitted to college. In April 1968, 92 percent of these were still in college.<sup>71</sup>

Another program aimed at bridging the high school-college gap is the summer precollege intercultural program at Fort Lewis College, Durango, Colo. The 6-week program provides an intensive study of the English language for bilingual students, as well as a guidance and counseling program, a tutorial program, and an intensive math program. About 200 students, 90 percent of whom are Indian, participate in the program, which is in its second year. It is federally funded by title III of the Higher Education Act of 1965. Students need not plan to attend Fort Lewis College in order to participate in this summer program. College officials report a 10 percent reduction in the Indian dropout rate since the program's inception.<sup>72</sup>

The University of Alaska, in cooperation with the U.S. Office of Education and the Bureau of Indian Affairs, began an Upward Bound-type program for Alaskan Natives in 1964 called Project COPAN (College Orientation Program for Alaskan Natives) which ran for four summers until funds were no longer available for it. The 6-week program sought to increase the native student's chances of academic success and social adjustment by combining work in language develop-

<sup>68</sup> Ibid.

<sup>69</sup> Ibid.

<sup>70</sup> B. I. Indian Affairs Manual, 5.1.

<sup>71</sup> "Upward Bound: A Study of Impact on the Secondary School and the Community," by Greenleigh Associates, Inc., January 1969, p. 11.

<sup>72</sup> Letter from Buford Warr, director, Fort Lewis College Intercultural Program, to Adrian Farmeter, May 12, 1969.

ment with a better understanding of his original culture and its relationship to the dominant society. The need for such a program to be reinstated is indicated by the fact that more than 50 percent of Alaskan natives entering the university drop out during the first year, and that only 4 percent graduate after 4 years.<sup>73</sup> The University of Alaska has graduated only one native teacher.<sup>74</sup>

Dartmouth College's ABC (A Better Chance) program is another means of academically strengthening disadvantaged students, including Indians, to prepare them for college. The students spend two or three of their high school summers in the program. Ten Indians were in the program this year. The college is seeking funds from the BIA to increase Indian participation to 20 youths.<sup>75</sup>

The National Indian Youth Council, together with the University of Colorado, have proposed an American Indian Academic Year Institute which would provide a continuing program for the Indian college student which would improve his personal adjustment and his learning experience. The program calls for development of a curriculum which would serve both functions. Faculty would be experienced in teaching Indian students, students would receive adequate financial support, and research and field experiences would be designed not only to increase skills, but to broaden the student's ability to adjust to differing roles and situations. An Indian coordinating and advisory committee has been established to formulate policy for the institute and coordinate curriculum.

Several universities already have special programs for Indian students or for students who will be working with Indians. The University of New Mexico, for example, has a special program for Indian law students. Arizona State University has established a special curriculum for teachers and administrators who will be working with Indians. Such programs are promising, but to date they are meeting a very small percentage of the total needs.

Beginning in 1963, the Bureau of Indian Affairs conducted an Upward Bound-type precollege orientation program for Indian youngsters at Haskell Institute in Lawrence, Kans. The program attempted to provide a simulated college atmosphere and to prepare students academically with accelerated instruction in English, mathematics, and science. Another objective was to develop within the students self-sufficient attitudes and positive self-concepts. More than 530 students have attended the program since it began. Unfortunately, the Bureau has not collected enough follow-up data on the students to determine how successful the program was in keeping students in college. Due to a shortage of funds in regular program operations, the summer program was not held in 1969. It appears unlikely that the Haskell summer program will be resumed.

The Bureau's Institute of American Indian Arts in Santa Fe, N. Mex., by stressing cultural roots as a basis for creative expression, has helped to develop in many Indian students the self-affirmation necessary to enter college with pride and confidence. The Institute permits students to continue their education for a 13th and 14th year,

<sup>73</sup> The COPAN program—"Education for Survival," abstract by Prof. Lee H. Sallsbury, director, COPAN program.

<sup>74</sup> Subcommittee hearings, p. 6.

<sup>75</sup> Letter from Thomas M. Mikula, director, Project ABC, Dartmouth College, to Adrian Parmeter, May 8, 1969.

thus giving many of them the additional educational background to pursue a college education. Between 1966 and 1968, 86.2 percent of the graduating students continued their education beyond high school—23.2 percent to college and 63 percent to the Institute's post-graduate program or formal vocational training. Students who graduated in their 14th year showed a college entrance figure of 42.2 percent, thus indicating the value of this approach in preparing and motivating Indian students for college.<sup>74</sup>

Indian students have expressed the desire for college educations. The consistently high dropout rates of Indian students, though, indicate the need for a more adequate education in the preparation for college and a better understanding by teachers, administrators and counselors of the problems and needs of Indian students. A lot needs to be done to upgrade the elementary and secondary education Indians are now receiving. More programs are needed to assist, academically and emotionally, Indian students in college. More scholarships are needed so that Indian students can attend college without financial problems hanging over them.

### 8. ADULT EDUCATION

In the past, the Bureau of Indian Affairs has made only token attempts to respond to the need for adult education on Indian reservations. Adult education personnel of the Bureau have been expected to perform such duties as certifying Johnson-O'Malley funds, overseeing boarding school applications, or serving as truant officers or public school relation specialists. The press of these other duties prohibited them from performing much meaningful adult education. Only within the last 2 years has adult education been recognized as a program with a priority of its own.

The adult education program of the Bureau of Indian Affairs has traditionally defined candidates for literacy training as those having less than 5 years of formal schooling. Estimates of the extent of the problem can be derived from census figures, and a recent study by the Arizona Employment Security Commission concerning the Navajo reservation.

If functional literacy is defined as the ability to read and write at a fifth grade school level, some statistical data is provided by the 1960 census. This in no way assures, however, that all who spent 5 years in a school have a fifth grade level of competency in literacy. In fact, the contrary can be assumed and the target population is actually much larger than the statistics indicate.

AMERICAN INDIANS WITH LESS THAN 5 YEARS OF SCHOOL COMPLETION

Age group	Number	Totals by ages	Number
14 to 19.....	5,685	Over 14.....	71,346
20 to 24.....	4,660	14 to 64.....	57,448
25 to 34.....	11,282	14 to 45.....	32,059
35 to 44.....	10,432	20 to 45.....	26,374
45 to 64.....	25,395	20 to 65.....	51,763
65 and over.....	13,698		

<sup>74</sup> "Native American Arts," by Indian Arts and Crafts Board, U.S. Department of Interior, p. 12.

Comparison with the total society shows that for the 25 and over age group there is a national average of 8.3 percent who had less than five years of schooling (based on the 1960 census). But for the American Indian the rate was three and one-half times that, at 27 percent.

It is not unrealistic, based on the above figures and the probability that fifth grade completion does not assure fifth grade competency, to estimate that there are possibly 75,000 Indian adults who are not functionally literate.

Further cause for concern is the report by the Arizona Employment Security Commission concerning the Navajo reservation. The report reveals the following information:

Of an unemployed labor force of 20,300 persons (representing an estimated 62 percent of the total labor force on the Navajo)—

- (1) Sixty-three percent have less than sixth grade education (12,800 persons).
- (2) Forty-two percent cannot speak English (8,526 persons).
- (3) Fifty percent cannot read or write English (10,150 persons).

The report goes on to state that the lack of education of the labor force indicates that an extensive program must be undertaken to bring them to a state of employability adequate for entry level occupations.

Though basic literacy is a prime objective and a need, it is only a beginning. More and more jobs are demanding high school competency. Yet, in the 1960 census it is reported that only 18.5 percent of American Indians over the age of 25 had completed high school. This compared with a national average of 41.1 percent. This clearly dramatizes the need for opportunity for high school equivalency study on reservations.

#### EVALUATION OF CURRENT SITUATION

The adult education program in the Bureau of Indian Affairs was revised and recognized in mid-1967. Statistical information on the program has only been available since that date. The subcommittee has determined that no high school equivalency certificates were awarded in 1967. In 1968 there was a jump to 333 certificates awarded. A recent report from Bureau of Indian Affairs provides the following information:

NUMBER OF PEOPLE SERVED IN BUREAU OF INDIAN AFFAIRS ADULT EDUCATION PROGRAM

	Fiscal year 1967	Fiscal year 1968
Formal classes.....	12,402	33,983
Counseling.....	13,661	27,519
High school equivalency certificates awarded.....	(0)	333

1 None reported. Only 416 individuals were reported as prepared for this certificate through individual study or classes.

The Bureau reports that of the above number, 2,165 individuals were studying in basic literacy classes and 1,353 were preparing for the high school equivalency certificate.

These figures reflect a mere beginning in meeting the needs of Indian adults. It should be noted that the above program provides more than just basic literacy and high school equivalency preparation. The definition of responsibility outlined by the Bureau's adult education program is:

To provide educational opportunities and learning experiences for Indian adults that will enable them to gain the intellectual and social skills necessary to function efficiently and effectively in the dominant culture at their desired level of participation.

Thus, in addition to the basic literacy and high school preparation courses, the activity offers courses and conferences designed to develop social skills, in such areas as consumer buying, family care, parent-child relations, citizenship, and other areas of special interest to various groups of adults on any given reservation.

Although the adult basic education program has been improved and expanded, it is providing only a small fraction of the educational opportunities needed by the adult Indian population. It seems highly unlikely, given the present funding base, that it can significantly increase its scope.

#### E. RECENT ATTEMPTS AT INNOVATION

In the fall of 1968, Dr. Leon Osview, professor of educational administration at Temple University, served as a consultant to the subcommittee. He conducted a thorough investigation of the present structure and operation of the Bureau of Indian Affairs Education Division. His report was received on December 6, 1968.

Dr. Osview's finding was that, "the present structure (BIA—education) not only serves to reward unaggressive behavior and docility but punishes, usually by transfer, those who persist in behaving like educational leaders. The reward system of BIA discourages leadership, on purpose. It is therefore not possible to conceive of change and improvement in the present structure."<sup>7</sup>

In arriving at that conclusion Dr. Osview makes the following points:

1. Education is not the BIA's highest priority, despite some verbalized recognition of its centrality and despite its large share of the BIA budget \* \* \*
2. It is my deeply considered judgment that the present \* \* \* administrative structure makes dramatic improvement in education fundamentally impossible. \* \* \* The structure enforces, I believe, a secondary role for the Assistant Commissioner for Education in favor of a primary one for the Area Director \* \* \*
3. For education, such a structure is disabling. It stifles initiative, makes education no more vital than, say, land management, and systematically makes the education officials bound by the iron constraints of protocol to noneducation offi-

<sup>7</sup> Hearings, Subcommittee on Indian Education, pt. 1, 1968, p. 300.

cial. To speak of the possibility of an "exemplary" Indian education under these circumstances of structure is pointless.

4. \* \* \* the education function requires professional leadership more than it does managerial skill \* \* \*. Even in public school systems, there is no more common cause for mediocrity and failure than the superintendency's being discharged in managerial rather than leadership terms.

5. The Area Director can not be an educational leader, and because he now has the powers of one, the result is that management actually displaces leadership. There is an Alice-in-Wonderland quality about doing this sort of displacement on purpose.

6. From the perception of the field, the budget is an Area Director's document. He decides who gets what \* \* \*. Obviously, budget decisions are policy decisions \* \* \*. Area Directors are incompetent to make educational policy.

7. Nothing like the relationship that exists between the education official and the Area Director exists in public schools. Few professional educators \* \* \* would willingly allow their expertise to be so diminished by a middle echelon manager who makes professional decisions for them. The way it is, to use an analogy, is what it would be like to see an M.D. submitting his surgical procedure plan to the \* \* \* hospital administrator for approval, and then following variant orders. Unthinkable! Not in the present BIA structure. All that saves the situation from surrealism is that people try to behave rationally \* \* \*.

8. It can be no accident that education officers are not recruited as such from public schools. Rather, they grow up in the BIA service, learning the system and its demands long before they get to occupy education officer positions. Of course the system does get inbred that way \* \* \*.

9. It is doubtful that very much could be done with or to the people in the organization, given the present structure, to encourage innovative educational practice. Recent changes are the exceptions which prove the point. Most modest recent changes are almost entirely a function of ESEA title I. \* \* \* The truth is that the title I proposals were virtually all old ideas which had never been able to work their way through the budgeting process for funding.<sup>75</sup>

He recommends that if the Federal school system is to be substantially improved it must undergo a radical restructuring and assume an almost completely autonomous status within the Bureau of Indian Affairs. "The authority of the area director for any educational function must be abrogated . . . the divorce line must be complete."

In light of this severe structural deficiency one would assume that recent attempts at innovation and change in the Federal schools would have suffered accordingly. This is exactly what was found in the subcommittee evaluation of the new BIA programs funded under title I of Public Law 89-10 and a detailed case study of the new BIA kindergarten program.

<sup>75</sup> *Ibid.*, p. 289-300.

## 1. ELEMENTARY AND SECONDARY EDUCATION ACT

Under the so-called "setaside" provision of the Elementary and Secondary Education Act, the Bureau of Indian Affairs receives title I funds through the U.S. Office of Education. Title I money is to be used for programs for disadvantaged students. The following amounts of money have been appropriated under title I for Federal Indian schools:

January 1967.....	\$5,000,000
Fiscal year:	
1968 (\$181 per child).....	8,000,000
1969 .....	8,000,000
1970 .....	8,100,000

A breakdown of how the money was spent in 1969 is as follows:

Inservice training.....	\$1,800,000
Teacher aides.....	1,625,000
Pupil personnel services.....	1,428,000
Curriculum development.....	925,000
Enrichment (field trips, etc.).....	750,000
Language arts.....	455,000
Health, food, etc.....	125,000
Kindergarten (classrooms--not training).....	82,000
Math and science.....	28,000
Other .....	1,300,000

Administrative involvement of the U.S. Office of Education (OE) in these programs is minimal. The usual practice is for the BIA to submit a list of its proposed projects to the Office of Education, which then automatically dispenses the funds to BIA. The BIA has developed no system of priorities in regard to how title I funds should be used. Although the Office of Education may question some projects, it feels awkward about regulating another governmental agency and therefore tends to give the BIA carte blanche authority over the funds. In 1969, one of 92 projects proposed by the BIA was refused funding by the Office of Education. OE conducts no field inspection of BIA-administered title I programs.

## PARENT-STUDENT INVOLVEMENT

Meaningful involvement in the planning and evaluation of title I programs by Indian students and parents was generally nominal. Students were practically never involved, partly because the vast majority of projects were at the elementary level and partly because of the BIA's traditional approach to education. Exceptions were Chemawa school in Oregon and Intermountain school (Navajo area) in Utah, which did involve their high school students in planning and implementation of projects.

A majority of reservation schools and agencies have developed parent advisory boards through title I. In a few cases it was found that these boards had been actively consulted, and listened to, in designing title I proposals. In most instances, however, school administrators used the boards as a forum to explain their own plans for title I funds.

## ACCOUNTABILITY

Because of the centralized method of accounting used by the Bureau of Indian Affairs, financial audits of BIA title I ESEA projects can-

not be performed at the local level. Most administrators of individual projects are uncertain as to the amount of funds expended on their projects. They must rely upon the area offices to distribute the project grants approved by the central office. In some cases the area offices used project funds for their own expenditures. Such procedures, coupled with inadequate bookkeeping procedures at the central office and local levels, lead to an almost complete lack of accountability for title I funds. In many instances title I money is mixed with the regular BIA school budget and is used for basic operational expenses, such as teacher salaries. The central office staff has been too small (usually one person) to conduct any significant field inspection or evaluation.

#### OTHER PROBLEMS

(1) A freeze on Federal hiring and a BIA job-ceiling delayed implementation of some programs and eliminated others.

(2) Rather than being used for supplemental projects which would meet the special needs of poor children, title I ESEA money is often used to offset the deficiencies in the BIA's regular program—deficiencies often caused because of the inadequate funds provided by Congress.

(3) Those who write title I proposals do not adequately define objectives, design programs to meet objectives or design evaluative means of assessing the programs.

(4) The central office has spent considerable money on long-term curriculum development projects which do not provide the payoff in services to children which was intended by title I. Project Necessities, a program to revamp social studies curriculums in grades kindergarten through 12 in all BIA schools, has already cost \$300,000 (for fiscal 1969) of an estimated \$1.5 million. It will be another 6 to 8 years before the project will be ready for introduction into classrooms, and there is no way the Central Office can compel its use then.

(5) Late funding and the temporary status of title I positions make the recruitment of qualified personnel difficult. The problems involved in hiring personnel for only 9 months are particularly serious in BIA schools since the employees often have to live in isolated areas with inadequate housing. Civil service procedures also tend to delay a person's employment.

(6) Most title I projects lack impact because instead of concentrating funds on one aspect of a problem, the money is usually spread out among all the students.

Title I, in its third year in the BIA, has provided an influx of funds for special programs. Most teachers and administrators state that any innovation and experimentation is due to title I funds. Many believe that BIA could not have operated this last fiscal year, in the face of considerable inflation and increases in enrollment, without the additional funding.

Because of the great differences between operating a State project and operating a program spread over the entire Nation, it is difficult to compare State title I and BIA title I programs. According to Dr. Samuel Alley who conducted the formal evaluation of the BIA title I program, "having read an assortment of State evaluations, it is my impression that the problems and shortcomings of the BIA program

are similar to those of most States. Poor evaluation, poor accountability, difficulty in community involvement and diluted impact are commonly mentioned in State summaries."

There are grave problems with the manner in which title I projects were planned, administered, implemented, and evaluated. Some projects were not appropriate to the spirit of title I legislation. Still title I has made certain valuable contributions to the children involved. It has allowed for funding of innovative and exemplary projects which would not have been likely under regular budgeting.

#### ACCOMPLISHMENTS

1. *Innovative Programs.*—Input of extra funds through channels other than regular budget allocations has allowed the introduction of projects of an innovative type which would not have been likely even if standard funding had been increased.

2. *Community Involvement.*—There has been a significant increase in community involvement due to title I—although in absolute terms participation by Indians is still minimal in many instances. Because of the need for a "write off" from CAP agencies, they were at least consulted on all local projects, and in several instances took part in the planning of the program. There seems to be a trend toward contracting projects (particularly personnel contracts) out to tribal groups to circumvent civil service and other governmental red tape.

3. *In-Service Training.*—Prior to title I, little in-service training existed on any level. Since title I, almost all staff has participated in some form of training funded through title I. Introduction of new techniques such as teaching English as a second language, behavior modification, micro-teaching, and so forth, has provided a stir in a system which was generally isolated and stagnant. Most in-service training projects could be criticized for lack of adequate selection for participants, lack of follow-up, and so forth, but the fact of involvement of universities and private firms in training has been a rejuvenating force. Unfortunately, in local schools the training for title I staff, particularly in teacher aides, has been ignored or has been of poor quality.

4. *Provision of Teacher Aide.*—Perhaps the most popular outcome of title I has been the input of paraprofessionals in the classroom. Most aides are Indian. This has served to bridge cultural gaps between teacher and child as well as school and community. These jobs have provided employment and upward mobility for many Indians. Unfortunately many aides are still in functionally "dead end" positions. Many teacher aides are involved in inappropriate tasks. Aides should not be used simply as janitors, dishwashers, or clerks—nor should they be given full classroom responsibility.

5. *Broadening of Services.*—Boarding schools, by necessity must assume greater responsibility for the leisure time of their students. These needs have been frequently neglected by the BIA. Title I has provided an input of funds for the vital needs of students for leisure time activities and for more and better dorm staff, for guidance and counselings. Students have seen the after-school arts and crafts program and recreational activities as one of the most important contributions of title I.

## 2. BIA KINDERGARTEN PROGRAM—A CASE STUDY

"Kindergartens are over a hundred years old as a proved educational practice," Dr. Leon Osview points out in his consultant report. "It took a new Assistant Commissioner determined to get the practice installed to break through the barriers. And even so, his success in doing so has been less than total. Had it not been that Headstart experience proved so successful in creating the demand among Indians themselves, there might still be no kindergartens."

The Bureau of Indian Affairs implemented a kindergarten program in response to a mandate by President Johnson on March 6, 1968. According to a BIA progress report on the kindergarten program, February 24, 1969:

Approximately 717 children are enrolled in 34 kindergarten classes supported by regular BIA budget, at an average cost of \$24,000. This provides for a teacher, an instructional aide, instructional equipment and supplies, food and transportation costs. An additional 105 5-year-old children in nine groups are enrolled in classes through title I funds.

The above kindergarten programs are planned on a comprehensive child development basis, with provision for health and social services, parent and community involvement—including concerned tribal groups, related public programs such as Headstart and Follow Through.

The BIA kindergarten program is a conscious attempt to carry out the President's "new policy" mandate of an exemplary program with maximum Indian participation and control. Its stated program objectives include:

1. Strong involvement of parents and Indian community.
2. Providing continuity with his previous experience, using individual and cultural strengths of the child.
3. Optimal physical, psychological, and cognitive development of each child.

The subcommittee has found serious inadequacies in the program and the accomplishment of these objectives.

The first objective, strong involvement of parents and the Indian community, went almost completely unaccomplished. In a survey of 27 kindergarten classes by BIA early childhood education specialists, only one class was rated excellent in parent involvement. Nine were rated poor, and in 17 classes there was no parent involvement. Regarding community involvement, one was rated excellent, three were fair, one was poor, and 22 registered no community involvement at all.

At the national level the kindergarten training program had been contracted to an outside agency. An Indian resource group was set up to participate in the planning and execution of the training program. Their criticisms and suggestions about the kindergarten program were not seriously considered by the contractors or the BIA, and many of the personnel the Indians admired and identified with were dismissed. According to the Indian Resource Group spokesmen, they were not consulted on the 1969 contract negotiations until plans were already written and approved, although they had specifically requested the opportunity to participate from the start:

The second BIA objective, like the first, also has gone largely unaccomplished: Providing continuity with the child's previous experience, using individual and cultural strengths of the child. The summary of site visits reports that out of 27 kindergarten classes, only five had developed a strong bicultural approach—14 had none, and four were very poor, one was poor, and three were fair.

According to one member of the training staff and team leader on one of the reservations, "Many of the students were reprimanded for speaking their native language in the classroom." Perhaps the most outrageous violation of the bicultural approach was the fact that some 5-year-old children were separated from their parents and placed in BIA dormitory facilities. This practice is completely contrary to BIA policy. The subcommittee has not been able to ascertain the extent to which this was done, but several instances have been cited. In her report from the Shonto school on the Navajo reservation, Mariana Jessen reported that "17 children, 4-to-5-year-olds, were in the group, all housed in the dormitory together with . . . [the] . . . other children. This gross violation of BIA policy was questioned." (It should be noted that BIA transferred the kindergarten at Shonto to a second location, because of the administrative deficiencies).

The third objective, providing comprehensive child development services, was a major failure. According to the BIA summary survey, the quality of food service was poor at 16 kindergarten programs and fair at eight others. No food service was reported at one location. Regarding health services, 10 programs had none, 16 were rated poor, and only one program was rated fair. Remedial services and social services were rarely available. Only two schools had remedial services, and they were both rated poor. Only seven programs offered social services, and they were all rated poor.

There was a significant lack of equipment and materials. A survey in December 1968 found that "all classes but one surveyed had no outdoor equipment or supplies, and the one was "poor." Meanwhile, inside supplies ranged generally from "very poor borrowed" to "poor improvised," with only a few passable.

*Recruitment.*—Attempting to avoid the inadequacies of the recruiting office in Albuquerque, recruitment was conducted by the BIA central office in Washington, D.C. However, lack of well-specified and appropriate criteria and a good recruitment strategy resulted in well-qualified people being excluded and many talented persons not even contacted. Only 3.7 percent were Indians, and there seems to have been no organized Indian involvement in recruiting trainees.

Many teachers were unsuitable for working with young children. Most of those recruited were not liberal arts graduates, as planned. Six of the 34 teachers were over 50 years old, the range being from 23 to 69. Six did not have degrees, three had M.A.'s, most had B.A.'s in education. At least five of the 34 kindergarten teachers never received any training at all.

Dr. Mary Lane, director of the 1968 training program, questioned BIA's assumption that qualified people were not available. She reported to the subcommittee staff the availability of young, eager, and creative people interested in working in the program, in addition to

interested persons with strong backgrounds in early childhood education. It had apparently been decided to recruit liberal arts graduates to teach in the kindergarten classes since it was assumed that individuals with early childhood education would be difficult to recruit. No concerted effort to find early childhood education personnel at major training centers was made. Fifteen students from Lane's department at San Francisco State had applied, but only one had received even an acknowledgement of application.

The recruitment program apparently also suffered from disorganization which (combined with poor timing) led to positions not being filled, positions being filled on a crash basis at the last minute, and many serious breakdowns in communications. The effect was to seriously jeopardize the implementation of the elaborate 6-week training session. At the start of the training program, less than one-half of needed trainees were present.

Also, there was a great deal of confusion about who was to be at the training sessions at Dilcon Boarding School and why they were to be there:

Many of those who came to Dilcon who were not kindergarten teachers had little or no interpretation as to why they had been sent. A few were informed only by the clerk that they were to come. A great many had had only a few days' notice and inadequate briefing. Consequently, many came with a negative attitude. Since the number of kindergartens was cut from 70 to 35, the individuals for whom the training had been specifically designed were in a minority. The remainder of the trainees were Johnson-O'Malley teachers from kindergarten through third grade, instructional aides, dormitory aides, special personnel. The majority of these individuals were vague about their reason for being in the program and many had made other summer plans which were reluctantly canceled so they could come to Dilcon.

Some key people simply did not arrive at all:

The 20 ancillary services personnel who were included in the proposal to be trained did not materialize as did not the eight early childhood education supervisors.

The 55 elementary school principals who were included in the proposal to come in the last 2 weeks dwindled to a very few—perhaps 12 or 15. Only three or four were there at the beginning of their period of training and after a hurried call went out to them, several came or sent substitutes who were unclear about why they had received "an urgent call to get over to Dilcon."

It follows that the failure of the recruitment program seriously affected the success of the training program (and the kindergarten program). The failure is particularly discouraging in light of the large investment devoted to the training project for the teachers and aides in summer 1968. In fiscal year 1968, \$332,086 of title I funds were directed to the planning and implementation of the training program. In fiscal year 1969, \$278,633 title I monies were used for the program. This

massive injection of training money was supposed to be a substitute for competent, well-qualified teachers. This was an unreasonably expensive and highly dubious procedure, according to Dr. Lane and the independent evaluators of the program. In short, the program was severely crippled before it got off the ground.

It is estimated that at least one-third and possibly as high as 50 percent of the teachers are not continuing with the program the second year. At the same time, there is no procedure for training of replacements, in a program where training is deemed so important by the administrators. Although many teachers attempted to proceed by plan, some teachers did not follow the training program philosophy or procedure when they got to their respective schools. It was often found that few of the concepts stressed in the workshop carried over into classroom operations, sometimes due to interference by local school administrators.

Although BIA's prime objectives regarding the kindergarten program were not fulfilled, the actual effectiveness of the program is difficult to determine, due to inadequate evaluation. The BIA invested upward of \$1,460,000 (regular funds plus \$611,619 in title I funds) in this program. Yet there were no provisions for pretesting or post testing of participants, or any other means of collecting hard data at the school level. None of the classrooms even had a plan for regular program review. In addition, there was little effective supervision of kindergarten programs by BIA administration.

A further deficiency of the kindergarten program was blatant mismanagement of financial resources. Congress had appropriated \$25,000 for each of the 34 kindergarten programs. Unfortunately, much of the money did not reach the children or the teachers at all. "Creaming" of the funds had taken place at many levels.

According to Dr. Mary B. Lane, in a hand count at the Albuquerque followup training session, more than half of the kindergartens had received little or nothing of these directed funds beyond the salaries of teachers and aides. Instead, it appeared the money went to general education funds in the school or was siphoned off by the agency or area offices and not even used in the education budget. Even at the local level, the remaining funds available were often very poorly used. One serious consequence was the severe lack of equipment and needed materials.

Mismanagement of personnel resources was a third factor behind the program's failure. Kindergarten aides—Indians who speak the language of the children and are considered trained to be assistant teachers essential to the program were often used in low-level non-instructional roles, in some cases for several weeks at a time, to wash school lunch dishes, drive the school bus, do dorm duty, watch older children on the playground, substitute in other classes, substitute on field trips, or work in the office as clerk-secretaries. Other duties included in various schools heavy janitorial work, work as handymen and cooking. In one case, according to the Indian resource group, an aide working in an office was put in the classroom only when M. Jessen arrived for evaluation. Is this the "career ladder concept for teacher aides" BIA talks about in its progress report?

It was obviously impossible for these Indian aides "to not only help the teacher" but also to act "as a parent substitute to the children

during their new experience away from home." In addition, many of the ways in which teacher aides were used were demeaning and resulted in hostility and disillusionment. An added discouragement was the breaking of the agreement to employ Indian aides during the summer.

Recognizing the problems and mistakes with which any new program is confronted, it is still difficult to believe the kindergarten program will ever be successful while administered by BIA. A major obstacle to change is the inability of the BIA to accept constructive criticism or suggestions. For example:

1. Dr. Mary Lane, 1968 Training Program Director, Kindergarten Program, was not rehired because of her disagreements with BIA policy.

2. Many 1968 training staff members were not rehired for the 1969 program. Some believe it was because they were not in accord with BIA attitudes.

3. At the training program, an attempt was made to build Indian dignity, involve Indians in decisionmaking, and attempt to learn from them. "When they got in their schools," writes a staff member to the subcommittee, "some of them were told in effect, that 'those days are over; you are to speak no criticism of BIA or the school personnel if you wish to keep your job.'"

4. Teachers and aides during the school year were prohibited from corresponding with the training staff members, unless the letter was signed by the principal. In one case, apparently, a principal was reprimanded for signing the teacher's statement because it cited too many problems.

5. There was an incident of a teacher having her personal mail opened by her principal as a form of censorship.

6. Many teachers were put "on report" (two "on reports" mean automatic dismissal) for stating problems to a staff member.

The BIA has thus failed badly on all three objectives which they set for themselves and demonstrated some incredibly poor management in the process. Boarding 5-year-old children and "creaming funds" is outright malfeasance. There is little reason to believe that the program will be much improved in its second year. Under these circumstances, it would make more sense for the money to be used to strengthen present programs rather than add low quality new ones. Early childhood education is important, but Headstart under tribal control would appear to be a far superior approach.

## F. SUMMARY OF FEDERAL SCHOOL FINDINGS

### I. Education Budget

*The education budget of the Bureau of Indian Affairs is grossly inadequate to provide an equal educational opportunity for its Indian students.*

A. The BIA presently expends about \$1,100 per student per year in a Federal boarding school. This compares very unfavorably with other residential programs. Schools for the physically handicapped often expend \$3,000 or more per student. Boarding schools in the East often expend \$4,000 or more per student.

B. When inflationary factors are taken into account, the BIA budget decreased from 1958 to 1966 and has only slightly increased since then. The BIA estimates that a \$158 million increase over its present budget level will be necessary to achieve minimum standards.

C. In fiscal year 1969, the BIA applied severe restrictions to educational expenditures, and still ended the year \$5 million in the red. This has necessitated many cut-backs in the fiscal 1970 program, including not purchasing needed textbooks and supplies. The BIA presently spends only \$18 per child on textbooks and supplies, compared with a national average of \$40.

D. The BIA operates many inferior school facilities and some that have actually been condemned. They estimate the money needed to bring their facilities up to minimum standards at more than \$178 million. As a result of a lack of high school facilities in Alaska, over 1,200 Alaskan natives are sent to boarding schools in Oregon and Oklahoma.

E. Thousands of Navajo children are in damaging elementary boarding schools on the Navajo reservation because of inadequate appropriations for roads and day schools.

F. The BIA suffers from gross deficiencies in both quantity and quality of personnel. For example, there is only one psychologist for the 226 Federal schools and the ratio of dormitory aides to Indian children often exceeds 1 to 100. There should be at least a five-fold increase in expenditures on dormitory personnel.

## II. Academic Performance

*The academic performance of Indian students in Federal schools is seriously deficient.*

A. Forty percent of the students dropout before graduation.

B. Students graduating from Federal schools are on the average more than 2 years below national norms on achievement tests. Many students graduate with little better than a 9th-grade level of proficiency.

C. Only 28 percent of the students go on to college compared with a national average of 50 percent.

D. Only one out of four of the students who enroll in college graduate.

E. Only one of 100 Indian college graduates will receive a master's degree.

F. In summary: In an average class of 400 students entering a BIA high school, only 240 will graduate. Of those 240, 67 can be expected to enroll in college. Of these 67, only 19 will graduate from college. The chances are 99 out of 100 that the college graduate will never get a master's degree.

## III. Goals and Operational Philosophy

*Teachers and administrators in Federal Indian schools still see their role as one of "civilizing the native."*

A. The teachers and administrators stress citizenship and socialization and set educational goals far below those set by the student.

B. School personnel believe in a quite obsolete form of occupational preparation, for which the students show little enthusiasm.

C. School personnel believe that Indians must choose between being an Indian and living in poverty on the Reservation, or complete assimilation into the dominant society.

D. The goal of BIA education is to direct students toward urban life, while at the same time it fails to prepare him academically, socially, psychologically, or vocationally for urban life.

E. There is almost total neglect of reservation life and problems in the Federal schools.

#### IV. Quality of Instruction

*The quality and effectiveness of instruction in BIA schools is very unsatisfactory.*

A. The primary cause of low achievement of Indian students is the inadequacy of instruction. A large proportion of the teachers in BIA schools lack the necessary training to teach disadvantaged Indian students effectively.

B. The curriculum used in BIA schools is generally inappropriate to the experience and needs of the students. The schools fail to deal effectively with the language problems of the students, there is little understanding of cultural differences, and the vocational training is archaic and bears little relationship to existing job markets.

C. Teachers often blame their own failures on the students.

#### V. Guidance and Counseling

*There are extremely serious deficiencies in the guidance and counseling programs in BIA schools.*

A. The present ratio of guidance counselors to students is 1:600. It should be 1:250. Many of the counselors lack professional training and certification; career and occupational counseling is rarely offered and psychological counseling is practically nonexistent.

B. The present ratio of dormitory aides to students is well over 1:100. The ratio should be 1:25 or less. In elementary boarding schools, it should be 1:15. Dormitory personnel are very poorly trained and are often of low quality. Yet they have the very important responsibility of being surrogate parents to the children, an impossible task under present circumstances. There is also a serious lack of coordination between the dormitory staff and the instructional staff.

#### VI. Discipline—Student Life

*The environment of BIA schools is sterile, impersonal, and rigid, with a major emphasis on discipline and punishment which is deeply resented by the students.*

A. There is a serious lack of social and recreational activities in BIA schools. Student activities are closely regulated and little interaction between the sexes is allowed. Weekends are noted for their boredom. Some students resort to drinking and glue-sniffing to relieve the boredom.

B. Students have little privacy, are locked into rigid schedules, and are placed under an oppressive number of rules and regulations.

C. Most dormitories resemble Army barracks and some actually are. Furnishings consist of double-decker beds, in closely spaced rows, with steel lockers lining the walls.

D. From the standpoint of social, emotional, cultural, and intellectual environment, BIA schools must be rated grossly inadequate.

#### VII. Parental Participation and Community Control

*Indian parents and communities have practically no control over the BIA schools educating their children. The white man's school often*

*sits in a compound completely alien to the community it supposedly serves. It does not serve as a community resource nor does it recognize community needs or desires.*

A. Despite a Presidential directive more than 2 years ago, only one of the 226 BIA schools is governed by an elected school board.

B. Parents visit BIA schools only on rare occasions and usually feel unwelcome. Parental visitation is actively discouraged in a number of schools.

C. Teachers and administrators of BIA schools rarely visit Indian parents in their homes. In many schools, this is actively discouraged as "going native."

D. A result of the lack of control over the schools by Indians is that the instruction offered is inconsistent with the desires of the community. The school is alien to the community and the community is alien to the school.

E. Despite a Presidential directive 2 years ago, BIA schools are seldom used as a community resource or even for adult education.

### **VIII. Organization and Administration**

*The present organization and administration of the BIA school system could hardly be worse.*

A. Operationally, education is far from being BIA's highest priority, despite the fact that it expends more than 50% of the BIA budget. Land management appears to be the dominant concern and background of most administrators in the BIA hierarchy. Thus, noneducators make most of the important policy decision regarding the education program. Funds slated for education frequently are siphoned into other areas.

B. There is a tremendous lack of reliable data about the BIA education program. There is no attempt made to relate educational expenditures to educational results; nor are there well-specified educational goals, objectives, or standards.

C. The BIA schools are organized as if the municipal water commissioner controlled a city's textbook budget, and the parks commissioner controlled the school's facilities, equipment, and personnel acquisitions, with the city school superintendent only an adviser to the mayor, yet responsible for the effective operations of the schools.

D. The present structure of BIA education not only serves to reward unaggressive behavior and docility but punishes, usually by transfer, those who persist in behaving like educational leaders.

E. It is impossible to conceive of change and improvement without a radical reorganization of the BIA school system.

### **IX. Personnel System**

*The BIA personnel system has grave deficiencies which have contributed very substantially to all of the inadequacies already cited.*

A. Turnover rates are much too high and it is usually the most ambitious and promising teachers who leave the system first.

B. The centralized recruitment system is extremely cumbersome and ineffective and controlled by noneducators.

C. It is practically impossible to reward outstanding teachers and to fire incompetents.

D. The Civil Service System has made it impossible for Indian communities to have any control over teacher selection and training.

Parents are powerless to do anything about teachers that are incompetent, abuse their children, or denigrate their culture. Indian communities consider this to be the most critical aspect of their desired involvement in the schools.

E. BIA personnel from administrators to dormitory staff, frequently neglect their responsibilities and take no individual initiative, either from frustration or cynicism. A few dedicated individuals continue to exert themselves, in the hope that some Indian children will benefit by their efforts.

#### **X. Elementary Boarding Schools**

*Over 7,000 Navajo children ages 9 and under are placed in elementary boarding schools which are emotionally and culturally destructive for both the children and their families.*

A. There is almost universal agreement that early separation of a child from his family is a destructive influence. The experience is even more traumatic when the child comes from a different culture and extended family background.

B. At best these schools are totally unsatisfactory as a substitute for parents and family. At worst they are cruel and barbaric. One school has been reported where children are beaten, pervasive attacks are made against their cultural beliefs, and teachers advocate the free labor of Navajo girls in their homes, doing laundry, scrubbing floors, etc., to teach them the American way of housekeeping.

C. The children rarely get to see their parents. There are no facilities for parents at the school and they are discouraged from visiting the children because it will "upset the child." Parents are allowed to "check out" their children only if the child has not tried to run away. It appears that one person in each school is assigned the responsibility of recapturing the AWOL's. Hundreds of children run away from the school. During the winter, some children freeze to death trying to get home. For the first 6-8 weeks of the school year, children are terribly unhappy and upset, and often cry themselves to sleep at night. Because of a lack of space, children often sleep two to a bed and at night there is one dormitory aide to 150 children.

D. The BIA states that the primary reason for the schools is a lack of roads on the Reservation. More than two-thirds of the children live 25 miles or less from the school they attend. The BIA has never integrated its school and road construction planning. Large elementary boarding schools are still being constructed on the Reservation.

E. Boarding schools have had a direct effect on the increasing social disorganization on the Reservation. Alarming numbers of young adults who have attended these schools have lapsed into an alienated, apathetic life marked by episodes of delinquency and irresponsibility. Drunkenness, child neglect, drunken driving, high accident rates, and an increasing suicide rate are characteristics of the first generation of Navajos who attended these schools.

#### **XI. Off Reservation Boarding Schools**

*Most of the 19 off-reservation boarding schools have become "dumping ground" schools for Indian students with serious social and emotional problems. These problems are not understood by the school personnel, and instead of diagnosis and therapy, the schools act as custodial institutions at best, and repressive, penal institutions at worst.*

A. Although the student population of off-reservation boarding schools has changed dramatically in the last 12 years, no corresponding change has taken place in their staffing, goals, or curriculum.

B. A number of students have been ordered to attend one of these schools as a substitute for a reformatory. Approximately 25 percent of the students are referred because they are dropouts or pushouts from public schools.

C. Special programs and vocational education have been phased out in most of the schools, and they masquerade as strictly academic institutions, preparing students for college. In fact, mental health problems have reached crisis proportions in many of the schools. The interaction between students and professional staff has been described by consultants as malignant and destructive.

D. In summary, the schools do not rehabilitate, are not designed as therapeutic agents, and in fact they often do more harm than good. As one consultant to the subcommittee stated: "They are a tragedy."

## **XII. Adult Education**

The BIA has made only token attempts to deal with the need for adult education on Indian reservations.

A. There are approximately 75,000 Indian adults who have not completed a fifth grade education. There are thousands more who have completed five or more grades, but cannot read or write English at a fifth grade level. This constitutes a functional illiteracy problem of massive proportions—more than four times the national average.

B. Less than one-fifth of the adult Indian population has completed high school or its equivalent.

C. Functional illiteracy and a lack of high school graduates on Indian reservations are a major cause of severe poverty, a 50-percent unemployment rate, adverse health and housing conditions, and the failure of Indian children in school.

D. The adult education program in the BIA is barely scratching the surface of the problem. In 1968 only 2,165 Indians were studying in basic literacy classes, and 1,353 were working toward a high school equivalency certificate.

## PART II: A NATIONAL CHALLENGE— SUBCOMMITTEE RECOMMENDATIONS

### I. POLICY AND GOALS

#### A. National Policy

The development of effective educational programs for Indian children must become a high priority objective of the Federal Government. Although direct Federal action can most readily take place in the federally-operated schools, special efforts should be made to encourage and assist the public schools in improving the quality of their programs for Indian children. The U.S. Office of Education should make much greater use of its resources and professional leadership to bring about improvement in public school education of Indian children.

The costs of improving the education of Indian children are bound to be high. In fact, a truly effective program probably will require doubling or even tripling the per pupil costs. But, the high educational costs will be more than offset by the reduction in unemployment and welfare rates and the increases in personal incomes certain to follow as a result of effective educational programs.

One of the crucial problems in the education of Indian children is the general relationship between white society and Indian communities. This relationship frequently alienates Indians and Indian communities, dampening both their potential for full self-development and their opportunities for gaining experience to control their own affairs through participation in effective local government.

It is essential to involve Indian parents in the education of their children and to give them an important voice—both at the national and local levels—in setting policy for those schools in which Indian children predominate. Whenever Indian tribes express the desire, assistance and training should be provided to permit them to operate their own schools under contract. A precedent and one model for this approach already exists at the Rough Rock Demonstration School in Chinle, Arizona.

The curriculum in both Federal and public schools serving Indian children should include substantial information about Indian culture and history and factual material about contemporary Indian life. This is important for both Indian and non-Indian children if they are to gain a better perspective and understanding of Indian heritage and current circumstances.

The complexity of the problems associated with cross-cultural education merit substantial research and development and the continuing adoption of promising innovations as they are discovered or developed. The present assumptions underlying the conventional approach of

both Federal and public schools have not been valid, and a systematic search for more realistic approaches is clearly in order.

The most important step that can be taken as a matter of national policy and priority is to convert Federal schools in different regions of the country into exemplary institutions which can serve as a resource base and a leadership source for improving Indian education in public schools. They should provide models of excellence in several areas. First, in terms of developing outstanding bicultural, bilingual programs. Second, in terms of the development and utilization of the most effective techniques for educating the disadvantaged student. Third, they should be staffed and operated as therapeutic institutions capable of maximizing the personality development of the Indian child as well as assisting him in resolving his emotional and behavioral problems.

In summary, the Federal Government must commit itself to a national policy of educational excellence for Indian children, maximum participation and control by Indian adults and communities, and the development of new legislation and substantial increases in appropriations to achieve these goals.

*1. The subcommittee recommends—*

That there be set a national policy committing the nation to achieving educational excellence for American Indians; to maximum participation and control by Indians in establishing Indian education programs; and to assuring sufficient Federal funds to carry these programs forward.

**B. National Goals**

The ultimate criteria of the success of the new policy, and the ones by which the Federal Government should gauge the adequacy of its efforts, are the availability of high-quality programs for all Indian children and their actual achievement in these programs. The Federal Government should set specific, measurable goals for rapid attainment of equal educational opportunity for Indian children. The size and scope of the effort needed could be compared with the "Marshall Plan" which brought about the socioeconomic rehabilitation of Europe following the destruction of World War II. Certainly the United States has as great a moral and legal commitment to its Indian citizens as it did to its European allies and adversaries.

*2. The subcommittee recommends—*

That the United States set as a national goal the achievement of the following specific objectives:

Maximum Indian participation in the development of exemplary educational programs for (a) Federal Indian schools; (b) public schools with Indian populations; and (c) model schools to meet both social and educational goals;

Excellent summer school programs for all Indian children;

Full-year preschool programs for all Indian children between the ages of 3 and 5;

Elimination of adult illiteracy in Indian communities;

Adult high school equivalency programs for all Indian adults;

Parity of dropout rates and achievement levels of Indian high school students with national norms;

Parity of college entrance and graduation of Indian students with the national average;

Readily accessible community colleges;

Early childhood services embracing the spectrum of need;

Bilingual, bicultural special educational assistance;

Effective prevention and treatment procedures for alcoholism and narcotic addiction;

Expanded work-study and cooperative education programs;

Workable student financial assistance programs at all educational levels; and

Vocational and technical training related accurately to employment opportunities.

*3. The subcommittee further recommends—*

That national goals be set for health, housing, and employment needs of American Indians.

**C. General Recommendations**

*4. The subcommittee recommends—*

That the Congress authorize a White House Conference on American Indian Affairs and appropriate the funds necessary for its planning and implementation.

The subcommittee has found that one of the primary reasons for the failure of national policy and programs for American Indians has been the exclusion—or only token involvement—of Indians in determining policy or planning of programs. A White House Conference on American Indian Affairs would be a dramatic reversal of this unyielding practice. Such a White House Conference could provide for broad scale participation of Indians in extensive deliberations at the tribal, local, and regional levels, in preparation for the National Conference. The report of the Conference, with detailed policy, legislative, and program recommendations, could serve as the blueprint for reform and change over the next generation. As an indication of the widespread support in the Indian community for this approach, the National Congress of American Indians has strongly endorsed the need and desirability of such a conference in its 1968 and 1969 annual conventions.

An authorization for a White House Conference should contain provisions for adequate funding to permit large numbers of Indians to participate at all levels in the planning and conduct of the Conference. In addition, it should provide the means for substantial technical assistance so that the Conference can address all of the complex and

difficult problems facing American Indians. This would include thorough evaluations of present Federal programs and their deficiencies. Finally, the authorization should provide a clear mandate for the steps to be taken for implementation and followup of the Conference recommendations. The Conference should be planned and carried out largely by American Indians, not Government officials. The National Council on Indian Opportunity could play an important role in providing technical support and a secretariat for the Conference and assuming the primary responsibility for seeing that the recommendations are implemented.

The subcommittee feels that there is one issue of major importance which deserves special attention and analysis in the Conference proceedings—the organization and location of the Bureau of Indian Affairs. Numerous witnesses and consultants have informed the subcommittee that the present organization and location of the Bureau of Indian Affairs is unsatisfactory, and seriously impedes the development of Indian physical and human resources. The subcommittee believes that if basic problems of policy and program failure are to be overcome, the Bureau of Indian Affairs must be transformed into a technical assistance agency which will assist Indian tribes and communities to develop and operate their own programs and services. How this can best be done without in any way infringing upon the Indians' special relationship with the Federal Government should be a matter of high priority to be resolved by the White House Conference on Indian Affairs; in effect, by the Indians themselves. We have previously had White House conferences on matters of high national concerns. These have included conferences on civil rights and on natural beauty. In December, there will be one on hunger and nutrition. In 1970, there will be one on aging. It is time for one on American Indians.

The National Council on Indian Opportunity is the logical agency to coordinate and support the proposed White House Conference on American Indian Affairs. It is charged through Presidential Executive Order 11399 with responsibility to coordinate, appraise, and innvate in the area of Indian programs. The Council is chaired by the Vice President and consists of seven Cabinet officers having responsibility in the field of Indian affairs. Also, there are six Indians on the Council who, for the first time, sit at a high policy program formulation level.

*5. The subcommittee recommends—*

**That there be established in the U.S. Senate a Select Committee on the Human Needs of the American Indian.**

The subcommittee has found that the Federal Government has failed to understand sufficiently and to effectively delineate the extent and severity of the problems confronting the American Indian. In addition, the Federal Government has failed to adequately understand the human needs and aspirations of the American Indian. The result has been a major failure of national policy.

The 1960's have witnessed a growing recognition of this failure, and the emergence of many new Federal programs to provide assistance. New legislation such as the Economic Opportunity Act, the Elementary and Secondary Education Act, the Manpower Develop-

ment and Training Act, the Economic Development Act, and new legislation in the field of housing, have spread the responsibility for Indian affairs across the executive branch of the Federal Government. The Library of Congress has recently compiled a list of 86 different statutes which have specific provisions under which Indians and Indian tribes can receive Federal assistance. This proliferation of programs has led to confusion, overlapping responsibilities, programs working at cross-purposes, a general lack of coordination between agencies, and a complete lack of a unified policy. In recognition of this fact, President Johnson established by Executive order a National Council on Indian Opportunity, which included as members the Cabinet officers from the seven major departments with explicit responsibilities in the field of Indian affairs. No corresponding action has been taken by Congress.

The need for unified policy formulation and legislative oversight is apparent. A Select Committee on the Human Needs of the American Indian would be the best means for meeting this need. The executive director of the National Congress of American Indians has testified in support of such a committee and the executive council of NCAI has strongly recommended its early establishment. Other organizations of American Indians have expressed similar support.

One problem in evaluating the success of Federal programs for the American Indian is the extraordinary inadequacy of the statistical data presently available. Mr. Stephen A. Langone, Library of Congress Indian Affairs Specialist, has recently prepared a paper for the Joint Economic Committee, which points out that despite the fact that the Federal Government is presently expending in aggregate more than \$500 million per year in its multiplicity of Indian programs, "It is literally impossible to obtain up-to-date and accurate information on such basic questions as employment and unemployment, average educational attainment, income, land ownership, reservation population \* \* \*" and so forth. Congress has had to rely on statistics "that are in many cases 5, 10, 20, or more years old, and often incomplete and inaccurate." This constitutes a totally inadequate base for effective legislative action. The most damaging consequences of this lack of reliable information are vividly demonstrated in the termination legislation of the 1950's. Time after time, the Bureau of Indian Affairs provided an inadequate and often inaccurate socioeconomic profile of an Indian tribe which served as the basis for termination. The results were disastrous.

The lack of reliable data also means that Congress cannot carry out its legislative oversight function. As Mr. Langone states " \* \* \* there is no sound basis for comparison to determine the increase or decrease of given problems or indeed the improvement or lack of improvement in the economy of Indian tribes." Without data, problems cannot be adequately understood or delineated and consequently are neglected. For example, this subcommittee has found a serious lack of information in the area of mental health and the American Indian, yet we have been told by many witnesses that this should be a top priority of Federal concern. This subcommittee has brought to light data on Indian suicides and alcoholism which are extremely alarming. Yet no one begins to know the extent or full ramifications of the problem.

Moneys cannot be appropriated wisely nor can effective and responsible legislation be developed, without a unified and comprehensive information base.

The Senate Select Committee on Nutrition and Human Needs has made a major contribution in bringing to light the extent and severity of hunger and malnutrition in this country. It has as well pointed up the deficiencies in the Federal programs aimed at the alleviation of the problem. Its work and accomplishments are excellent precedents for the establishment of a Select Committee on the Human Needs of the American Indian.

This subcommittee has worked for 2 years on the problem of education of American Indians. We have developed much new information and discovered many previously unknown facts. We know full well how extensive the work remaining is. We do not envision a select committee as a permanent Senate committee; rather, we would see it as a congressional complement to the White House Conference. Its life need not be longer than 2 years, and its membership could be drawn from the standing committees with principal jurisdiction. Its work could help redirect the course of this Nation's American Indian policies.

*6. The subcommittee recommends—*

**That there be presented to the Congress a comprehensive Indian education act to meet the special education needs of Indians both in the Federal schools and in the public schools.**

The subcommittee feels that a proliferation of set-asides for BIA schools in Federal education statutes, such as ESEA, is an unsatisfactory means of bringing to Indian youngsters the advantages of the wide variety of programs set forth in Federal law. A direct route from the Federal agency immediately concerned should be followed rather than the cumbersome means of having one Federal agency, the Office of Education, transfer part of its appropriations for Federal grant-in-aid programs to another Federal agency, the Bureau of Indian Affairs, and in the process decrease the amount of such funds available to the States and communities.

As for the Johnson-O'Malley Act, which provides for Indian children in the public schools, this law was last changed in 1936. It is due for substantial revision. No other education statute has gone more than 30 years without some modernization to meet changing conditions. The Elementary and Secondary Education Act, for example, was first enacted in 1965 and was substantially revised in 1966 and 1967. Again this year, it is the subject of additional, substantial revision. In addition, the fact that administrative revisions recommended for JOM over the years have never been adequately effectuated points up the need for change by legislative means; trying the alternative administrative route has consistently proven ineffective.

The comprehensive Indian Education Act which the subcommittee contemplates would join in a single coordinated statute all Indian education programs, including those provided for set-aside provisions in general education grant-in-aid programs, public school programs (except Public Law 874), and BIA programs. Such a statute

would be generally parallel to the array of other Federal education laws and would have, for example, titles devoted to adult education, to exemplary and model programs, to research, to library resources, to the handicapped, and so forth, as well as a title or titles dealing with areas unique to the education of Indians, such as Indian culture and biculturalism. The set-aside programs referred to heretofore would expire when the new Indian Education Act went into effect.

The subcommittee contemplates that the comprehensive statute recommended here would include those applicable provisions which have also been recommended by this report for inclusion in the Johnson-O'Malley Act, such as submission of plans, need for accountability and evaluation procedures, involvement of Indians, contract authority with tribes and communities, etc.

Just as the various titles of the Elementary and Secondary Education Act have their own advisory groups composed of persons expert in the discipline covered, as well as community representatives, so should the applicable titles of the Indian Education Act have advisory bodies. Such a procedure would help advance the subcommittee's concept that Indians must play a significant role in the education of their children.

#### *7. The subcommittee recommends—*

**That the funds available for the education of American Indians be substantially increased, and that provision be made for advance funding of BIA education programs to permit effective planning and recruitment of personnel.**

The subcommittee has found that BIA presently expends about \$1,100 per student per year in a Federal boarding school. A number of witnesses testifying before the subcommittee have suggested that this amount must be doubled or tripled if an equal educational opportunity is to be provided the students in these schools. Dr. Carl Marburger, who is presently commissioner of education for the State of New Jersey (formerly the Assistant Commissioner for Education in the BIA) has pointed out that comparable programs for physically handicapped children have a yearly per-pupil cost of approximately \$3,000. The yearly cost for students in boarding schools on the east coast is between \$3,800 and \$4,200.

In fiscal year 1969, the BIA applied severe restrictions to educational expenditures. Yet it ended the year having to spend \$5 million more than it was appropriated. This has necessitated many cutbacks in the fiscal 1970 program, including not purchasing needed textbooks and supplies. The BIA presently spends only \$18 per child on textbooks and supplies, compared with a national average of \$40.

The BIA operates many inferior school facilities and some that have actually been condemned. As a result of a lack of high school facilities in Alaska, over 1,200 Alaskan natives are sent to boarding schools in Oregon and Oklahoma. Thousands of Navajo children are in damaging elementary boarding schools on the Navajo Reservation because of inadequate appropriations for roads and day schools.

The education budget of the BIA is grossly inadequate. Until this most basic problem can be overcome, little progress toward educational excellence can be anticipated.

8. *The subcommittee recommends—*

(a) That the Division of Indian Health conduct nutritional surveys of Indian and Alaskan native groups to identify the nature, extent, and location of nutritional problems in order to confirm program needs and establish priorities;

(b) That officials of the Bureau of Indian Affairs and Department of Agriculture involved with food programs affecting Indians work with Indian Health Division personnel in implementing recommendations evolving from the nutritional surveys;

(c) That a major effort be made to develop health education programs for elementary and secondary schools educating Indians. Such programs would seek to help Indians identify and diagnose nutrition problems and to encourage nutrition education.

(d) That the Senate Select Committee on Nutrition and Human Needs include as a specific part of its work an analysis of the effectiveness of Federal food programs in Indian schools and among Indian families.

(e) That the Bureau of Indian Affairs *not* reduce the school lunch program provided with Johnson-O'Malley funds unless it assures that every student who would receive a lunch under Johnson-O'Malley will receive a school lunch under some other program.

The subcommittee found severe problems of hunger and malnutrition among many of the Indians and Alaskan natives it visited. These problems result directly in poor Indian performance in the classroom.

Gross malnutrition, such as kwashiorkor, marasmus, and severe vitamin deficiencies, occurs in several Indian groups, particularly among Navajos and other Arizona tribes. Mild and moderate nutritional deficiencies are relatively common among Indians. The subcommittee heard testimony, for example, that between 1963 and 1967 the Indian hospital in Tuba City, Ariz., admitted 616 children with malnutrition, 587 for retarded growth, 15 with kwashiorkor, and 29 with marasmus.

Research has indicated that severe malnutrition has a definite effect upon the learning potential of children. In some cases, permanent brain damage is the result. Studies in several countries have shown that inadequate nutritional intakes during the first 3 years of life produces significant stunting of physical growth and irreversible stunting of mental growth and development. A large number of preschool Indian children face this possibility. Among the Navajos alone, for example, it is estimated that 12 percent of the infants hospitalized have anemia of the iron-deficiency type. It becomes essential, therefore, that malnutrition and other nutrition problems be eliminated if Indians are to escape from lifelong physical and mental impairments.

This means that more data on nutrition problems of specific Indian groups is needed in order to design programs and establish priorities. All agencies involved with Indian food programs must then work together to see that nutrition needs are met. School lunch programs and commodity food programs should be examined to make sure they are

supplying particular tribes or communities with the foods needed to remedy nutritional deficiencies. Breakfast programs should be instituted in schools where there is a nutritional need, and free lunches should always be available to those Indian students who cannot afford to pay. The value of a good school lunch program was evident in Alaska, where in some schools this one meal provided more than 50 percent of a student's daily food intake.

A thorough program of education in nutrition which considers the food habits and cultural practices of Indian groups is essential. Many Indians lack knowledge of proper nutrition, how to store and preserve foods, or how to purchase foods wisely. The Division of Indian Health works in this area, but their programs need additional funds and staffing. More programs should be developed for Indian elementary and secondary students which would provide them with knowledge in these areas.

Almost 25 percent of Johnson-O'Malley expenditures are currently for school lunches for Indian students. The Bureau of Indian Affairs has indicated its interest in terminating this use of Johnson-O'Malley funds and having the Department of Agriculture take over this function. The Bureau's JOM lunch program should not be reduced unless assurances are made that Indian students who would receive lunches under JOM will receive them under some other program.

The subcommittee believes the work of the Senate Select Committee on Nutrition and Human Needs has special relevance to Indian nutrition problems, and that the committee's recommendations deserve careful attention.

*9. The subcommittee recommends—*

**The Civil Rights Enforcement Office of the Department of Health, Education, and Welfare should investigate discrimination against Indians in schools receiving Federal funds. Furthermore, the Civil Rights Commission should investigate the general problem of discrimination against Indians.**

The subcommittee found, and has included in its reports, numerous allegations of discrimination against Indians in public schools receiving Federal funds. The evidence indicates that there are possible violations of title VI of the Civil Rights Act. The Department of Health, Education, and Welfare, the Civil Rights Commission, and the Department of Justice, all have jurisdiction to investigate these instances, yet none is giving sufficient attention to them. They are urged to investigate such cases and act as appropriate.

The subcommittee also believes that the Civil Rights Commission should examine the application of the 1968 Indian Bill of Rights, and other matters relevant to its statutory authority relating to discrimination against Indians, at the earliest practicable time.

*10. The subcommittee recommends—*

**That the Federal Government shall not terminate Federal responsibility and services in educational fields to any Indian tribe, band, group, or community, unless such termination is consented to by those Indians affected by such termination.**

The subcommittee has found that the termination policy of the 1950's has continued to be an expression of the intent of Congress in the 1960's. The fear of termination has poisoned every aspect of Indian affairs, has undermined every meaningful attempt at organizational reform, and has been a major psychological barrier to Indian socio-economic development. Termination bills are still introduced in Congress. Awards by the Indian Claims Commission are still used as a device to induce tribes to apply for termination. The subcommittee feels that the best corrective measure for this dilemma is to establish a procedure whereby no termination of responsibilities and services in educational fields will be carried out by the Federal Government unless consented to by those Indians affected.

*11. The subcommittee recommends—*

**That a comprehensive attack upon alcoholism among Indians be begun at the earliest possible time, and that it include (a) coordinated medical, paramedical, educational, psychiatric, social, and rehabilitation services, both public and private, including non-medical and non-professional personnel as appropriate; (b) strong prevention programs, relying upon concerted public education efforts; and (c) concerted efforts to identify and deal with the causes of Indian alcoholism.**

Alcoholism is a pressing problem among American Indians today. Yet it has failed to attract the attention it deserves. Both Government agencies and Indians themselves have been reluctant to recognize the severity of the problem, and surprisingly few attempts have been made to collect the data necessary for adequate problem definition and analysis.

The consequences of our failure to act are many, and include the physical and social impairment of large numbers of Indian adults; the severe disorganization of many Indian families and communities; exceedingly high accident rates; alarming numbers of homicides, suicides, and assaults; the failure of Indian children in public schools; and the placement of large numbers of Indian children in boarding schools. The cost to the taxpayer of providing medical care, welfare, and police services to deal with the excessive drinking problem is obviously high. If alcoholism could even be partially alleviated, a significant amount of scarce public resources could be conserved for other pressing needs.

Alcoholism is, of course, not a problem for Indians alone. It is a major public and mental health problem for millions of Americans. We are, as a nation, learning more and more about effective prevention and treatment methods. What we do know, now, we should make available to American Indians.

The Division of Indian Health of the U.S. Public Health Service conducts a number of alcoholism prevention and treatment programs for Indians. The subcommittee was dismayed to discover that Johnson-O'Malley funds, to be used for educational and health services for Indians, are not being used for any alcoholism programs. Use of such funds should be part of an intensive effort to bring to bear all available resources to combat this problem.

*12. The subcommittee recommends—*

**Full funding of the National Council on Indian Opportunity for fiscal year 1970, and for subsequent years.**

The National Council on Indian Opportunity was created by Executive Order 11399 on March 6, 1968. The purpose of the Council as stated in the Executive order is to encourage full use of Federal programs as they relate to Indians, apprise the impact and progress of Federal programs for Indians, and suggest ways to improve such programs.

By including six Indians as members, the Council affords the Indian people, for the first time in the history of Federal-Indian affairs, an opportunity to sit at the highest administrative level and have a direct say in the formulation of policies and programs as they relate to Indians.

President Johnson and President Nixon both have given their strong support to the Council. The National Congress of American Indians, the largest Indian organization in the country, indicated its strong support for this program in a position paper adopted May 6, 1969, in Albuquerque, N. Mex. The NCAI commented that the creation of the Council was:

\*\*\* a milestone in the involvement of Indian people with the administration of this country, and as such it can be a vital mechanism for Indian involvement in their own progress. There is no other like body which gives the Indian people such vital participation in the discussion and solution of their problems. The National Council on Indian Opportunity must be continued and funds appropriated for its continued operation.

As more and more programs for Indians are begun in agencies other than the Department of the Interior, the need for program coordination and appraisal becomes even more acute. Nearly half of the total Federal outlay in Indian Affairs goes to agencies other than the Bureau of Indian Affairs. These departments, whose secretaries, along with the Vice President as chairman, and the Indian members mentioned above, sit on the Council, are: Agriculture, Commerce, Labor, HEW, HUD, and OEO. Additionally, it is expected that the Department of Justice will embark on its first Indian program during fiscal year 1970. In judgment of the subcommittee, the Council is the only agency equipped with the authority to coordinate all Federal Indian programs.

On September 3, 1969, the Senate passed an authorizing resolution continuing the Council. The resolution is now pending in the House of Representatives and the subcommittee recommends favorable action be taken as soon as possible.

It is expected that another request for funding of the Council will be included in a supplemental appropriations bill to be sent to Congress later this fall. The subcommittee concluded that favorable action on funding the Council is imperative.

*13. The subcommittee recommends—*

**That the Bilingual Education Act (title VII of the Elementary and Secondary Education Act) receive sufficient funding so as to enable expanded programs for Indian children, that the act be amended to include schools operated for Indians**

by nonprofit institutions, and that BIA schools undertake expanded bilingual education programs of their own, along the lines of those outlined in the Bilingual Education Act, to meet the needs of Indian pupils.

There are nearly 300 Indian languages in use today in the United States. More than one-half of the Indian youth between the ages of 6 and 18 use their native language. Two-thirds of Indian children entering Bureau of Indian Affairs schools have little or no skill in English.

At the same time, a substantial number of the teachers instructing Indian children are unfamiliar with the only language their Indian students understand. It is estimated that less than 5 percent of teachers in BIA schools are native to the culture and language of the Indian children they teach. Thus, thousands of Indian children who know only their native language are taught by teachers who essentially know only English.

Of the \$7.5 million appropriated for the Bilingual Education Act (title VII of the Elementary and Secondary Education Act)—a vastly inadequate amount—only \$306,000 is being spent on Indian bilingual programs benefiting but 773 Indian children.

This program can do much more than enable the child to learn English through use of his native language. It can emphasize the history and culture of the Indian, provide for native aides in the classroom and develop a system of home-school coordinators to improve the relationship between school and family. The bilingual education program offers opportunities to sensitize teachers to Indian culture through inservice and preservice programs. Programs can be provided to train teachers in the native language of their Indian students. One effort presently in operation provides for a curriculum guide for mothers of Cherokee children so that they can work with their children in understanding new language concepts.

Title VII, ESEA, offers a unique opportunity to provide bilingual and bicultural education for Indian students, as well as to initiate programs which would give teachers a better understanding of Indian language, culture, and history.

While the bilingual education program requires expansion to meet the needs of all non-English speaking children, an intensive effort is needed now to provide Indians with culturally sensitive programs.

The Rough Rock Demonstration School on the Navajo Reservation in Arizona, operated as a nonprofit corporation, has shown that remarkable progress can be made by using culturally sensitive teaching materials and teachers trained in the bilingual education approaches. The children learn English faster this way, while at the same time sustaining pride in their culture. To receive bilingual education funds under this title, Rough Rock must be defined as a local educational agency.

*14. The Subcommittee recommends—*

That a major effort be undertaken immediately to (a) develop culturally sensitive curriculum materials, (b) train native teachers, and (c) promote teaching as a career among Indian youth,

The subcommittee was shocked to find, not only the absence of bilingual materials, but the absence of hardly any culturally sensitive materials in the Federal and public schools it investigated. In many cases the materials used by the children either completely ignored the contributions of Indians to society, or presented Indians in insulting stereotypes. In some instances the teaching materials in use were totally irrelevant to the experiences of the children. In Alaska, for example, the subcommittee found schools using "Dick and Jane" readers which referred to cows, farms, cities, grass and other items completely unfamiliar to the Alaskan native. Only at the Rough Rock Demonstration School in Arizona were children being taught with materials related to their native culture and designed by Navajos themselves. Nothing underscores more the insensitivity of the present paternal method of educating Indian children than the continued absence of bicultural materials. This situation must be corrected immediately.

In addition, new programs to train native teachers are required immediately, as is a program to encourage Indians to undertake teaching careers. The number of Indian teachers in public schools is infinitesimal, and even in the all-Indian BIA schools Indian teachers constitute only about 16 percent of the teaching staff. The percentage of these Indian teachers who teach children of their own tribe and language is smaller yet. A special effort should be made to recruit Indians into teacher-training programs, and a means should be established whereby Indian teenagers would be informed early in their secondary school years of college opportunities in teacher training.

## II. ADMINISTRATION OF INDIAN EDUCATION

### A. General Recommendations

The most difficult question confronting the subcommittee was what organizational changes are necessary if Indian schools are to become "models of excellence" in terms of both program and Indian control. The subcommittee has found that the Bureau of Indian Affairs suffers from a severe bureaucratic malaise, which militates against change and innovation as well as actively discourages Indian control. The present structure of the Federal school program, as an integral part of the Bureau of Indian Affairs, places primary control over educational decisionmaking in the hands of area directors and noneducators. It destroys educational leadership and rewards mediocrity. It is therefore not possible to conceive of change and improvement in the present structure. If an exemplary program is to be developed, it will require a radical and comprehensive reorganization.

15. *The subcommittee recommends—*

(a) That the position of the Commissioner of the Bureau of Indian Affairs be upgraded by giving him the concurrent title of Assistant Secretary for Indian Affairs.

(b) That the Bureau of Indian Affairs be removed from the authority of the Assistant Secretary for Public Land Management and be placed under the authority of this new Assistant Secretary for Indian Affairs.

At present, the BIA is one of four bureaus under the Assistant Secretary for Public Land Management. The four are: the BIA; the Bu-

reau of Land Management; the Bureau of Outdoor Recreation; and the Office of Territories. This Assistant Secretary is thus principally concerned with the conservation, management, and development of some 453 million acres of the nation's public lands, and the administration of mining and mineral leasing on federally owned lands. He is also the focal point of Federal activities related to outdoor recreation.

It is perfectly plain that the present administrative arrangement short-changes the BIA, which must compete with other bureaus (whose interests are diametrically opposed) for the Assistant Secretary's attention.

The present arrangement has resulted in inadequate budget levels, neglect of educational programs and problems, and lack of forceful leadership for improvement. The change in placement and status of the BIA should permit higher budget levels, more effective leadership, and more rapid innovation.

There exist ample precedents for this dual title. For example, in the Department of Housing and Urban Development, the Assistant Secretary for Mortgage Credit is also the Commissioner for Federal Housing. Furthermore, the Commissioner of the BIA, Hon. Louis Bruce, endorsed this step in a meeting with the subcommittee on Oct. 2, 1969.

16. *The subcommittee recommends—*

**That there be established a National Indian Board of Indian Education with authority to set standards and criteria for the Federal schools.**

Structurally, this recommendation is patterned after the organization of education in the States, with the National Indian Board of Indian Education as the centerpoint of citizen participation much as is the State Board. It would, as do the counterpart boards in the States, have oversight over the operations of the schools and have authority to set standards and criteria and determine policy within the framework of the law. The National Board would receive funds for its operations.

The National Board would be composed of some fifteen members, representative of the Indian tribes and communities, serving staggered terms of three years. They would be appointed by the President from lists of nominees furnished by the Indian tribes and communities and would be eligible to serve no more than two consecutive terms. At least annually, but more often if necessary, the Board would submit to the Congress and to the President reports and recommendations for administrative action or legislation, thus giving the Indians themselves leverage in effecting change. The National Board could elect to *ex officio* membership no more than five non-Indian individuals expert in areas of concern to the Board.

The National Board would be authorized to utilize the expertise of the U.S. Office of Education, the Office of Economic Opportunity, and other Federal agencies.

While this recommendation envisions the appointment of the National Board, the subcommittee believes that the matter of election of the members of the National Board merits careful consideration. Therefore, the National Board should be empowered to establish the

mechanism for electing the Board, and an equitable means by which such members might be elected. It should submit a plan for election of Board members, to the Congress, and to the President. If this plan is not rejected by either House of Congress, following the procedure of congressional action as prescribed by law in the case of executive re-organization plans, then the election procedure would be put into effect.

The National Board would also be empowered to participate in the negotiation of contracts with individual tribes and communities to run local school systems for Indians.

The Board would present to the Department of Interior its suggestions for nominees for Assistant Commissioner for Education as well as presenting its views on any candidate that the Department may be considering for the post. Since the Assistant Commissioner for Education would be serving for one or more terms of 4-year duration, the National Board would have the foregoing review responsibilities also with respect to reappointment.

Finally, the National Board would serve in an advisory capacity with respect to Federal education programs involving Indians in the public schools. For example, the Board could review school district use of Johnson-O'Malley funds to assure they were being used for the needs of Indian students.

*17. The subcommittee recommends—*

**That Indian boards of education be established at the local level for Federal Indian school districts.**

The powers of such local boards would be similar to those powers traditionally held by local school boards. The boards, for example, would have supervision over curriculum and the hiring of faculty in the schools in their districts. Generally, they would have jurisdiction in Indian school districts containing elementary and secondary schools situated in a proper geographic, tribal, or community area. These boards would be either elected by the Indian district in which they would serve, or be appointed by the tribal or community authority there. It is assumed that the method of selection would vary from area to area. Approximately 80 percent of local boards throughout the country are elected.

In keeping with the practice throughout the Nation wherein the overwhelming majority of local school boards are elected, the subcommittee expresses the hope that local Indian boards will likewise be subject to election, keeping in mind that in a minority of areas, as elsewhere in the country, local preference may dictate that the board be appointed.

The local boards would have direct lines of communication with the National Indian Board of Indian Education, and would be empowered to convey to it recommendations for overall policy.

*18. The subcommittee recommends—*

**That Indian parental and community involvement be increased.**

The BIA has been particularly lax in involving the participation of Indian parents and communities in the education process. Such involvement would have a beneficial effect on the attitude of Indian

children toward school and their own education, and could be helpful in bringing about strengthened and enhanced education programs.

In addition, this parental and community involvement at the school level complements the local and national Indian boards recommended above.

*19. The subcommittee recommends—*

**That the Assistant Commissioner for Education of the Bureau of Indian Affairs be given the responsibilities of a superintendent of Federal schools, having direct line control over the operation of the schools, including budgets, personnel systems, and supporting services. It also recommends that the term of office of the Assistant Commissioner be limited to 4 years, subject to reappointment.**

This would place the Federal school system outside of area office and reservation agency control, and leave the Federal school system as an autonomous unit within the BIA. Furthermore, it would permit the Assistant Commissioner much greater authority to negotiate with State and local school boards and agencies for augmented Indian education programs in the public schools.

The subcommittee urges that the Assistant Commissioner for Education retain decisionmaking authority over policy matters, and delegate only ministerial functions to his subordinates.

*20. The subcommittee recommends—*

**That the Department of Health, Education, and Welfare and the Department of the Interior, together with the National Council on Indian Opportunity, jointly devise a plan of action for a united effort between the two Departments for the development of a quality education program for Indian children, and that such plan be submitted to the Congress no later than March 1, 1970.**

Two Federal agencies presently have the special expertise required to upgrade the education of Indian children. The Bureau of Indian Affairs has direct responsibility for educating children in Federal Indian schools, and the U.S. Office of Education concerns itself with public school programs, some of which affect Indian children. Both agencies have the same goal of quality education. Unfortunately, each agency pursues that goal within the context of its own plans and operations. There is little, if any, sharing of ideas or resources. These two Federal agencies do not work together to reach solutions to common Indian education problems, primarily because no working mechanism exists for that purpose.

In 1967 the Senate Labor and Public Welfare Committee posed the question of where in the Federal structure responsibility for Indian education should be located in order to best serve the interests of Indian children. An interdepartmental committee (HEW-Interior) was established and a careful review was undertaken by both Departments. Despite the fact a number of meaningful recommendations were made and supported by the two Departments, relatively minor progress has been achieved.

The subcommittee believes that the failure to implement the inter-departmental committee's recommendations was due in large measure to the absence of a commitment to a joint cooperative effort between Interior and HEW.

The subcommittee therefore strongly urges the Secretary of the Interior and the Secretary of Health, Education, and Welfare, together with the NCIO, to devise a plan of action for a united effort by the two Federal Departments, and other relevant departments and agencies for the development of a quality education program for Indian children irrespective of place of enrollment.

In developing such a plan the two Departments should consider ways in which personnel from both Departments working on the united effort could work with the proposed National Indian Board of Indian Education.

The subcommittee requests that such a plan be submitted to the Congress no later than March 1, 1976.

### III. THE ROLE AND FUTURE OF FEDERAL SCHOOLS

#### A. An Exemplary School System

In the past, Federal Indian schools have primarily served as agents of coercive assimilation into the dominant culture and to a substantial extent they are still playing that role. They have been chronically underfunded and understaffed and have largely failed to recognize the special needs of their students. Only recently have they been conceptualized as a potential national resource.

21. *The subcommittee recommends—*

**That the Federal Indian School System be developed into an exemplary system, which can play an important role in improving education for Indian children. Federal schools should develop exemplary programs in at least these three areas:**

1. **Outstanding innovative programs for the education of disadvantaged children.**
2. **Bilingual and bicultural education programs.**
3. **Therapeutic programs designed to deal with the emotional, social and identity problems of Indian youth.**

In order to implement this recommendation, the subcommittee notes the following areas seriously in need of immediate attention:

(a) An effort to develop more effective preservice and in-service training for teachers and administrators.

(b) (i) Substantial upgrading of teacher personnel practices, including recruitment, certification, and retention. The subcommittee received many expressions of concern that despite the devotion and ability of most teachers, there are significant problems regarding the professional capacity and effectiveness of numbers of teachers in BIA schools.

Civil service practices should be modified when they conflict with a local school board's authority to discharge the responsibilities traditionally held by local public school boards. Local Indian boards should have traditional local powers to hire and release faculty.

(ii). The development of model environments and incentives for attracting and holding outstanding teachers and administrators. The teacher turnover rate is a very serious problem in schools serving Indian children and the Federal bureaucracy is at its worst in undermining initiative, imagination, candor, and professionalism. The fundamental importance of attracting and holding outstanding teachers and administrators throughout the Federal school system demands that a major effort be undertaken outside of BIA to study the existing system and to recommend how this goal can be achieved.

(c) Pupil personnel services have been greatly neglected by schools serving Indian children; due to a lack of adequate funding. Yet this is an area of great need. There must be a very substantial expansion of personnel and programs in the areas of special education, guidance, and counseling and psychological services.

(d) Model prevocational and vocational training programs should be developed at the secondary and postsecondary levels, and there should be innovative programs demanding the best of students, including cooperative education programs, and aiming at the job market of the future, not the past.

(e) Major upgrading of skills and competence in the teaching of English, with emphasis on bilingual educational programs. More attention should be given to teaching Indian languages as a second language to school personnel on Indian reservations.

(f) A general strengthening and upgrading of all academic programs utilizing the best educational techniques and innovations available.

(g) A substantial investment should be made in sophisticated research and development activities serving a number of experimental programs and schools. Part of this can best be done by contracting with outside agencies, but it is essential for Indian schools to be thoroughly self-critical, self-evolving institutions. This requires local expertise and some research and development capability.

(h) Major efforts should be made to involve Indian adults and communities in the work of and control over the schools. This should not be done on a token or patron basis, but rather by establishing actual community school boards and contracting the operation of schools back to Indian groups and communities.

(i) The overall budget for the Federal school system has been grossly inadequate. This is in large part due to the inability of BIA to establish appropriate educational standards and calculate the real costs involved in providing an equal educational opportunity for Indian students. The education budget of BIA needs a complete overhaul and adequate standards must be developed. It can be assumed that actual costs must double or triple if an effective program is to be developed.

(j) The BIA should establish a procedure for planning and evaluating education programs for Indian children. This procedure should be designed to ascertain specific educational needs of Indian children, set forth goals in meeting those needs, plan programs and projects designed to achieve those goals, and evaluate the effectiveness of those programs and projects in achieving the purposes for which they are established.

## B. Special Problems

### 1. ELEMENTARY BOARDING SCHOOLS

#### 22. *The subcommittee recommends—*

**That as rapidly as possible, the elementary boarding schools on the Navajo Reservation should be replaced by day schools.**

The subcommittee believes that elementary boarding schools are emotionally damaging to the children who attend. Two steps should be taken to deal with this problem during the period of time needed for phasing them out:

(a) A thorough investigation of these schools should be conducted by a team of mental health and child development professionals to determine how the school environment and practices can be substantially improved.

(b) A massive effort should be undertaken to improve these schools while they are being phased out. To begin with, the ratio of dormitory aides to children supervised should be lowered to 1:15 or less and the aides must be well-trained.

### 2. OFF-RESERVATION BOARDING SCHOOLS

#### 23. *The subcommittee recommends—*

**That the National Indian Board of Indian Education, in concert with a team of professional consultants competent in areas of personality development and mental health, should conduct a detailed investigation of the off-reservation boarding schools to determine which ones should be converted into therapeutic treatment centers. These centers would be administered by Public Health Service's Mental Health personnel in cooperation with the Bureau of Indian Affairs.**

Off-reservation boarding schools have generally become dumping grounds for Indian students with serious social and emotional problems. Unfortunately, there are also some students who are enrolled simply because there is no other school available to them. It is highly questionable whether or not these two groups of students should be without any plan, mixed together.

#### 24. *The subcommittee recommends—*

**That the present distribution and location of Federal boarding schools and the pattern of student placement be thoroughly reexamined by the National Indian Board of Indian Education.**

The subcommittee has found that over 1,200 Alaskan natives are presently being sent to Federal boarding schools in Oregon and Oklahoma, thousands of miles from their home. In addition, we have found that over 400 Indian students from the Northwest are being sent to Federal boarding schools in Oklahoma. These placement procedures are questionable and were strongly opposed by Indian and native leaders testifying before the subcommittee.

The present distribution and location of off-reservation boarding schools should be carefully scrutinized by the National Indian Board of Indian Education. The present system owes more to historical chance and expediency than rational planning. A new rationale and plan should be developed and implemented.

### 3. GUIDANCE AND COUNSELING

#### 25. *The subcommittee recommends—*

**That the guidance and counseling program in BIA boarding schools be substantially expanded and improved.**

The guidance and counseling program in BIA schools suffers from numerous deficiencies. Presently, the guidance function is combined with dormitory, administration, and disciplinary responsibilities, many of the personnel lack professional training, and counseling services are often not available on weekends or after school hours. A major effort should be made to overcome these deficiencies.

The guidance department should contain only trained professional personnel. Guidance Department staff—other than professionals—should be recognized under a separate department to divorce completely the guidance function from the housekeeping and disciplinary responsibilities. Guidance staff should be available to students throughout the regular school day, evenings, and weekends.

### C. Special Programs

#### 1. VOCATIONAL EDUCATION

#### 26. *The subcommittee recommends—*

**That there be a thorough review of the vocational education and manpower programs in the BIA.**

A thorough review and evaluation of vocational education and manpower programs in the BIA should be conducted by a group of independent experts, similar to the excellent study which resulted in many of the reforms written into the Vocational Education Amendments of 1968. Indian parents and tribal leaders should play a significant role in the review and planning process of this effort. The study should necessarily include employment and economic opportunities available for those Indians who may wish to remain on the reservation or live close to it. Attention should also be given to the number of vocational and manpower programs offered by various agencies and a means for coordinating them.

The vocational training program should take cognizance of the desire of many Indian people to remain on the reservation and prepare students for both on and off reservation employment. Vocational training programs should be closely articulated with economic development programs on reservations.

#### 2. HIGHER EDUCATION

#### 27. *The subcommittee recommends—*

**(a) That stipends for Indian students receiving BIA scholarships and fellowships (including allowances for sub-**

sistence and other expenses for such persons and their dependents) be brought into line with practices under comparable federally supported programs and the BIA allocate sufficient funds for this purpose.

For several years there has been an effort in Congress that student stipends (including allowances for subsistence and other expenses for such persons and their dependents) be consistent. This effort has been reflected in amendments to the law (e.g., the Higher Education Amendments of 1968, Public Law 90-575) and changes in administrative practice in Federal agencies (e.g., the National Science Foundation).

The subcommittee would like to bring to the attention of the Bureau of Indian Affairs a passage in Senate Report No. 1387 issued by the Senate Committee on Labor and Public Welfare on July 11, 1968, in conjunction with the Higher Education Amendments of 1968, as follows:

"Therefore, the committee requests that the U.S. Office of Education and other Federal agencies concerned give high priority to equalize through administrative action the terms and amounts of institutional and individual academic support programs. If this equalization cannot be accomplished by the administrative means suggested by the committee in both this report and in Senate Report 1137, then it is requested that the Office of Education and the other agencies concerned submit to this committee a report on the reasons therefor together with appropriate legislative recommendations to accomplish the equalization."

The subcommittee found, for example, that inadequate funding prevents the BIA from granting additional subsistence money to married students. This is inconsistent with the practice of the Office of Education which grants \$500 for each dependent.

The BIA estimates that there are about 400 students in this situation and at least an additional 400 needing assistance for graduate studies.

**(b) That the Bureau of Indian Affairs should expand scholarship programs so as to provide expanded support for Indian students in graduate studies.**

It has not been until recent years that the Bureau of Indian Affairs has recognized Indian graduate students and their need for scholarship assistance. The Bureau has been able to provide only limited funding for graduate study, though. Since many of these Indian students will take major leadership roles in society following their studies, it is essential they be given every opportunity to pursue their educational goals. The Bureau should therefore expand its scholarship program so as to substantially increase funds available to Indian graduate students.

*\*8. The subcommittee recommends—*

**That the BIA's regulation for financial aid for higher education be changed so that need rather than location of residence will determine a student's eligibility.**

The present regulation states that Indian students living on or near reservations should be given preference in determining eligibility for grants. The needs of many Indians in urban areas are often as great

as Indians near reservations, and thus a student's financial needs should be the major determinant of his eligibility.

*29. The subcommittee recommends—*

**That the Bureau of Indian Affairs should contract with colleges and universities to develop programs to help meet the special concerns of college students.**

There is a definite need for a core curriculum in Indian history and culture which touches upon the many aspects of Indian life. Skill-building programs which consider the Indians' culture and language are needed. The Johnson-O'Malley Act should be utilized to contract for such programs.

*30. The subcommittee recommends—*

**That a special effort be made to disseminate information on loans and scholarships and special programs to Indian students desiring to attend college.**

There is a definite need to coordinate the information on BIA grants which are available and other grants available to Indian students. Many Indian students are never apprised of the funds available to them for higher education. Such an intensive effort could include establishment of a clearinghouse which could also inform Indians of special programs for Indian students, such as those pre-college orientation programs at Fort Lewis College in Colorado, and Dartmouth College's ABC program.

*31. The subcommittee recommends—*

**A graduate institute of Indian languages, history, and culture should be established.**

There is at present no graduate level program encompassing the language, history, and culture of Indians. The information such an institute could disseminate, as well as the research which it would conduct, would greatly increase public knowledge and understanding of the American Indian. Such an institute established by Federal legislation, might very well be operated in conjunction with the Smithsonian Institution.

*32. The subcommittee recommends—*

**Colleges and universities should include within their counselor and teacher-training curriculum, courses designed to acquaint future teachers and counselors with the needs, values, and culture of Indian students.**

Too many Indians never seek education beyond high school, or even complete high school, because of the discouragement they receive from teachers, counselors, and administrators. Many of these people simply do not understand Indian culture and values. It is essential that those persons who have such influence over Indians during their school years be knowledgeable and understandable about Indians.

*33. The subcommittee recommends—*

**The Institute of American Indian Arts at Santa Fe, N. Mex. should be raised to the level of a 4-year college, supported by the Bureau of Indian Affairs.**

The Institute has had considerable success in instilling a cultural pride in Indian students by providing them with opportunities for creative expression. The individual-oriented programs recognize the importance of a sense of identity. By becoming a college, the Institute could provide a collegewide curriculum for Indians which considers their culture and history—something unique in higher education. The valuable lessons learned and put into practice by the Institute should be expanded into a college curriculum so that the Institute might become a model for colleges interested in developing innovative programs, such as in teacher-training, which recognize Indian needs.

*34. The subcommittee recommends—*

**The Bureau of Indian Affairs should provide continuing support for the community colleges on or near Indian reservations, such as the Navajo Community College.**

With more Indians expected to attend college each year, it is essential that a sound community college program be in operation which recognizes the problems of Indian students. The Bureau can take a leading role in this area by providing continuing support for Indian community colleges. The Bureau should conduct a study exploring the feasibility of Indian community colleges, and then of working toward the establishment of such Indian-controlled institutions.

*35. The subcommittee recommends—*

**That the Bureau of Indian Affairs should fund an institute in Alaska, possibly in cooperation with the University of Alaska, similar to the Institute of American Indian Arts in Santa Fe, New Mexico.**

There is a need in Alaska, as there has been in the Southwest United States, for a center which would assist natives in functioning in today's world while at the same time retaining their cultural identity. A center is therefore needed emphasizing the traditions of native people, their arts and crafts, their music and dance, their poetry and philosophy. Such an institute could serve a leadership role in developing innovative programs aimed at meeting the needs of native students.

*36. The subcommittee recommends—*

**That programs aimed at recruiting and orienting Indian students to college should be expanded and funded at a more adequate level.**

Talent Search, Upward Bound, and Special Services programs should be expanded to include more Indians. Other similar programs, such as Project COPAN at the University of Alaska and the BIA's precollege program at Haskell Institute merit increased funding; they have proven their value in keeping Indians in college, yet many have been discontinued or have been inadequately funded.

*37. The subcommittee recommends—*

**That title III (Developing Institutions) of the Higher Education Act be strengthened so as to include recently created higher education institutions attended by Indians located on or nearby reservations as eligible for assistance under that title.**

Title III of the Higher Education Act has for its purpose "to assist in raising the academic quality of colleges which have the desire and potential to make a substantial contribution to the higher education resources of our Nation but which for financial and other reasons are struggling for survival and are isolated from the main currents of academic life. . . ." Section 302 of the act provides that institutions to be aided must have been in existence for at least 5 years. However, since there has been only in very recent times an active interest in establishing such institutions for Indians, and since the Federal Government has a special responsibility for the education of Indians at the postsecondary as well as the elementary and secondary levels, it is suggested that the U.S. Commissioner of Education be authorized to waive the 5-year requirement of title III to include recently established colleges for educating Indians, such as the Navajo Community College in Many Farms, Ariz., which was established in January 1969.

*38. The subcommittee recommends—*

**That the Education Professions Development Act, Part F of section V of the Higher Education Act, and the Vocational Education Act be amended to include schools and programs operated by the Bureau of Indian Affairs.**

This recommendation should be implemented by amending sections 503(a), 504(a), 505, 552, and 553 of the Higher Education Act and section 131 of the Vocational Education Act. It would enhance the development of highly skilled personnel in all locations of Federal Indian schools and encourage young Indians to enter into the teaching profession.

The subcommittee's recommendation is also in keeping with the suggestion contained in the second annual report of the National Advisory Council on Education Professions Development, dated January 31, 1969, which stated:

Schools and programs operated by the Bureau of Indian Affairs are apparently not now technically eligible for personnel development benefits provided by the Education Professions Development Act or the Vocational Education Act. We recommend that acts providing education personnel development programs be amended to remedy this oversight.

*39. The subcommittee recommends—*

**That the percentage of Teacher Corps members allocated to elementary and secondary schools operated by the Bureau of Indian Affairs be increased.**

As the law is now written, not to exceed 3% of Teacher Corps assignments in total may be made to Puerto Rico, the Virgin Islands, and BIA schools. The subcommittee's recommendation should be implemented by amending section 513(c)(2) of the Higher Education Act so that the BIA schools may receive not to exceed 5% of Teacher Corps assignments and Puerto Rico and the Virgin Islands would continue to receive, in total, not more than 3% of Teacher Corps members. Thus, additional Teacher Corps members could be assigned to Indian schools, thereby providing the stimulating effects which the Corps members have initiated in the past on a larger scale.

## 3. ADULT EDUCATION

40. *The subcommittee recommends—*

(a) That an exemplary program of adult education be developed which will provide for the following:

(i) Basic literacy opportunities to all non-literate Indian adults. The goal should be to wipe out Indian illiteracy.

(ii) Opportunities to all Indian adults to qualify for a high school equivalency certificate. The goal should be to provide all interested Indian adults with high school equivalency in the shortest period of time feasible.

(iii) Surveys to define accurately the extent of the problems of illiteracy and lack of high school completion on Indian reservations.

(iv) A major research and development program to develop more innovative and effective techniques for achieving the literacy and high school equivalency goals. This would include multi-media instruction (including teaching machines, videotape, radio, and TV broadcasting) and the development of curriculum material that is practical, meaningful and interesting to the adult Indian.

(b) That the adult education program be effectively integrated with the rest of the BIA education program. The adult education program should as much as possible be placed under Indian control and contribute as well as benefit from the development of Indian controlled community schools.

A major commitment should be made to the adult education programs for American Indians. The national need for such a commitment is all too evident in the low economic status, rise in alcoholism, lack of employment capabilities, the inability of too many Indian adults to read and write, and the general lack of fulfillment of Indian adults on reservations.

## D. Innovation and Research and Development

## 1. ROUGH ROCK

41. *The subcommittee recommends—*

That the BIA take a stronger role in assuring that the Rough Rock School continue functioning as an exemplary demonstration school and that similar demonstration schools be established and appropriately funded on other Indian reservations.

The subcommittee has found that the Rough Rock Demonstration School has had a tremendous impact on the development of new and more effective educational programs for Indian children in both pub-

lic and Federal schools. In addition, it is still the only example of a successful school under tribal control. There is a continuing need for demonstration schools. Rough Rock has been funded at a much higher level than other schools on the reservation, and this is a major reason for its important accomplishments. The BIA should provide strong financial support for a sustained exemplary education program at the Rough Rock School, without in any way infringing on the autonomy of the school (as a nonprofit corporation) to plan and carry out its own programs. In addition, the Rough Rock school should be included in any nationwide array of demonstration schools funded by the Federal Government.

One of the most promising mechanisms for the development of additional model schools would be the contracting of their operation to a nonprofit corporation with an Indian board of directors similar to the Rough Rock school. The Indian board could in turn have the power to subcontract on a competitive basis the operation of the school to any appropriate profit or nonprofit organization capable of developing the model program in keeping with the policy guidance of the board. Decentralization of the Federal school system by means of this contracting device would permit meaningful local control, diversity of approaches, and a healthy sense of competition between different schools.

## 2. RELATIONSHIP TO COLLEGES AND UNIVERSITIES

42. *The subcommittee recommends—*

**That close ties be developed between institutions of higher education and Federal schools.**

Relationships should be established, funded either by contracts or grants, to stimulate and sustain a long-term interest in improving Indian education on the part of universities and colleges. Universities should help develop new curriculum materials, train teachers and guidance personnel, conduct research, and provide continuing technical assistance.

In some instances a university or a group of universities may wish to directly operate a Federal school. Such arrangements with appropriate Indian involvement should be encouraged and adequately funded on a long-term basis.

## 3. CONSULTANTS

43. *The subcommittee recommends—*

**That the BIA increase its use of consultants.**

This report has already recommended a number of areas where consultant assistance is desperately needed by the BIA. The BIA should have a budget sufficient for independent consultant assistance and use them extensively. This is clearly preferable to an attempt to develop substantial in-house specialization. It is impossible to attract the kind of talent needed under present civil service rules and regulations.

## IV. FEDERAL ROLE AND NON-FEDERAL SCHOOLS

### A. Public Law 81-874

#### 1. FORWARD FUNDING

*44. The subcommittee recommends—*

**That forward funding procedures be implemented for Public Law 874.**

A number of school districts educating Indians depend upon Public Law 874 for a substantial portion of their budget. Fifteen different States have one or more districts in which Public Law 874 money constitutes at least 25 percent of the total budget, and in many instances that percentage is considerably higher. It is essential that such districts be assured of operating funds at least a year in advance as now authorized by law. Late funding procedures have caused great uncertainty for many districts and have prevented them from adequately planning programs to meet their students' needs.

#### 2. FULL FUNDING

*45. The subcommittee recommends—*

**That Public Law 874 be fully funded.**

As explained above, some districts are so dependent upon Public Law 874 money that it is essential their education programs are not handicapped because of a lack of full funding.

### B. Public Law 81-815

#### 1. PRIORITY IN FUNDING

*46. The subcommittee recommends—*

**That section 14 of Public Law 81-815 be declared as deserving of priority funding.**

More Indian students continue to be transferred into public schools yearly, but because of inadequate funding for Public Law 815, these public school districts are receiving no funds for construction of additional facilities, which the presence of increased Indian enrollment may necessitate. Public school districts located on reservations must also provide housing for the teaching staff, and often, districts must depend upon Public Law 815 grants for such construction. It is essential that section 14 funding be given the priority needed to provide adequate facilities for Indian students. Because of no funding in recent years, there are areas (Navajo, N. Mex., for example) where the question is not of adequate facilities, but of no facilities for Indian students at all.

## 2. MORE ADEQUATE FUNDING

47. *The subcommittee recommends—*

**That Public Law 81-815 be more fully funded.**

Public Law 81-815 has been inadequately funded in recent years. The 1969 appropriation, for example, was only for 19 percent of authorization. Requests for 1967 still haven't been funded. It is imperative that more attention be given to funding this legislation, particularly for those sections under which disadvantaged students, such as Indians, are suffering with inadequate facilities. It is difficult enough to teach children with special needs, without having to face the added difficulty of inadequate facilities.

## C. Johnson-O'Malley Act

48. *The subcommittee recommends—*

**That each state applying for a Johnson-O'Malley contract should be required to submit a definite plan for meeting the needs of its Indian students.**

Too often the plans submitted by States are vague and meaningless. Specific programs are rarely outlined, and there appears to be no concerted attack on the problems of the Indian. State plans should detail the use for which Johnson-O'Malley money will be put, and explain how the JOM contribution fits into the statewide plan for helping meet the special needs of Indian students.

49. *The subcommittee recommends—*

**That better accountability and evaluation procedures should be instituted at the State and local levels.**

The Bureau of Indian Affairs should require improved evaluation components at the State and local levels. The only accountability measures now are a State's annual report, which vary tremendously in quality and content. Some uniform data collection technique should be established, and States should be required to report the results of their JOM programs rather than just the fact that such programs were in operation.

It is a fair measure of the BIA's lack of concern for the education of Indian children in public schools that the subcommittee could find no evidence of any serious effort by the BIA to assure that JOM funds were used for educational programs for Indian students. The funds are given to local public school districts, which often use the money for general educational purposes rather than the special needs of Indian students. The subcommittee cannot emphasize too strongly that these funds are to be used for the education of Indian children only, and that the BIA should condition their release upon that purpose with proper accountability.

50. *The subcommittee recommends—*

**That Indians should be involved in the planning, executing and evaluating of Johnson-O'Malley programs. A State or district's JOM plan should be subject to the approval of the Indian participants.**

The Bureau of Indian Affairs, as a prerequisite to JOM contract approval, should require Indian participation in the planning, execution, and evaluating of JOM plans. Indians should be involved at both the local and State levels in formulating the JOM budget request, and in seeing that the plan is carried out. All proposals and plans must be approved by those Indians participating.

*51. The subcommittee recommends—*

**That technical assistants should be hired by the BIA to work with local agencies, State departments of education and Indian participant groups in helping to identify special Indian needs and in developing programs which would meet those needs.**

The assistants should be Indians who can serve as special consultants to the parties involved in order that the best possible JOM contract can be negotiated. They should not be desk-bound nor assigned to such an expansive territory that they are unable to get out into all parts of the field.

*52. The subcommittee recommends—*

**That Johnson-O'Malley funding should not be conditioned by presence of tax-exempt land.**

The criteria for approval of a Johnson-O'Malley contract should be: (a) an exhibited need for programs aimed at meeting the special needs of Indian students, and (b) a proposal which details how those needs will be met. The presence of nontaxable Indian land should not have any bearing in determining the eligibility of children for JOM money. When the law originally was passed, congressional intent was for the act to serve primarily those Indians who were "to a considerable extent mixed with the general population." That intent has not been fulfilled.

*53. The subcommittee recommends—*

**That the expanded contracting authority authorized by the Act's 1936 amendment should be utilized for the development of curriculum relevant to Indian culture and the training of teachers of Indian students.**

Only in recent years has the Bureau shown some creativity in utilization of the expanded contracting authority. This amendment offers far greater potential for innovative educational projects than has been demonstrated. It could be a very good vehicle, for example, to improve curriculum for Indian students, and to train teachers who will be teaching Indian students. Universities and nonprofit corporations might be contracted to develop special curriculums which recognize Indian culture, and to develop and institute teacher-training programs which include a recognition that teachers of Indian students have special responsibilities.

*54. The subcommittee recommends—*

**That tribes and Indian communities should be added to the list of agencies with which the Bureau of Indian Affairs can negotiate Johnson-O'Malley contracts and that full use be made of this new contracting authority to permit tribes to develop their own education projects and programs.**

The subcommittee has found that very few Indian tribes and communities have developed educational plans which identify problems and establish goals. However, the subcommittee was impressed by the fact, that Indian communities have a better understanding of their education needs and problems than the schools that serve them. The schools rarely understand the Indian community and cultural differences, and the Indian community rarely has any influence on the school. Johnson-O'Malley contracts with Indian tribes and communities could do much to break down these barriers; and place the initiative and responsibility for change and improvement in the hands of those who best understand the problems.

Johnson-O'Malley contracts with Indian tribes and communities could serve a variety of important purposes. For example, tribal surveys and factfinding efforts to determine educational needs; the development of education plans and goals; developing effective liaison between Indian parents and public schools; developing Indian education leadership; planning, funding, implementation and evaluation of special education programs for Indian children in cooperation with public school districts; education programs and projects run directly by the tribe itself (for example, summer school programs).

The basic responsibility for development of this program should be vested in the National Indian Board of Education. It will require close coordination with the development of strong Indian school boards on those reservations with Federal schools.

An important and promising precedent for this tribal-contracting approach has recently been initiated by the Indian Health Service. The Indian community health representative program is worthy of careful study by the National Indian Board of Education to determine its applicability to the field of Indian education.

#### D. Transfer of Responsibility

##### 55. *The subcommittee recommends—*

**That Indian tribes or communities should approve in a formal referendum the transfer of their children to public schools before such a transfer can be effected.**

The Bureau's transfer policy, as presently stated in the Indian Affairs Manual, gives the Bureau the authority to determine when Indian students should be transferred from Indian schools to public schools. Despite former Commissioner Bennett's statement that tribes will decide in a referendum when they are ready for transfer, no such written policy exists. If the Bureau's "mutual readiness" policy is to mean anything, Indians must have the opportunity to determine when they are "ready" for transfer.

##### 56. *The subcommittee recommends—*

**That public school districts be required to demonstrate clearly they are ready for transfer of Indian students by developing programs aimed at meeting the children's special needs and involving the Indian community in the school.**

School districts anticipating Indian enrollment must provide more than teachers and space for their Indian students. They must show they have developed programs aimed at meeting the special needs of Indian students. These programs should include such things as curriculums which recognize the unique character of Indian culture, teacher workshop designed to sensitize teachers to the special problems of Indian students, and provisions for meaningful Indian development in the operation of the school.

57. *The subcommittee recommends—*

**That Bureau of Indian Affairs should hold the public schools accountable for the education of Indian students transferred from BIA schools.**

The performance of the Indian student in the public school should be the test as to whether the school is fulfilling its educational obligation. The Bureau should make periodic checks of Indian performance data in public schools, and that data should be reported to local and State school authorities, the Indian tribes or communities affected, and the U.S. Office of Education when OE programs are involved. The dearth of such data now makes it extremely difficult to assess Indian performance so that the problem areas can be identified and dealt with.

## V. OTHER MATTERS

58. *The subcommittee recommends—*

**That State and local communities should facilitate and encourage Indian community and parental involvement in the development and operation of public education programs for Indian children.**

The subcommittee especially noted a lack of participation, due to several causes, of Indians in education operations in the communities. In several localities, where a substantial number of Indian youngsters are attending public schools, Indian involvement in the operations of the schools attended by their children was practically or entirely nonexistent. There are opportunities which can be utilized to enhance this participation, however, as evidenced by what transpired in New Mexico where local school boards were enlarged to accommodate Indian members. Other means to enlarge Indian parental involvement are also available. It is generally felt, it might be added, that such parental involvement will have a beneficial effect on the attitude of Indian children toward school and their learning.

In States where there are a significant number of Indian children attending public schools, an Indian should be engaged by the State educational agency to advise on Indian education problems and to participate and give oversight to Indian schooling. This is now being done, for example, in California and Minnesota.

Finally, Indians should be involved in State and local educationally advisory groups, especially those established for Federal programs.

59. *The subcommittee recommends—*

**That Indians should be considered for appointment to the advisory groups functioning within the U.S. Office of Education, including those established by statute as well as those created by administrative action.**

Such advisory groups should be requested to give special attention to problems of Indian education, where appropriate. In particular, the National Advisory Council on the Education of Disadvantaged Children should give Indian education its continuing attention. Copies of this report should be brought to the attention of the Council and other Federal education advisory groups.

The U.S. Office of Education indicates that there are within OE some 2 dozen education advisory groups established by law or administratively. Indians are inadequately represented on these groups.

*60. The subcommittee recommends—*

**That in receiving funds under the set-aside provisions in the several titles of the Elementary and Secondary Education Act, the BIA should be required to prepare and submit its proposals to the Office of Education for approval and should bear the same responsibility for maintenance of effort as the States.**

It is evident that the BIA does not meaningfully involve the U.S. Office of Education in its programs under the Elementary and Secondary Education Act for which BIA receives funds administered by OE. States receiving these funds submit to OE their State plans which indicate that the funds are being used in accord with the law and that the ESEA funds are supplementing, not supplanting, State and local expenditures; the BIA should follow a similar procedure.

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## APPENDIXES

**Appendix I:**

**The Failure of National Policy:  
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## APPENDIX I

### The Failure of National Policy: An Historical Analysis

In February 1968, Mr. Lloyd New, director of the Institute for American Indian Arts, testified before the Senate Indian Education Subcommittee. Speaking as an Indian, a distinguished artist, and director of the Institute of American Indian Arts at Santa Fe, New Mexico, he summarized the effects of the failure of national policy regarding American Indians:

For almost five centuries the American Indian has been subjected to a process of attrition which has slowly eroded the roots of his cultural (and economic) existence. His physical ways have been completely obliterated in many areas and, presently, his spiritual existence is in extreme jeopardy.

The many and varied attempts that have been made to "help" him, and particularly "educate" him, have been largely unsuccessful.

Perhaps in part because it was assumed that the sooner the Indian was forced to abandon his ways and join the melting pot of America, the better off he would be. But he has displayed unique resistance to that idea, possibly because his psychological relationship to the land was different from that of the immigrant groups who eventually surrounded him. Failure on the part of those who have dealt with the Indian to understand the basis of his tenacious observance of his own cultural mores has resulted in the abortion of almost every attempt to assist him. Even now, various kinds of human salvage operations, such as urban relocation, employment assistance, on-the-job training, and other rehabilitation efforts are, at best, only stopgap efforts to meet his worldly needs, while failing miserably to provide the cultural and emotional substance required to put his life in balance.

The American Indian has always been devoted to a philosophy which holds that one's existence should blend into the comparatively passive rhythms of nature, as opposed to the dominant society's quest for control of nature through scientific manipulation of its elements. In the main, direct attempts to switch him from his philosophical position have failed, much to the consternation of those who have tried.

In the past, public apathy and disinterest permitted him to maintain a certain degree of privacy in this way of life but in recent times he has been forced into the public struggle for economic survival, due to the lack of an environment supportive of his old ways. With limited land holdings and the inevitable encroachments of the dominant society the American Indian is hard pressed in his efforts to maintain his view-

point while adjusting to the exigencies of the modern world.

No longer in a position to make war with the opposition, the Indian, in general, has adopted a tendency to withdraw and lie quietly in the remnants of his old world, only half-heartedly picking at the offerings made to him by his multitudinous and dominating neighbors.

Poverty, poor health, unemployment, and a growing rate of alcoholism among Indian adults, and a shocking prevalence of suicide, dropouts, and delinquency among Indian youth attest to the fact that there has been an overall failure to provide an educational approach sufficiently effective to promote constructive social transition.

#### 1. MISSION PERIOD

It is important to make a distinction between education and formal education when considering the American Indian. As Dr. Brewton Berry has pointed out, "Education \* \* \* is not an invention of the white man, nor is it his sole possession. Every human society devises means for socializing the young and transmitting its culture."<sup>1</sup> The importance of this distinction is pointed up dramatically in an exchange cited in Benjamin Franklin's "Remarks Concerning the Savages of North America." In 1744, after the Treaty of Lancaster in Pennsylvania between the government of Virginia and the Six Nations, the Virginia Commissioners offered to the chiefs to educate six of their sons at a college in Williamsburg, Va. The chiefs replied as follows:

Several of our young people were formerly brought up at the colleges of the Northern Provinces; they were instructed in all your science; but when they came back to us, they were bad runners; ignorant of every means of living in the woods; unable to bear either cold or hunger; knew neither how to build a cabin, take a deer, or kill an enemy; spoke our language imperfectly; were therefore neither fit for hunters, warriors, or counselors; they were totally good for nothing. We are however not the less obliged by your kind offer, though we decline accepting it: And to show our grateful sense of it, if the gentlemen of Virginia will send us a dozen of their sons, we will take great care of their education, instruct them in all we know, and make men of them. (Benjamin Franklin, *Two Tracts*, etc. (2d ed., 1794), pp. 28-29.)

The important truth to be drawn from that exchange has been largely ignored in the 400-year history of formal education for American Indians. According to Dr. Berry, "Formal education of the American Indian began with the coming of the white man, and has continued to the present time, with conspicuous lack of success."<sup>2</sup>

Starting with the first mission school established by the Jesuits for Florida Indians in 1568, the first 300 years of formal education for

<sup>1</sup> Dr. Brewton Berry, "The Education of American Indians, a Survey of the Literature," prepared for the Special Subcommittee on Indian Education, 81st Cong., first sess., February 1969, p. 5.

<sup>2</sup> *Ibid.*, p. 5.

Indians in the United States was dominated by the church. The basic goals of this period were to "Christianize" and "civilize" the heathen.

A few Jesuits were in Florida in the 1500's, and for a time they worked in the Southwest, but their principal activities in the present United States covered the period from 1611 to the end of the 1700's. They were mostly of French extraction, they entered the continent by way of the St. Lawrence River, and their activities centered around the Great Lakes, and the Mississippi and its tributaries.<sup>3</sup>

In addition to converting them to Christianity, Frenchification of the Indians was the Jesuits' goal. Louis XIV, who gave them considerable financial support, repeatedly gave orders that all possible efforts should be made to "educate the children of the Indians in the French manner." Layman maintains that it was their policy to remove the children from their families and tribes, to stress French language and customs, and to emphasize the traditional academic subjects.<sup>4</sup>

Protestants were also bent upon Christianizing and civilizing the Indians, and the Virginia colonists began thinking along those lines as soon as they had won a secure foothold.

King James I, on March 24, 1617, called upon the Anglican clergy to collect money "for the erecting of some churches and schools for ye education of ye children of these Barbarians in Virginia." The following year the Virginia Co. directed the Governor of the colony to choose a convenient place for the building of "a college for the children of the infidels," and 10,000 acres of land were set aside for that purpose. It was not until 1691 that the College of William and Mary was finally chartered. Many Indian students were brought there in the succeeding years.<sup>5</sup>

In Massachusetts, the charter of the Bay Co. declared that the main objective of the company was the conversion of the natives. The boarding school approach, separating Indian children from their families and tribes, was initiated by Rev. John Sargeant in Stockbridge, Mass., along with an "outing system," whereby Indian pupils were placed in Puritan homes during their vacation periods, to keep them from returning to their tribal ways. A similar program was developed by Rev. Eleazar Wheelock:

who founded a training school for Indians at his home in Lebanon, Conn. His philosophy involved the removal of the Indians from their natural environment, surrounding them with the influences of the Puritan home, and teaching them the rudiments of secular and religious knowledge and "husbandry." Later he moved his school to Hanover, N.H., where it was named Moor's Charity School, and later became Dartmouth College.<sup>6</sup>

<sup>3</sup> *Ibid.*, p. 7.  
<sup>4</sup> *Ibid.*, p. 7.  
<sup>5</sup> *Ibid.*, p. 8.  
<sup>6</sup> *Ibid.*, p. 9.

The general attitude of the Puritans toward the Indian is revealed by an incident in 1637 when the Pequot Tribe resisted the migration of settlers into the Connecticut Valley. A Pequot village was burned to the ground and 500 Indians were burned to death or shot while trying to escape. The surviving Pequots were sold into slavery. The Puritans gave thanks unto the Lord that they lost only two men, and Cotton Mather was grateful to the Lord that, "On this day we have sent 600 heathen souls to hell."<sup>7</sup>

It is difficult to evaluate the success of these various religious efforts but the outcome was questionable, to say the least. Dr. Berry cites a fairly typical lament attributed to a Mr. William Byrd:

Many of the children of our neighboring Indians have been brought up in the College of William and Mary. They have been taught to read and write, and have been carefully instructed in the Principles of the Christian Religion until they came to be men. Yet after they returned home, instead of civilizing and converting the rest, they have immediately relapsed into infidelity and barbarism themselves.<sup>8</sup>

Layman refers to the "almost complete failure of the Jesuits to attain their educational purposes." And referring to the period 1778-1871, he states:

The net results of almost a hundred years of effort and the expenditure of hundreds of thousands of dollars for Indian education were a small number of poorly attended mission schools, a suspicious and disillusioned Indian population, and a few hundred products of missionary education, who, for the most part, had either returned to \* \* \* (their tribal ways) or were living as misfits among the Indian or white population.<sup>9</sup>

## 2. TREATY PERIOD

From the beginning, Federal policy toward the Indian was based on the desire to dispossess him of his land. Education policy was a function of our land policy, and until the final Indian uprising in the late 19th century, took place in the context of wave after wave of invasion by white settlers reinforced by military conquest. Treaties, almost always signed under duress, were the window dressing whereby we expropriated the Indian's land and pushed him back across the continent.

Beginning with President Washington, the stated policy of the Federal Government was to replace the Indian's culture with our own. This was considered "advisable" as the cheapest and safest way of subduing the Indians, of providing a safe habitat for the country's white inhabitants, of helping the whites acquire desirable land, and of changing the Indian's economy so that he would be content with less land. Education was a weapon by which these goals were to be accomplished.

<sup>7</sup> Peter Farb, "Man's Rise to Civilization as Shown by the Indians of North America From Primal Times to the Coming of the Industrial State," E. F. Dutton & Co., Inc., New York, 1968, p. 247.

<sup>8</sup> Dr. Brewton Berry, op. cit., p. 9.

<sup>9</sup> Ibid., p. 9.

The Indian's "lack of civilization" was the justification used for taking his land. Benjamin Franklin observed that it was necessary "to extirpate the savage in order to make room for the cultivators of the earth." President Jefferson "had hoped that trading posts would encourage Indians to accumulate debts which they could pay off by ceding land." He proposed that the Government would then "settle the Indian benignly on agricultural reservations where they would learn to farm and become like their white neighbors." President Monroe, writing in 1817, stated: "The hunter or savage state requires a greater extent of territory to sustain it than is compatible with the progress and just claim of civilized life \* \* \* and must yield to it." Senator Thomas Hart Benton of Missouri claimed that the whites must supplant Indians because whites used the land "according to the intentions of the Creator."

Education was clearly to play a very secondary role to the use of force. President Andrew Jackson, who had been raised on the frontier, denounced treaties with Indians as an "absurdity" and a "farce." In 1830, he sought and obtained from Congress legislation permitting the forced removal of all Indian tribes east of the Mississippi. During the next 10 years, an estimated 70,000 to 100,000 Indians were captured and herded westward, across the Mississippi. Thousands more died from disease, exposure, and starvation on the thousand-mile forced march west.

From September 17, 1778, when the first treaty between the United States and an Indian nation was signed with the Delawares, until 1871, treaties established the main legal basis for the Federal policies with respect to Indian education. The earliest treaty containing a specific provision with respect to education was the treaty with the Oneida, Tuscarora, and Stockbridge Indians of December 2, 1794.

Through treaties and agreements, the Indian tribes ceded to the United States almost a billion acres. Although treaty provisions vary, in general, the Indians retained lands for their own use which were to be inalienable and tax exempt. The Federal Government in turn agreed to provide public services such as education, medical care, technical and agricultural training. Specific education provisions were included in a substantial number of treaties.

On March 30, 1802, Congress appropriated not to exceed \$15,000 annually to "promote civilization among the aborigines." This was the first statutory provision establishing congressional responsibility for Indian education.

At the request of President Monroe, the Congress passed an act on March 3, 1819, which Felix Cohen calls "the organic legal basis for most of the education work of the Indian Service."<sup>10</sup> The purpose of the act was to "civilize" by converting Indians from hunters to agriculturists.<sup>11</sup> The funds involved were apportioned among those societies and individuals—usually missionary organizations—that had been prominent in the effort to "civilize" the Indians. As treaty funds became available, these were disbursed in the same way. The annual appropriation, known as the "civilization fund," continued until the end of the treaty period and was repealed in 1873.

The Office of Commissioner of Indian Affairs was created by Congress as a part of the act of July 9, 1832, although the Bureau itself

<sup>10</sup> Cohen, "Handbook of Federal Indian Law," 1940 ed. p. 239.

<sup>11</sup> *Worcester v. Georgia*, Ga. 1832, 31 U.S. 515, 6 Pet. 515, 6 L. Ed. 433.

had been established in 1824. The office was under the direction of the Secretary of War, and subject to the regulations prescribed by the President. Indian Affairs remained under the jurisdiction of the War Department until 1849, when it was moved to the newly established Department of Interior. Under this act, the Bureau of Indian Affairs passed from military to civilian control. This had little practical effect on actual administration, however, since Army officers continued to be employed as agents.

The attitudes of the early Commissioners of Indian Affairs shaped the policies of Indian education for the century that followed, given the broad legislative discretion granted by Congress to the Secretary of Interior, and in turn, to the "Head" of Indian Affairs, to manage the education of Indians. The annual reports of the Commissioners are clear indicators of those attitudes.

In his second annual report, the first Head of the Bureau of Indian Affairs, Thomas L. McKenney, in urging increased appropriations for the support of Indian schools, pointed out that the schools served an important pacification role in our conquest of the West.

\* \* \* these establishments go further, in my opinion, towards securing our borders from bloodshed, and keeping peace among the Indians themselves, and attaching them to us, than would the physical force of our Army, if employed exclusively towards the accomplishment of those objectives.<sup>12</sup>

In his annual report of 1848, Commissioner W. Medill provides us with a disturbing insight into the prevailing attitudes of the times:

Stolid and unyielding in his ways, and inveterately wedded to the savage habits, customs, and prejudices in which he has been reared and trained, it is seldom the case that the full blood Indian of our hemisphere can, in immediate juxtaposition with a white population, be brought farther within the pale of civilization than to adopt its vices; under the corrupting influences of which, too indolent to labor, and too weak to resist, he soon sinks into misery and despair. The inequality of his position in all that secures dignity and respect, is too glaring, and the contest he has to make with the superior race with which he is brought into contact \* \* \* is too unequal to hope for a better result.

While to all, the fate of the red man has, thus far, been alike unsatisfactory and painful, it has with many been a source of much misrepresentation and unjust national reproach. Apathy, barbarism, and heathenism must give way to energy, civilization, and Christianity; and so, the Indian of this continent has been attended with much less of oppression and injustice than has \* \* \* been \* \* \* believed. If, in the rapid spread of our population and sway, with all their advantages to ourselves and to others, injury has been inflicted upon the barbarous and heathen people we have displaced, are we as a nation to be held up to reproach for such a result.<sup>13</sup>

<sup>12</sup> Annual report for 1828, Office of Indian Affairs, p. 508.

<sup>13</sup> Annual report for 1848, Bureau of Indian Affairs, p. 391 f.

Commissioner Medill's successor, Orlando Brown, appears to be more sanguine about the prospects for effective assimilation of the Indian. The weapons are to be the sword, the plow, and the primer.

The dark clouds of ignorance and superstition in which these people have so long been enveloped, seem to be breaking away, and the light of Christianity and general knowledge to be dawning upon their moral and intellectual darkness. The measures to which we are principally indebted for the great and favorable change that has taken place are the concentration of the Indians within smaller districts of the country, where the game soon becomes scarce, and they are compelled to abandon the pursuit of the chase, and to resort to agriculture and other civilized pursuits; and the introduction of manual labor schools among them, for the education of their children in letters, agriculture, the mechanic arts, and the domestic economy. These institutions being in charge of missionary societies of various religious denominations, and conducted by intelligent and faithful persons of both sexes, selected with the concurrence of the Department, the Indian youth are also carefully instructed in the best of all knowledge, religious truth, their duty toward God, and their fellow beings.<sup>14</sup>

Commissioner L. Lea; the next in line, was the third Indian Commissioner in a row to announce a blatant policy of coercive assimilation:

It is indispensably necessary that they (the Indians) be placed in positions where they can be controlled, and finally compelled, by stern necessity, to resort to agricultural labor or starve.<sup>15</sup>

Commissioner Lea advocated the expansion of the number of manual labor schools, as "efficient auxiliaries in imparting \* \* \* a knowledge of letters, agriculture, and mechanic arts, and of advancing them in civilization and Christianity." He pointed out that a merely book-taught Indian will resume "the barbarism of his original condition" with nothing more to show for his education than a "more refined cunning, and a greater ability to concoct and perpetrate schemes of mischief and violence."<sup>16</sup>

It is only possible to understand the strident inhumanity and arrogance of such policy statements in the context of the frontier settler constituency to which the Federal Government was responding. For example, in the same year that Commissioner Lea was suggesting starvation as an assimilation tactic, a Kansas newspaper summarized the general feeling of the frontier toward Indians as follows:

A set of the most miserable, dirty, lousy, blanketed, thieving, lying, sneaking, murdering, graceless, faithless, gut eating skunks, the Lord has ever permitted to infest the earth, and whose immediate and final extermination, all men except Indian agents and traders, should pray for.<sup>17</sup>

<sup>14</sup> 1849 Report of the Commissioner of Indian Affairs, p. 21.

<sup>15</sup> 1850 Report of the Commissioner of Indian Affairs, p. 1.

<sup>16</sup> 1852 Report of the Commissioner of Indian Affairs, p. 6.

<sup>17</sup> Peter Farb, *op. cit.*, p. 255.

The reality was often as brutal as the rhetoric. One historian has graphically described an extreme example of white settler attitudes and violence.

In California, the gold rush attracted thousands who inundated the Indians in the northern and central parts of the State, obliterating their villages and overrunning their hunting and gathering grounds. Blown about like leaves in a storm, Indians struggled to survive. Their desperation turned some of them to robbery and pilfering of miners, and the whites, in retaliation, formed posses and massacred the natives guilty and innocent alike. In time, white attitudes hardened against the Indians so that no excuse was needed for hostility against them. The white population viewed Indians as vermin who had to be eliminated from the California scene. Indian children were murdered with the explanation that "nits breed lice." Indian women were raped, forced into concubinage, or slain without mercy. Many adult males were rounded up and employed as slave labor. Disease cut deeply into the Indian population also. It is estimated that as many as 70,000 Indians died from one cause or another in California during the decade 1849-59.<sup>18</sup>

As early as 1838, the educational policy of civilizing Indians through manual training in agriculture and the mechanic arts became established practice. At that time, 16 manual labor schools serving 800 students, and 87 boarding schools serving 2,873 students were in existence. It is also interesting to note that a large proportion of the expense for the operation of the schools came from Indian treaty funds and not Federal appropriations. During the 10-year period from 1845-55, more than \$2 million was expended. Of this amount, only one-twentieth, or about \$10,000 per year, came from Federal Government appropriations.<sup>19</sup>

During the later part of the treaty period, greater concern was expressed over the reluctance of Indian children to attend the white man's schools, and treaty provisions regarding compulsory attendance were developed. Treaties with the Sioux and Navajo in the 1860's provided for a school and a teacher for every 30 children who could be induced or compelled to attend.<sup>20</sup>

In 1871, the treaty period came to an end when Congress decreed that henceforth, "No Indian nation or tribe within \* \* \* the United States shall be acknowledged or recognized as an independent nation, tribe, or power." This did not rescind, however, the obligations of the Federal Government under the nearly 400 established treaties.

### 3. ALLOTMENT PERIOD

In response to the demand for more land, the Homestead Act was passed in 1863, which opened up the Plains to the settlers. To facilitate the process, "encouragement was given to the slaughter of the big

<sup>18</sup> Alvin M. Josephy, Jr., "The Indian Heritage of America," Alfred A. Knopf, New York.

<sup>19</sup> Report of the Secretary of the Interior. Sen. Ex. Doc., No. 1, pt. 1, 34th Cong., first sess. (1855), p. 561.

<sup>20</sup> Peter Farb, op. cit., p. 25, 1968.

buffalo herds, the Indians principal source of food; with their meat gone, it was believed the tribes would be forced onto the reservations by the promise of rations."<sup>21</sup>

By 1885, the bison were virtually extinct, and many of the Plains Indians were starving. In addition, many Indian tribes were decimated by epidemics of smallpox, cholera, and other infectious diseases which were introduced by the U.S. Army and white settlers.<sup>22</sup>

By 1871, graft and corruption of the Indian reservation agencies had reached scandalous proportions. President Grant, under pressure from humanitarian reformers, initiated a new approach known as the peace policy. "Reservations were distributed among the major religious denominations, which, in an unprecedented delegation of power by the Federal Government to church bodies, were given the right to nominate new agents, and direct educational and other activities on the reservations."<sup>23</sup> The experiment was a failure that left deep scars on Indian communities and marked the denouement of the Government's policy of subsidizing religious groups to educate Indians.

The reformers had argued that the more benign methods of the missionaries would hasten the pacification and assimilation of the tribes. In actuality, " \* \* \* many reservations had come under the authority of what amounted to stern missionary dictatorships whose fanatic zealotness had crushed Indian culture and institutions, suppressed religious and other liberties, and punished Indians for the least show of independence."<sup>24</sup> And, the military was frequently called in to reinforce the missionaries' orders.

In the last three decades of the 19th century, Indians fought with great ferocity in the final defense of their homeland and freedom. Tribe after tribe rose in rebellion, only to be crushed by the U.S. Army—the southern Plains tribes in 1874, the Sioux in 1876, the Nez Perce in 1877, the northern Cheyenne and Bannock in 1878, the Ute in 1879, and the Apache throughout much of the 1880's until Geronimo finally surrendered with his remnant band of 36 survivors.

"Anguished rebellions against the intolerable conditions on reservations gradually became fewer, and many Indians turned, instead, to making appeals for help from the supernatural. It was futile. The Ghost Dance, which promised the return of the buffalo and the disappearance of white men, spread from the Nevada Paiutes, where it had originated, to the Plains reservations. In 1890, it was crushed out sternly with the the murder of Sitting Bull and the massacre of a Sioux band at Wounded Knee, S. Dak. The episode marked the completion of the white man's conquest of the Indian in the United States."<sup>25</sup>

The basic approach of subsidizing various religious groups to operate schools for Indians did not come to an end until 1897. However, the Bureau of Indian Affairs started building its own educational system in the 1870's. The system was based on the "model" established by Gen. R. H. Pratt, who founded the Carlisle Indian School in Pennsylvania in 1879 in abandoned army barracks. The school was

<sup>21</sup> Alvin M. Josephy, Jr., *op. cit.*, p. 339.

<sup>22</sup> Peter Farb, *op. cit.*, p. 255.

<sup>23</sup> Alvin Josephy, Jr., *op. cit.*, p. 339.

<sup>24</sup> *Ibid.*, p. 340.

<sup>25</sup> *Ibid.*, p. 342.

run in a rigid military fashion, with heavy emphasis on rustic vocational education. The goal was to provide a maximum of rapid coercive assimilation into white society. It was designed to separate a child from his reservation and family, strip him of his tribal lore and mores, force the complete abandonment of his native language, and prepare him in such a way that he would never return to his people. General Pratt utilized the "outing system" of placing children in good Christian homes during the summer so that they could not return to their families and suffer a relapse into tribal ways. The children were usually kept in boarding school for 8 years during which time they were not permitted to see their parents or relatives.<sup>26</sup>

Obviously, the process required severe discipline, and was deeply resented by parents, tribes, and children, who had absolutely no voice in its conduct. The Carlisle School set a model and pattern which was to dominate the Federal Government approach to Indian education for half a century until it came under devastating attack in the Meriam Report of 1928. Although the Carlisle School no longer exists, a number of off-reservation boarding schools established at that time are still in existence:

- Haskell Indian School, Kansas, 1878.
- Chemawa Indian School, Oregon, 1880.
- Chilocco Indian School, Oklahoma, 1884.
- Albuquerque Indian School, New Mexico, 1886.
- Stewart Indian School, Nevada, 1890.

An act of Congress in 1882 facilitated the development of the Federal school system, by authorizing the use of abandoned Army posts or barracks. Most of these facilities were obviously inappropriate and inadequate at the time, and some have continued up to the present under severe physical handicaps.

For example, the subcommittee visited the Fort Apache Indian School in Whiteriver, Ariz., and the Fort Wingate Elementary School outside of Gallup, N. Mex. Both of these schools are converted Army posts with grossly inadequate physical facilities, dating back to the 19th century. It is nearly incredible to note that the Fort Wingate School, pointed out in the Meriam Report of 1928 as a particularly deficient facility, still continues to operate today as a Federal boarding school.

Kluckhohn and Leighton, in their classic study of the Navajo, have provided a description of the insidious nature of the Federal boarding school system and its impact on thousands of Navajo children:

The guiding principle of early Indian education was that children must be fitted to enter white society when they left school and hence it was thought wise to remove them from home influences and often to take them as far away as California or even Pennsylvania in order to "civilize" them faster. The policy was really to go behind the existing social organization in order to dissolve it. No effort was made to prepare them for dealing effectively with Reservation conditions. Yet more than 95 percent of the Navajo children went home, rather than to white communities, after leaving

<sup>26</sup> Peter Farb, *op. cit.*, p. 257.

school, only to find themselves handicapped for taking part in Navajo life because they did not know the techniques and customs of their own people \* \* \*. The children were forbidden to speak their own languages, and military discipline prevailed. Pupils thus spent their childhood years under a mercilessly rigid system which could not offer the psychological advantages of family life in even the poorest Indian home.<sup>27</sup>

Although many changes have taken place, it is still possible to find examples of practices which approximate the approach of 70-years ago. A prominent anthropologist has reported an example based on recent field work by one of his graduate students. The report describes a boarding school on the Navajo Reservation, where, "Children are beaten, pervasive attacks are made against their cultural beliefs, classes start with the Lord's Prayer, and teachers advocate the free labor of Navajo girls in their homes, doing laundry, scrubbing floor et cetera, all done on students' after-school time, 'to teach them the American way of housekeeping.'"<sup>28</sup>

The counterpart of the educational policy whose objective was to "dissolve" the social organization of Indian life on the reservation was the Dawes Severalty Act of 1887, which was designed to "dissolve" the Indian land base. This legislation ushered in what is known as the "Allotment Period" in the history of Indian affairs, and was carried out with a missionary zeal and devastating impact until it was halted by the reform legislation of the New Deal. Ironically, the legislation was supported by humanitarian reformers who realized that although the Army could keep the Indians on the reservations, it could not keep the white settlers off. Thus, the act was seen as a means for securing part of the Indian land-base.

The real aim of this bill is to get at the Indian lands and open them up to settlement. The provisions for the apparent benefit of the Indian are but the pretext to get at the lands and occupy them \* \* \*. If this were done in the name of greed, it would be bad enough; but to do it in the name of humanity, and under the cloak of an ardent desire to promote the Indian's welfare by making him like ourselves, whether he will or not, is infinitely worse.<sup>29</sup>

President Grover Cleveland summed it all up in a terse comment following his signing of the Dawes Act:

Hunger and thirst of the white man for Indians' land is almost equal to his hunger and thirst after righteousness.<sup>30</sup>

In 1948, the Hoover Commission's evaluation of the allotment policy stated the following:

Two-thirds of Indian-owned land, including much of the best land, was alienated before the Allotment policy was

<sup>27</sup> Clyde Kluckhohn and Dorothea Leighton, "The Navaho," Doubleday & Co., Inc., Garden City, N.Y., 1962, p. 141.

<sup>28</sup> Hearings, pt. 5, p. 2133.

<sup>29</sup> Fischbacher, "Monumental Treatise, a Study of the Role of the Federal Government in the Education of the American Indian," 1967, p. 231.

<sup>30</sup> Peter Farb, op. cit., p. 266.

abandoned. If the 90 million acres lost through the process had remained in Indian ownership, the problem of poverty among most tribes could be solved with less difficulty and with more certainty today \* \* \*

Giving a man a title to land, whether it be in trust, or a patent in fee, teaches him nothing. The rationalization behind this policy is so obviously false that it could not have prevailed for so long a time if not supported by the avid demand of others for Indian lands. This was a way of getting them, usually at bargain prices. The unallotted lands were declared surplus and sold, and the Indian in nearly all cases got his fee patent and sold his allotment.<sup>31</sup>

Senator Robert F. Kennedy, testifying before the Senate Indian Affairs Subcommittee on March 5, 1968, summarized its consequences:

The Allotment Act succeeded in the period of the next 40 years in diminishing the Indian tribal economic base from 140 million acres to approximately 50 million acres of the least desirable land. Greed for Indian resources and intolerance of Indian cultures combined in one act to drive the American Indian into the depths of a poverty from which he has never recovered.

(The Bureau of Indian Affairs classified these remaining lands as 14 million acres critically eroded, 17 million acres severely eroded, and 25 million acres as slightly eroded.)<sup>32</sup>

No one apparently has made a thorough assessment of the impact of the Allotment Act on the Indian family or social structure, but it is fairly obvious that a net result was in many instances severe social disorganization and a malignant, hostile-dependency relationship with the Federal Government.

In 1901, Theodore Roosevelt sent a progress report to Congress:

In my judgment, the time has arrived and we should definitely make up our minds to recognize the Indian as an individual and not as a member of a Tribe. The General Allotment Act is a mighty pulverizing engine to break up the Tribal mass. It acts directly upon the family and upon the individual \* \* \* We should now break up the Tribal funds, doing for them what Allotment does for the Tribal lands; that is they should be divided into individual holdings.<sup>33</sup>

The interrelationship between the educational policy and the land policy of this period is obvious—coercive assimilation at any cost. It is interesting to note that, under section 5 of the Dawes Act, purchase money to be paid by the Federal Government for surplus lands not allotted to individual Indians was to be held in trust in the Treasury of the United States, and was to be "at all times subject to appropriation by Congress for the education and civilization of such tribe or tribes of Indians or the members thereof." Thus proceeds from the

<sup>31</sup> S. Lyman Tyler, "Indian Affairs: A Work Paper on Termination: With an Attempt to Show Its Antecedents," Brigham Young University, Provo, Utah, 1964, p. 8.

<sup>32</sup> Peter Farb, *op. cit.*, p. 257.

<sup>33</sup> S. Lyman Tyler, *op. cit.*, p. 5.

destruction of the Indian land base were to be used to pay the costs of taking Indian children from their homes and placing them in Federal boarding schools, a system designed to dissolve the Indian social structure.

Many Indian families resisted the assault of the Federal Government on their lives by simply refusing to send their children to school. Congress, desiring to break this resistance at any cost, passed legislation in 1893, which used the technique of starvation to enforce compulsory attendance:

The Secretary of the Interior may in his discretion establish such regulations as will prevent the issuing of rations or the furnishing of subsistence either in money or in kind to the head of any Indian family for or on account of any Indian child between the ages of 8 and 21 years who shall not have attended school during the preceding year \* \* \*

The Secretary of the Interior may, in his discretion, withhold rations, clothing, and other annuities from Indian parents or guardians who refuse or neglect to send and keep their children of proper school age in some school a reasonable portion of the year.<sup>24</sup>

Similar provisions are contained in other acts such as one applying to the Osage in 1913.

Despite the fact that Congress qualified the law forbidding agents from withholding rations to force parents to send their children outside of the State in which they resided, the practice continued. In the 1920's, it was brutally applied to the Navajo Reservation.

In 1919, both the Congress and the Board of Indian Commissioners inquired into the Navajo school situation and came up with some startling statistics. Of an estimated 9,613 Navajo children eligible for school, the Board of Indian Commissioners found that only 2,089 were actually attending school. These and similar investigations elsewhere culminated in 1920 in a campaign to educate the Indian in record time. The Secretary of the Interior was charged by law in 1920 "to make and enforce such rules and regulations as may be necessary to secure the enrollment and regular attendance of eligible Indian children who are wards of the Government." Indian parents who refused to comply with the new regulations were subject to fines and imprisonment.<sup>25</sup>

In 1920, the chairman of the House Indian Affairs Committee informed the Bureau of Indian Affairs that the desire of Congress was that every Indian boarding school in the country should be filled to capacity at all times, and where this could not be accomplished, it was his committee's intention to close those schools. (From this time on, Congress was to continuously raise the question as to whether or not all the seats were filled in Federal boarding schools, and educational appropriations were to be dependent upon having every school crammed as full as possible. This resulted in moving Indian children around the country to wherever the empty spaces were found.) This

<sup>24</sup> 25 U.S.C. 348, Feb. 8, 1887, c. 119, No. 5, 24 Stat. 869.

<sup>25</sup> Act of Mar. 18, 1893, c. 209, No. 1, 27 Stat. 622, 635; 25 U.S.C. 288.

mandate from Congress forced the Bureau of Indian Affairs to take drastic actions in regard to the Navajo.<sup>36</sup>

Driven by criticism to educate the Navajos quickly and yet hampered by the congressional reluctance to build the necessary schools, Commissioner Burke attempted to meet the situation by limiting the reservation boarding schools to the first three grades, transporting all Navajo children in and above the fourth grade to other nonreservation boarding schools throughout the West and Southwest. Each agent on the reservation received a quota which he had to fill. The methods used were both cruel and reprehensible. The Navajos themselves protested through their newly formed tribal council in 1924. They pointed out the U.S. statute which prohibited the Government from sending the children out of State without the voluntary consent of the parents. The statute had been blatantly violated and in many instances the children had been taken away from their homes by force. In addition, the loss of the children to the family had a severe economic effect, in that the children were not available at home to tend sheep.<sup>37</sup>

The House Appropriations Committee took no heed; fill up the schools, or the funds would be cut. The roundup of children continued.<sup>38</sup>

A well-established tactic for coping with grossly deficient appropriations was to reduce the cost of running a boarding school through the use of child labor. Despite the fact that there had been a great reduction in the average age of the children now attending boarding schools, the workloads were not materially reduced. Although the practice was protested by Indians and others, nothing was to be done about it until it was exposed by the Meriam report in 1928. The Meriam report was also to find that many boarding schools were enrolling substantially more students than could reasonably be accommodated.<sup>39</sup>

#### 4. THE MERIAM REPORT AND THE NEW DEAL PERIOD

During the 1920's corruption, exploitation, mismanagement, and the general failure of our Indian programs became a national scandal, and enough pressure and general concern was generated to stimulate a prolonged Senate Indian Affairs Committee investigation which began in 1928 and lasted for 15 years. More important, the best critical survey ever conducted of Federal Indian programs was completed and published as the Meriam report of 1928. Both investigations called for sweeping changes and led to our Nation's most creative and innovative, but relatively short lived, period in Indian affairs. This new mandate resulted in the passage of the Indian Reorganization Act (1934) and the strong leadership of President Roosevelt, Secretary of the Interior Ickes, Commissioner of Indian Affairs John Collier, and the superb legal support by Felix Cohen and his staff in an ambitious effort to shape a "New Deal for American Indians." Despite the intellectual and initial political force of this reconstruction effort, both the ideas and the financial support had lost momentum or been undermined before World War II was brought to a close.

<sup>36</sup> Lawrence C. Kelly, "The Navajo Indians and Federal Indian Policy," The University of Arizona Press, Tucson, Ariz., 1968, p. 173.

<sup>37</sup> *Ibid.*, p. 174.

<sup>38</sup> *Ibid.*, p. 175.

<sup>39</sup> *Ibid.*, p. 179.

Probably the most significant investigation ever conducted in the field of Indian affairs was initiated in 1926 at the request of the Secretary of the Interior. The investigation was conducted by a review team commissioned through the Brookings Institution in Washington, D.C. (then known as the Institute for Government Research). It was directed by Lewis Meriam of the University of Chicago. The report was to be a comprehensive survey of social and economic conditions of the American Indian. The report was devastating in its criticism in two major areas which constituted the most serious deficiencies in Indian administration: The exclusion of Indians from the management of their own affairs, and the poor quality of services (especially health and education) rendered by public officials not responsible to the Indian people they served. It is striking, to say the least, that these are two major findings of the present subcommittee investigation.

One chapter of the Meriam report is devoted to education and many of its findings parallel the findings of this report. Completed over 4 years ago, many of the report recommendations are yet to be accomplished. The report was highly critical of boarding schools and called them grossly inadequate. Criticisms included overcrowded dormitories, deficient diets, inadequate medical facilities, and a daily schedule of work and study which was overly demanding. The curriculum was called unrealistic, classroom instruction techniques were found ineffective. Low teacher salaries were blamed for low educational standards. Staff personnel were considered inadequately trained.

The report said the most fundamental need in Indian affairs was a change in point of view. Although eventual assimilation should continue to be the goal of the Federal Government, this could best be accomplished by strengthening rather than destroying the Indian family and social structure. To accomplish this would require a radical reformulation of the Federal school program, which could only be done with more enlightened and competent personnel:

\* \* \* The surest way to achieve the change in point of view is to raise the qualifications of teachers and other employees. After all is said that can be said about the skill and devotion of some employees, the fact remains that the Government of the United States regularly takes into the instructional staff of its Indian schools teachers whose credentials would not be accepted in good public school systems \* \* \* 10

However, the report places considerable emphasis on the fact that even "good public schools" with traditional curriculums were not the answer, and should not send as the model for the Federal schools to emulate.

A standard course of study, routine classroom methods, traditional types of schools, even if they were adequately supplied—and they are not—would not solve the problem. The methods of the average public school in the United States cannot safely be taken over bodily and applied to Indian education. Indian tribes and individual Indians within the tribes vary so much that a standard content and method of educa-

\* Meriam, "The Problem of Indian Administration," 1928, p. 346.

tion, no matter how carefully they might be prepared, would be worse than futile.<sup>41</sup>

The report stressed repeatedly the need for a relevant instructional curriculum, adapted to the individual needs and background of the students, and the failure of the schools to take into consideration or adapt to the language of the child.

The report condemned the taking of children from their homes and placing them in off-reservation boarding schools, pointing out this was "at variance with modern views of education and social work, which regard home and family as essential institutions from which it is generally undesirable to uproot children." The report noted that the on-reservation boarding schools also had serious inadequacies; for example, they were overcrowded and poorly staffed. The report suggested that "ultimately most of the boarding schools as they are presently organized, should disappear." The report recommended that substantially improved day schools should replace boarding schools.<sup>42</sup>

Although emphasizing the eventual goal of educating Indians in the public schools, the report warned of the Government temptation "to save money and wash its hands of responsibility for the Indian child." The report explicitly stated a distrust for State supervision and the ability of States to meet the special needs of Indian pupils. It recommended that "Federal authorities retain sufficient professional direction to make sure the needs of the Indians are met."<sup>43</sup>

Community participation in the direction of the schools was strongly recommended by the report. The process should begin by enlisting the service of Indians on school committees in the day schools, as a gradual preparation for service on boards of education. The report foresaw the Government schools as models of educational excellence which could provide assistance and leadership to public schools. Forty years later that goal remains unrealized.<sup>44</sup>

The report also commented upon the need for furnishing adequate secondary schooling and scholarship and loan aids for Indian higher education; the need for educational specialists rather than administrators to direct education programs; and the expensive "habit" of using unsatisfactory abandoned Army forts as schools.

The Meriam report had a substantial impact. In 1929, the National Advisory Commission on Education was organized by the Secretary of the Interior acting for the President, and its report, published in 1931, added to the weight of the Meriam study.

John Collier became Commissioner of Indian Affairs under the Roosevelt administration on April 21, 1933, and held the office until succeeded by William Brophy in 1945.

In his first report as Commissioner, Collier made clear his intentions to carry out the recommendations of the Meriam report:

The redistribution of educational opportunity for Indians, out of the concentrated boarding school, reaching the few, and into the day school, reaching the many, must be con-

<sup>41</sup> Ibid.

<sup>42</sup> Ibid., p. 403.

<sup>43</sup> Ibid., p. 415.

<sup>44</sup> Ibid., p. 414.

tinued and accelerated. The boarding schools which remain must be continued and accelerated. The boarding schools which remain must be specialized on lines of occupational need for children of the older groups, or of the need of some Indian children for institutional care. The day schools must be worked out on lines of community service, reaching the adult as well as the child, and influencing the health, the recreation, and the economic welfare of their local areas.

Working with his Director of Indian Education, Willard Beatty, Collier initiated a series of new approaches and innovations in a major effort to overhaul and remodel the Federal school system. Beatty remained Director of Indian Education after the resignation of Collier, until the Dillon Myers commissionership, beginning on May 8, 1950, when in Collier's view, "Under Myer's retrogressive policies, Beatty could not function, and he resigned \* \* \*."<sup>45</sup>

Legislatively, the keystone of the Collier commissionership was the Indian Reorganization Act of June 18, 1934, which ended the allotment era begun in 1887 and was designed to further the Collier policies of:

Economic rehabilitation of the Indians, principally on the land.  
Organization of the Indian tribes for managing their own affairs.

Civil and cultural freedom and opportunity for the Indians.<sup>46</sup>

The act itself was unique in that it was submitted to and discussed with the various Indian tribes before being submitted to Congress, and when passed, became operative for any tribe only after the tribe itself had adopted the act by majority vote of its adult members.

Section 11 of the act authorized loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools and colleges. The IRA contemplated a progressive decrease of Federal involvement in Indian Affairs, and greater autonomy for tribal government, and has been called the "Indian Bill of Rights."

Under the leadership of Collier and Beatty, the BIA initiated efforts at bilingual education and adult basic education. Effort was made to recruit and train Indian teachers. Bilingual instruction and the publication of bilingual curriculum materials was initiated with illustrations by Indian artists. Bilingual motion pictures were developed, and courses in Indian languages instituted at the University of Oklahoma. An effort was made to bring the cultural heritage of the Indian child into the schools, and a number of special educational innovations, including leader training schools, special activity schools, nurses training schools, and health schools were attempted. Various inservice training programs to upgrade BIA teachers were instituted. A summary of these programs written in 1946, reported that:

A decade of effort has brought extraordinary achievement \* \* \* education and material gains have crystallized in beginnings that are promising in spite of adverse Congressional action.

<sup>45</sup> Collier, "From Every Zenith," a memoir, p. 195.

<sup>46</sup> Collier, *op. cit.*, p. 173.

The perpetual reorientation of education for a decade, although a piecemeal procedure and at times a delaying one, has produced not only worthwhile but also permanent results. \* \* \*

In 1943, there were 265 Government schools with an enrollment of 34,000 \* \* \*. From 1933 to 1943, there was a loss of 16 boarding schools and a gain of 84 day schools \* \* \* enrollment had shifted from three-fourths in boarding schools in 1933 to two-thirds in day schools in 1943. \* \* \*

In the reservation boarding schools \* \* \* the course of study is related closely to reservation economy in order to give the students a better understanding of local needs.

There is no indication \* \* \* that the boarding school can be wholly eliminated, nor is it desirable to do so as long as certain conditions in reservation life prevail \* \* \* institutional labor still exists but not as the serious problem it once was. Some of the work is performed by unskilled labor, and some of it has been converted into profitable, cooperative enterprise with instructional significance. The maladjustment of the student placed in schools at a distance from his people has disappeared. All the schools are in or near an Indian environment, and instruction is designed to give the student a better understanding of his surroundings. \* \* \*

\* \* \* Indian public school enrollment has been advocated for more than half a century. Naturally the public school system has influenced the Federal program of Indian education, and at times, adversely. There was a long period when the Government school imitated the public school so closely that it failed to meet Indian needs. Only recently has the relationship been balanced advantageously for the Indian.

The provision of funds to maintain the Indian student in the public school, and the irrelevance of public school instruction to Indian requirements have been the chief difficulties \* \* \*

The major criticism against the public school has been its failure to meet specific Indian needs, particularly with reference to language difficulties, vocational training, and economic adjustment.<sup>47</sup>

Unfortunately, lack of funds and what Collier called "retrogressive policies" during the late 1940's and 1950's undermined and reversed the experimental and innovative policies of the Collier-Beatty period. During the war years, the BIA was moved from Washington, D.C., to Chicago, and funds were drastically curtailed. Rather than close their day schools the Navajo communities took over a substantial part of the operation themselves.<sup>48</sup>

##### 5. TERMINATION PERIOD

In 1937, following the completion of an extensive survey begun in 1928 by the Senate Indian Affairs Committee, six bills were introduced in Congress aimed at limiting the Indian Reorganization Act

<sup>47</sup> Adams, "American Indian Education," (1946), pp. 79-86.

<sup>48</sup> Lawrence C. Kelly, op. cit., p. 193.

of 1934. Some of those opposed to the IRA were merely interested in the property reserved to the Indians, while others complained of communitistic tendencies inherent in Indian culture.<sup>49</sup>

Between 1937 and 1944 there was constant friction between Collier and the Senate and House Indian Affairs Committees. The friction reached a climax when in 1944, a select committee of the House made its recommendations on achieving "the final solution of the Indian problem \* \* \*." Although the committee named education as the primary means of solving the "Indian problem," its ideas of education were diametrically opposite to those of Collier, and called for a return to the policies and practices which has been so thoroughly discredited by the Meriam report in 1928.<sup>50</sup>

It criticized "a tendency in many reservation day schools to adapt the education to the Indian and to his reservation way of life rather than to adapt the Indian to the habits and requirements he must develop to succeed as an independent citizen earning his own way off the reservation."<sup>51</sup>

It said that if "real progress" is to be made, Indian elementary school children must be taken from their homes and placed in off-reservation boarding schools:

The Indian Bureau is tending to place too much emphasis on the day school located on the Indian reservation as compared with the opportunities afforded Indian children in off-the-reservation boarding schools where they can acquire an education in healthful and cultural surroundings without the handicaps of having to spend their out-of-school hours in tepees, in shacks with dirt floors and no windows, in tents, in wickiups, in hogans, or in surroundings where English is never spoken, where there is a complete lack of furniture, and where there is sometimes an active antagonism or an abysmal indifference to the virtues of education.<sup>52</sup>

The committee seemed to feel that the solution to the whole problem was in de-Indianizing the Indian:

The goal of Indian education should be to make the Indian child a better American rather than to equip him simply to be a better Indian. The goal of our whole Indian program should be, in the opinion of your committee, to develop better Indian Americans rather than to perpetuate and develop better American Indians. The present Indian education program tends to operate too much in the direction of perpetuating the Indian as a special-status individual rather than preparing him for independent citizenship.<sup>53</sup>

In the same year as the report of the select committee was issued, 1944, "the Senate Indian Affairs Committee proposed a long range

<sup>49</sup> S. Lyman Tyler, *Indian Affairs*, "A Workpaper on the Terminations: With an Attempt to Show its Antecedents." Brigham Young University, 1964, p. 22.

<sup>50</sup> Report of the Select Committee to Investigate Indian Affairs and Conditions, House Reports, pursuant to H.R. 166, "An Investigation to Determine Whether the Changed Status of the Indian Requires a Revision of the Laws and Regulations Affecting the American Indian," 1944, p. 11.

<sup>51</sup> *Ibid.*

<sup>52</sup> *Ibid.*

<sup>53</sup> *Ibid.*

program for the gradual liquidation of the Bureau of Indian Affairs and the House began its own investigation of the BIA."<sup>54</sup>

In 1945, John Collier, after 12 years as Commissioner of Indian Affairs, resigned and was replaced by William A. Brophy, who, at the Senate hearings to confirm his nomination, was repeatedly required to assure the Senators that he would follow the policies of Congress.

In 1946, Congress reorganized its own procedures under the Legislative Reorganization Act, transferring to the Committee on Public Lands, later renamed the Committee on Interior and Insular Affairs, House and Senate jurisdiction pertaining to relations of the United States and Indians and Indian tribes, as well as consideration of measures relating to the care, education, and "management" of Indians.<sup>55</sup>

The Indian Claims Commission Act, introduced in its original form to Congress in 1930, was finally passed by the 79th Congress in 1946. The act created a commission to hear all Indian claims against the United States.

The select committee report in 1944 had endorsed the proposal with one dissenting vote, as a step toward termination. Thus, speaking of outstanding Indian claims, they reported:

Their existence, however, serves to hold the Indian to his life on the reservation through fear that separation from the tribe might deprive him of his share of a settlement which he believes the Government may some day make.<sup>56</sup>

Of the prevailing congressional attitude, Tyler says:

It is evident that one of the main reasons Congress was willing to consider it favorably was the fact that they saw it as a step in the preparation of the Indians for Federal withdrawal.<sup>57</sup>

Commissioner Brophy, in ill health, was unable to personally direct the activities of the BIA during the years 1947 and 1948, which were critical to the formation of the termination policy. The 80th Congress had committed itself to a pledge of reducing "big government" and cutting the costs of Government. In this interest, a demand was made of William Zimmerman, Jr., who became Acting Commissioner on June 3, 1948, when Commissioner Brophy retired, that he inform the Senate Civil Service Committee of what specific reductions of expenditure the Bureau might put in force immediately.

When a direct reply was not instantly forthcoming, the Acting Commissioner was subpoenaed by the committee and required to return on the following day with information and supporting documents to show what tribes could be removed at once from Government supervision and what amounts of money would be saved for each tribe so removed.<sup>58</sup>

<sup>54</sup> Tyler, *op. cit.*, p. 23.

<sup>55</sup> 60 Stat. 512; ESP, secs. 103, 130, 138-139; as report in "Handbook of Federal Indian Law," 1958 ed., p. 134.

<sup>56</sup> Select Committee to Investigate Indian Affairs and Conditions, *op. cit.*, p. 6.

<sup>57</sup> S. Lyman Tyler, *op. cit.*, p. 30.

<sup>58</sup> Fay and McNickle, "Indians and Other Americans," pp. 133-134.

Zimmerman set forth a four-part formula for measuring a tribe's readiness for withdrawal of Federal services:

The first one was the degree of acculturation; the second, economic resources and condition of the tribe; third, the willingness of the tribe to be relieved of Federal control; and fourth, the willingness of the State to take over.<sup>59</sup>

Also in 1947, the Public Lands Committee of the 80th Congress "compelled" the Indian Bureau to give them a classification of tribes with target dates for "freedom from wardship."

Lists of tribes under three categories were prepared; but deciding what tribes should go under which headings, once the obvious choices were made, was like a blindfolded man picking names out of a hat. The answers given to the Senate were tentative, and could not have been otherwise, without time to review the facts about each.

The information supplied to the committee in this manner was used repeatedly in Congress as evidence that the time had come to terminate immediately Federal trusteeship for the tribes specified by the Acting Commissioner, and for all others at the earliest possible date. The attempt by the Acting Commissioner to suggest criteria as guides to congressional action was ignored \* \* \*.<sup>60</sup>

By 1948, Congress had begun to cut funds requested by the BIA for education, apparently without regard for consequences to the Indian children, prompting Acting Commissioner Zimmerman to report:

During 1948, the failure of Congress to appropriate the funds needed to meet the increased cost in commodities and the increased enrollment which followed the termination of the war, resulted in the elimination of 2,143 children from Federal boarding and day schools in the United States and in the closing of 18 day schools in Alaska serving 600 children.<sup>61</sup>

John R. Nichols became Commissioner of Indian Affairs on April 14, 1949. He pointed out Congress was as much to blame as the Bureau of Indian Affairs for the continuation of the "Indian problem," and that what was needed was "development" not "termination" of services:

Problems of human adjustment do not solve themselves, not when the people seeking to make the adjustment are hampered by lack of education, poor health, and deficient resources. The expenditures which have been made over the years in behalf of our Indian people were not based on any long-term plan for the orderly solving of the problems they faced. Rather, the record indicates that these expenditures and the physical effort released by them have been sporadic, discontinuous and generally insufficient.

<sup>59</sup> Tyler, *op. cit.*, p. 31.

<sup>60</sup> Fer and McNickle, *op. cit.*, p. 134.

<sup>61</sup> 1948, Report of the Commissioner of Indian Affairs, pp. 383-384.

This record explains why today many Indian children of school age have no school rooms and no teachers to provide for their education; why many Indians are still without any kind of health care; why thousands of Indians are without any means of livelihood, either in the form of productive resources or marketable skills; why irrigable lands owned by the Indians lie undeveloped in the arid West; why countless Indian communities are without roads on which to travel to school, to hospital, to market \* \* \*<sup>62</sup>

The extent of the development effort needed was pointed up dramatically when a survey found that less than 50 percent of Navajo school age children were enrolled in school primarily because of a lack of facilities and teachers. In 1868, the Federal Government had signed a treaty with the Navajos which had pledged over a 10 year period to provide a teacher and a schoolroom for every 30 children. The Nation was aroused, and Congress was pressured to respond.

In May 1949, Congress appropriated \$3,375,000 for the remodeling of an Army hospital near Brigham City, Utah, so that it could be used as a school for 2,000 Navajo children. In 1950, Congress passed the Navajo-Hopi Rehabilitation Act. Commissioner Nichols, pointed out that the act would provide facilities for only half of the 19,800 Indian children who are still without schools.<sup>63</sup>

Despite the perennial attention drawn to the Navajo problem, 13,000 Navajo children were still without schools in 1953 and Congress was pressed to take another emergency action. A plan was formulated in 1954, which provided for the construction of large elementary boarding schools on the reservation, increased enrollment in off-reservation boarding schools, and the establishment of Federal dormitory facilities in communities bordering the reservation, to get the children into public schools.

Navajo children were sent as far away as the Chemawa Boarding School in Oregon, and in turn displaced hundreds of Indian students from the Northwest who were rerouted to boarding schools in Oklahoma. This procedure was deeply resented by the Northwest tribes and was brought to the subcommittee's attention in its Portland hearings. The situation continues very much the same today. In the dormitory program, elementary school-age children have been sent as far as Albuquerque, N. Mex. Another example of this emergency response to long-standing "development" needs was the decision made in the late 1950's to send hundreds of Alaskan native children without schools to the Chemawa School in Oregon and the overflow to boarding schools in Oklahoma. Last year, more than 400 Alaskan natives were sent to the Ohilocco Boarding School in Oklahoma.<sup>64</sup>

This lack of attention by Congress to the "development" needs of Indian communities has had two particularly tragic consequences on the Navajo reservation. Due to the crash construction program on the reservation and the massive deportation of Navajo students to off-reservation boarding schools throughout the Western part of the United States, the percentage of enrolled children increased from 52 percent in 1950 to a peak of 81 percent in 1955. After 1955, the percentage remained relatively constant and had even decreased by 1966.

<sup>62</sup> 1949. Report of the Commissioner of Indian Affairs, pp. 338-341.

<sup>63</sup> 1949. Report of the Commissioner of Indian Affairs, p. 353.

<sup>64</sup> Subcommittee hearings, 1969, pt. 1, p. 585.

The subcommittee found in its hearings at Flagstaff, Ariz., that thousands (the estimates range from 4,000-8,000) of Navajo school-age children are still not in school.<sup>65</sup>

The subcommittee was told that not all of this was due to a lack of facilities. Many Navajo parents object to giving up their young children to the white-man's boarding school. The majority do so only because of their poverty and with deep misgivings. Because of the "crash" nature of the program and the desire to meet the tremendous needs most efficiently, it was decided to build large elementary boarding schools. Not only was this the least expensive way to do the job but it provided the added advantage of providing a controlled environment for carrying out a program designed to assimilate the children into the dominant society with little interference from the parent. There are presently over 7,000 Navajo children in 47 elementary boarding schools on the reservation who are 9 years of age or under.<sup>66</sup>

These schools have been severely criticized in subcommittee hearings as cruel and reprehensible and expert witnesses have established that they damage both the children and the Navajo family structure. This is a matter of great concern to the subcommittee and is examined in greater detail in a later section of this report.

The boarding school approach of the 1950's and continuing up to very recently with only modest alterations is a reversal and repudiation of the enlightened policies of the 1930's, and the important reform recommendations of the Meriam report. The educational counterpart to the termination policy which was rapidly emerging in the early 1950's was to be one of pushing Indian children into public schools as rapidly as possible and regardless of consequences, and the reestablishment of a forced assimilation approach in utilizing Federal boarding schools. In addition off-reservation boarding schools were increasingly to become a "dumping ground" for the large numbers of Indian students who had failed or been ailed by public schools.<sup>67</sup>

Commissioner Nichols' argument that Indian tribes and individuals needed "development" not "termination" went unheeded and after only 1 year of service, he was replaced by Mr. Dillon S. Myer, on May 8, 1950, Mr. Myer embraced the termination policy with enthusiasm and proceeded to lay the groundwork for carrying it out.

Termination was to be merely the latest installment of what had always been the dominant policy of the Federal Government—coercive assimilation of the American Indian. The goals were to get rid of Indians and Indian trust land once and for all by "terminating" Federal recognition and services and relocating Indians into cities off the reservations. (Dillon Myer had been in charge of the program in World War II which relocated thousands of Americans of Japanese descent.) The policy was viewed as a major catastrophe by the Indians, and to carry it out the BIA would have to deal with substantial Indian resistance. Felix S. Cohen has provided a well-documented critique of the "Erosion of Indian Rights, 1950-1953" in a Yale Law Journal article published in February 1953.

Mr. Cohen cites numerous examples of a coercive and manipulative bureaucracy. The following is a partial list which has been abstracted from his article:

<sup>65</sup> Subcommittee hearings, 1968, pt. 3.  
<sup>66</sup> Subcommittee hearings, 1968, pt. 1, p. 78.  
<sup>67</sup> Subcommittee hearings, 1968, Pt. 5.

1. By the use of Federal funds to influence Indian tribal elections and by the direct interference with local election arrangements.

2. By setting up regulations to control both the selection of attorneys by Indians and the activities of attorneys so selected. Mr. Cohen mentions 40 instances of such interference.

3. Penalizing Indian criticism of the BIA by impounding tribal credit funds.

4. By refusing to remove liquor restrictions unless the tribe would agree to abolish their tribal courts and police.

5. By closing down many hospitals and clinics on various Indians reservations to "encourage" Indians to move off the reservation.

6. By interfering in and disrupting Indian religious practices.

7. By supervising intimate details of an Indian's personal life and interfering in his recreational and business activities.

8. By implementing regulations which work toward decreasing Indian landholdings and by leasing Indian land and property without Indian consent.

9. By restricting the use of tribal income, tribal credit funds, and tribal property.

10. By issuing an order which gave local Bureau agents power to spend an adult Indian's income without his consent.

11. By testifying in opposition to every bill in Congress aimed at expanding Indian civil liberties—for example a bill to rescind a law which required Indians to secure approval from Government officials before selling their cattle.

12. By proposing legislation to authorize employees of the Indian Bureau to carry arms and to make arrests, searches, and seizures, without warrant, for violation of BIA regulations (despite strenuous efforts on the part of Mr. Myer the bill was defeated).

13. By proposing and supporting legislation which would reestablish the infamous "forced patent" system which had been the worst practice of the allotment period and usually ended with the Indian losing his land.

14. By proposing and supporting legislation which would unilaterally end tax exemption of Indian trust land.<sup>68</sup>

Mr. Cohen points out that Commissioner Myer devised a new "area office" system for programing termination activities at a regional level and stripping reservation superintendents of their powers. The "area offices" served to facilitate the "management" and manipulation of Indians; the avoidance of accountability to Indians; and made protest efforts or communication by Indians to responsible officials much more difficult. In the words of one expert, "policy regressed to the 19th century with startling speed, and with a vengeance."<sup>69</sup>

<sup>68</sup> Yale Law Journal, No. 3, February 1953.

<sup>69</sup> Nancy Lurie, "Current Anthropology," vol. 2, No. 5, December 1961, p. 480.

Another significant termination effort was launched in 1952. It was called the voluntary relocation program. Dr. Nancy Lurie has summarized this program as follows:

The relocation program of 1952 was ostensibly designed to give order and system to an established activity and the term "voluntary" in the title was reassuring that Indians' wishes would be respected. But it soon became evident that the development of reservation resources lagged far behind the efforts devoted to relocation and that real alternatives were not being provided. Then relocation was not seen as voluntary but as forced by economic necessity. It soon became known as "Operation Relocation" and Indians expressed many and specific grievances about the whole program. A bright picture was painted of city life to entice Indians to leave home and when they got to the city they found themselves placed in the lowest paying, most menial work and located in the poorest housing. The jobs were often temporary and of a type adversely affected by the slightest dip in the national economic picture. Many Indians were left unemployed after a period of Indian Bureau responsibility for their employment had run out and before they had filled term-of-residence requirements to receive local forms of welfare. Skilled workers often did not have the money to keep up union dues so that when jobs were again available they had lost their eligibility. Relocates were not adequately screened for ability to adjust to city life. The relocation program sought to place people in cities as far from their home communities as possible to discourage easy return and many Indians were left stranded and in desperate straits. Most important, whereas Indians view relocation, whether through their own efforts or under the Government program as a temporary measure to gain capital, knowledge, and skills to enable them to support themselves at home, the Indian Bureau viewed it as a sort of "final solution" to the Indian problem.<sup>70</sup>

By an act of August 3, 1956, (Public Law 84-959), Congress provided for an expanded program of vocational education for unemployed Indian adults. The act was designed primarily to strengthen and supplement the BIA "relocation program" which had been under heavy criticism. Many of the Indians who had been relocated, either returned "disillusioned" to the reservation, or ended up on urban welfare rolls or became part of a poverty-stricken urban underclass.<sup>71</sup>

In 1952, the BIA closed down all Federal schools in Idaho, Michigan, Washington, and Wisconsin, and loans to Indian students authorized in the Reorganization Act of 1934 were discontinued. In 1953, 19 Federal boarding and day schools were closed and enrollment of California Indian children in Federal schools was prohibited. Initial steps were taken to cut off Federal funds under the Johnson-O'Malley program for the "special needs" of Indian children, in public schools in California. This was accomplished several years later, and the Cali-

<sup>70</sup> *Ibid.*, pp. 480-481.

<sup>71</sup> Act of Aug. 3, 1956, c. 930, sec. 1; 70 Stat. 986, 25 U.S.C. 809.

fornia precedent, was used to support a similar withdrawal in Oregon.<sup>72</sup>

In 1953, the legislative base for the "termination policy" was laid when Congress passed Public Law 280 and House Concurrent Resolution 108. "Public Law 280 transferred the Federal jurisdiction over law and order on certain Indian-reservations to individual States. Only five States were involved but they had sizable Indian populations. The Indians protested, accurately predicting not only that problems of law and order would be aggravated (because the States would be unwilling to assume the cost of their new responsibilities for Indians living on tax-free lands) but also that agitation would begin for taxation of Indian lands."<sup>73</sup>

Under Public Law 280, States were given the right to "enact measures that could vitally change the character of the communities in which the Indians lived without any option on their part. A State could wipe out most tribal customs, reduce or destroy the family's traditional control, abolish customary or undocumented marriages and so make children illegitimate, change the inheritance laws, and apply a complicated criminal code to a simple people." The confusion and injustices stemming from this law are legion. According to the Kennedy task force of 1961, the transfer of law and order responsibilities from the Federal Government to the States often resulted in "inferior protection of life and property, denial of civil rights, and toleration of lawlessness."<sup>74</sup>

House Concurrent Resolution 108 called for the end of Federal supervision over Indians and making them subject-

\* \* \* to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and grant them all of the rights and prerogatives pertaining to American citizenship \* \* \*<sup>75</sup>

The resolution failed to mention the fact that Indians were already citizens by virtue of congressional action in 1924, and that unless specially exempted by treaty agreement, statute, or Federal regulation, they paid State and Federal taxes. Fey and McNickle in their recent book *Indians and Other Americans*, described the resolution as "inaccurate and wholly misleading" and as completing "the repudiation and abandonment of the considerable 25-year effort to humanize and bring technical skills to the field of Indian affairs." To many Indians, the resolution implied the renunciation of all Federal Indian treaties, and the complete abdication by the Government of its responsibilities to the Indian community.<sup>76</sup>

Little time was wasted in implementing the policy. In 1954 10 termination bills were introduced, with six of them passing. In 1956, Congress passed bills terminating Federal supervision over three separate Oklahoma tribes on successive days. The termination period was

<sup>72</sup> Fischbacher, *op. cit.*, p. 381.

<sup>73</sup> Nancy Lurie, *op. cit.*, p. 480.

<sup>74</sup> "The Indian, America's Unfinished Business," compiled by William A. Beophy and Sophie D. Abeete; 1966, University of Oklahoma Press, p. 182.

<sup>75</sup> 67 Stat. 132.

<sup>76</sup> Fey and McNickle, *op. cit.*, pp. 186-187.

brought to a partial halt on September 18, 1958, when Secretary of the Interior Fred A. Seaton announced in a speech at Flagstaff, Ariz., that no tribe henceforth would be terminated without its consent.

Unfortunately, as the Fund for the Republic, report pointed out

From the date of Seaton's speech until 1961, confusion has existed, the Secretary seeming to espouse one policy and the BIA another. All the time, moreover, H. Con. Res. 108, stating the policy of Congress, has been in effect.<sup>7</sup>

### The Emergence of a "New Policy"—The 1960's

In his recent paper, "The American Indian and the Bureau of Indian Affairs—1969," Mr. Alvin M. Josephy, Jr., has provided an excellent summary of the effects of the termination policy of the 1950's.

In 1961, when President John F. Kennedy's Administration took office, the Indians of the United States were confused, disoriented, and filled with anxiety and worry. Considerable progress had been made under the enlightened Indian Reorganization Act of 1934, which, bringing to an end the long and Indian-impoverishing allotment policy, encouraged tribal self-government, extended a minimum of financial credit to the tribes, commenced an improvement in the Indian's economies, and educational and health facilities, restored certain freedoms to the Indians, and promoted a revival of their cultures and therefore, of pride in themselves. In 1953, with the passage of House Concurrent Res. 108 by the 83rd Congress an attempt to hasten Indian assimilation by declaring Congress' intent to terminate federal relations with the tribes at the earliest possible date—its progress had been sharply halted. Several tribes were hastily and ill-advisedly "terminated" and plunged close to economic and social chaos. Policies and programs within the Bureau of Indian Affairs were halted, reversed, or redesigned to hasten the tribes to termination. All tribes felt the threat and became immobilized; ready or not, they faced the prospect of being turned over to the states, most, if not all, of which could not or would not assume the services, protective responsibilities and other obligations, which the federal government had originally assumed by treaties and various agreements in the past which the tribes still urgently required.<sup>1</sup>

In addition, under Public Law 280, states were given the right to "enact measures that could vitally change the character of the communities in which the Indians lived without any option on their part. A state could, wipe out most tribal customs, reduce or destroy the family's traditional control, abolish customary or undocumented marriages and so make children illegitimate, change the inheritance laws, and apply a complicated criminal code to a simple people."<sup>2</sup> The

<sup>7</sup> Brophy and Aberte, op. cit., p. 78.

<sup>1</sup> *The American Indian and the Bureau of Indian Affairs—1969: A Study with Recommendations*, by Alvin M. Josephy, Jr., Feb. 11, 1969.

<sup>2</sup> *The Indian, America's Unfinished Business*, compiled by William A. Brophy and Sophie D. Aberle; Published 1966. University of Oklahoma Press, p. 184.

confusion and injustices stemming from this law are legion. According to the Kennedy Task Force of 1961, the transfer of law and order responsibilities from the federal government to the states often resulted in "inferior protection of life and property, denial of civil rights, and toleration of lawlessness."<sup>3</sup>

The legacy of the 1950's was to be what Josephly has called a "termination psychosis", a basic and all-pervading suspicion of government motives in regard to all new policies and programs for the American Indian in the 1960's. In 1967, a White House Task Force on Indian Affairs found that, "to a considerable extent, the termination issue poisons every aspect of Indian Affairs today. The issue of termination is a major psychological barrier to Indian socio-economic development."<sup>4</sup>

In essence, the termination policy said to the Indian tribes, if you demonstrate economic progress you will be punished for it by means of premature withdrawal of Federal services. Clearly this was a self-defeating policy as well as unjust.

Although the termination policy as it was carried out in the 1950's, had been temporarily blocked, it continued to be a strong expression of Congressional intent. Indian spokesmen point out that it is a common practice to attach termination clauses to judgment distribution bills which stem from awards made by the Indian Claims Commission. Perhaps a more obvious example of the continued persistence on the part of Congress to press for the continuation of termination action are the confirmation hearings of two Commissioners of Indian Affairs in the 1960's. It is clear from the record, and from a cursory reading of the reports regarding the appointment of Mr. Robert Bennett by President Johnson, and of Mr. Philleo Nash by President Kennedy, that they were expected to carry forward the termination policies and activities of the 1950's.<sup>5</sup>

Thus, the first important action of the 1960's, would be to formulate a new policy framework which would first serve as a reason for reversing and rejecting the termination policy of the 1950's; and secondly, work towards a clarification of an enlightened Indian policy for the new administration.

#### FUND FOR THE REPUBLIC REPORT

Formal reaction to the policy and practices of termination began as early as March, 1957, when the Commission on Rights, Liberties and Responsibilities of the American Indian was established by the Fund for the Republic. In addition to documenting the failures of that approach to Indian Affairs, it sought to establish an up-to-date analysis of Indian needs.

A preliminary report was not forthcoming until January, 1961. The report, which was to be later published as a book entitled "The Indian: America's Unfinished Business" was reminiscent of the Meriam report. It focused attention on the injustices of termination

<sup>3</sup> *Ibid.*, p. 131.

<sup>4</sup> *Ibid.*, p. 5.

<sup>5</sup> Report of the Committee on Interior and Insular Affairs on the Nomination of Robert LaFollette Bennett to be Commissioner of Indian Affairs, Exec. Rept. No. 1, 80th Cong., 2nd Sess., 1960, p. 4-5.

policy, the paternalistic attitudes and practices of the BIA, and the inadequacies of services provided to Indians. Unfortunately, the Report was basically conciliatory in tone and did not provide a blueprint for reform as the Meriam Report had done in 1928.

Nevertheless, it argued for increased Indian determination of and involvement in, programs affecting their lives. The criticism of the quality of Indian education was not confined to BIA schools; it extended to public schools serving Indians as well. In commenting on the experience of Klamath Indians in Oregon public schools, the report observed: "Apparently, 27 years is not enough time in which to bring Indian children up to the public school norms where the curricula are designed for the white-collar stratum of society." And further, that "If the educational level of the Indian child's parents are such that he begins school without handicaps, then obviously the public school is his best choice." However, this was rarely the case for most Indian children. A good number of them were found to be doing very poorly in public schools.<sup>6</sup>

Administration of the BIA "education program" was far from adequate according to the Report. "It observed that 'The Washington BIA Department of Education has only staff authority, and the lack of administrative centralization is apparent in every part of the system. No coordination exists between the Washington office and the field, nor is there intercommunication between the area offices themselves.' The Report points out that because of the incompleteness of records in Bureau schools, it is impossible for the Washington staff or anyone else to carry out a meaningful evaluation of the quality of educational programs in federal schools."<sup>7</sup>

Another finding was that the Bureau did not carry out its statutory responsibility to Indians in public schools.

In no case should public schools attended by Indians be required (or permitted) to lower their standards. In making arrangements for attendance of tribal Indians at public schools, the federal government, in fulfillment of its obligations, should require that adequate standards be maintained. If standards drop, the federal government should no longer allocate money to the school.<sup>8</sup>

It is interesting to compare this recommendation with a similar one in a consultant report prepared for the Subcommittee by Dr. Leon Osview.

Dr. Osview states:

I was shocked to find that BIA does not, apparently as a matter of policy, engage in any *programmatic* cooperation with public school people, of whose desire and willingness to do justice to their Indian students there can be no doubt. BIA knows about Indian children, of if they don't, they should. Public schools don't, and can't really be expected to, on their own.<sup>9</sup>

<sup>6</sup> Brophy and Aberle, *Op. Cit.*, p. 140.

<sup>7</sup> *Ibid.*, p. 155.

<sup>8</sup> *Ibid.*, p. 157.

<sup>9</sup> Subcommittee hearings, 1969, pt. 1, p. 296.

Apparently little progress has been made in the last nine years.

The record recommends that teachers in federal schools should have a work year equivalent in length to that customary in public schools. This has yet to be accomplished. The report points out that a strong parent-teacher relationship should be developed and community schools reestablished. This is barely beginning to be accomplished. The report recommends adequate scholarships, grants, and bursas, be provided for Indians in need of such aid. There is still a serious inadequacy in the amount of funds available for these purposes.

With respect to upgrading the quality of instruction received by Indian students, the report stated:

The schools—federal, public, and private—which Indians attend, should have the best curricula, the best programs, the best teaching methods, and guidance, employed in educating white students, with all these factors being modified and augmented to meet the special requirements of Indian students.<sup>10</sup>

Based on the findings of this Subcommittee as reported, it is clear that accomplishment of these goals has not yet been achieved.

#### DECLARATION OF INDIAN PURPOSE

The Fund for the Republic Report was published in January, 1961. In June of 1961, an important two week conference was held at the University of Chicago, which brought together 420 Indian leaders of 67 different tribes. Again, the task at hand was clearly a repudiation of the termination policy of the 1950's, and a desire to assist the new Administration with the formulation of a more enlightened policy and programs. Moreover, the Conference was to serve as a forum for what the individual Indian desired for their programs, as well as expression of their desire to play a decisive role in the planning of such programs. Although the Conference published a forceful and eloquent statement entitled "A Declaration of Indian Purpose," it went unheeded by the Bureau of Indian Affairs.

According to Mr. Josephy, "The long report emanating from this Conference paralleled many of the programmatic proposals that were to come out of the Udall Task Force Report. Its relevancy today, like that of the Fund for the Republic Report, lies in its approaches to what the Indian should be allowed to do for himself, but it goes further than the Fund Report by stating more specifically how the Indian would like things to happen."<sup>11</sup> It was clear that the Indians felt that a reorganization of the Bureau of Indian Affairs was necessary if old policies were to be reversed, greater Indian participation and control was to be achieved, and new, aggressive, and imaginative programs were to be initiated. It was also clear that the Indians wanted to play an important role in determining how the Bureau of Indian Affairs should be reorganized.

The organization of the Bureau of Indian Affairs stemmed from an organizational pattern that had been designed and implemented

<sup>10</sup> Brohly and Aberle, *Op. Cit.*, p. 156.

<sup>11</sup> Josephy, *Op. Cit.*, pp. 33-34.

in 1953, following a "Binson Survey." It had been designed for the purpose of unilateral management of Indians and to facilitate the termination of federal services. Nevertheless, the Fund Report recommendations for organizational change were relatively innocuous. The "Declaration of Indian Purpose" is considerably more specific. It stated:

Basic principle involves a desire on the part of Indians to participate in developing their own programs with help and guidance as needed and requested, from a local, decentralized, technical, and administrative staff, preferably located conveniently for the people it serves. Also in recent years, certain technical and professional people of Indian descent, are becoming better qualified and available to work with and for their own people in determining their own programs and needs. The Indians as responsible individual citizens, as responsible tribal representatives, and as responsible tribal counsels, want to participate, want to contribute to their own personal and tribal improvements, and want to cooperate with their government in how best to solve the many problems in a business like, efficient, and economical manner as rapidly as possible.<sup>12</sup>

The Declaration called for a program of fairly radical decentralization. It asked that the position of Reservation Superintendent be strengthened to permit far broader exercise of responsibility and authority to act on significant and important matters of daily operations in Indian problems. It also suggested that the position qualifications require the employment of superintendents with courage and determination, among other qualities, to help with local problems and be willing to make, without further referral to higher levels, decisions commensurate with the delegated authorities. It also stated that "The Superintendent should be charged with the responsibilities of cooperating with the local tribal governing bodies in developing the federal program and budget for that particular tribe or reservation."<sup>13</sup> It also recommended that an advisory board to the Secretary of Interior be established (the appointments to be made by the President) and that one-half of the members of such an advisory board should be of Indian descent.

The Declaration stated further that "We believe that where programs have failed in the past, the reasons were lack of Indian understanding, planning, participation, and approval."<sup>14</sup> Each reservation should be responsible for preparing in detail its own resource and human development plans, and "requests for annual appropriations of funds be based on these statements and requirements, and adequate for carrying into effect these individual development plans."<sup>15</sup> It suggests that this should be similar in operation to a "Point IV" Plan. Unfortunately, as Mr. Josephy pointed out, the philosophy inherent in these recommendations, made little or no impact on the members of the Udall Task Force, which had begun its work earlier that Spring,

<sup>12</sup> *Ibid.*, p. 24.

<sup>13</sup> *Ibid.*, p. 35.

<sup>14</sup> *Ibid.*, p. 35.

<sup>15</sup> *Ibid.*, p. 36.

and in addition has had little or no impact on Indian policy. Mr. Josephy continued, "It can never have impact as long as attitudes prevail, in the Department of Interior, the Bureau of the Budget, and the Congress, that Indians are not mature enough to be allowed to play decisive roles in managing their own affairs."<sup>16</sup>

#### UDALL TASK FORCE REPORT

Between publication of the Fund for the Republic Report in January, 1961, and the Indian Conference at the University of Chicago in June, the Kennedy Administration was beginning to develop its plans for Indian affairs. According to Mr. Josephy, "When the Kennedy Administration entered office with a burst of vigor and a state of fresh ideas, characterized by such "New Frontier" concepts as the Peace Corps and the Alliance for Progress, it conveyed to the American Indians its intention that they, too, would be the recipients of new and dynamic thinking and action which would strive to solve problems that had long defied solution. The first job was to conduct a thorough study of the status of Indian Affairs, and for this the Secretary of the Interior appointed a Task Force."<sup>17</sup> (Two of the members of the Task Force were to become ranking officers of the Bureau of Indian Affairs following its completion). According to Mr. Josephy, "In a preliminary meeting on February 9, 1961, with members of the Task Force and various officials of the Interior Department, Udall stated that his goal was, "an administrative reorganization and policy reorganization of the Indian Bureau."<sup>18</sup>

"The Task Force held hearings among Indian groups through-out the country, studied the Bureau, conferred with numerous Indian interests and organizations, religious groups, members of Congressional committees and their staffs, Bureau of the Budget, tribal attorneys, private groups and individuals, members of bureaus within the Department of Interior and other government agencies, and on July 10, 1961, submitted its report, with recommendations, to the Secretary. By the time that it was published, it was neither fresh nor hard-hitting, and in fact, it was something of an anti-climax."<sup>19</sup>

Perhaps one of the reasons for the limitations of the report is reflected in Secretary Udall's statement at the February 9 meeting. He told the Task Force members that "while they should test their thinking against the thinking of the wisest Indians and their friends, this does not mean that we are going to let, as someone put it, the Indian people themselves decide what the policy should be."<sup>20</sup> According to Mr. Josephy, "The principal recommendations in the Task Force's Report, when it was submitted on July 10, 1961, pertained to policies and programs for the Indians, rather than psychotherapy for an ailing BIA, and reflected a cautious groping away from the termination period."<sup>21</sup> Its main thrust was that the Bureau of Indian Affairs should shift its emphasis from termination to primarily economic de-

<sup>16</sup> *Ibid.*, p. 36.

<sup>17</sup> *Ibid.*, pp. 37-38.

<sup>18</sup> *Ibid.*, p. 18.

<sup>19</sup> *Ibid.*, p. 18.

<sup>20</sup> *Ibid.*, p. 21.

<sup>21</sup> *Ibid.*, p. 22.

velopment. The basic assumption underlying this redirection of policy was that Indians constituted a "special case of rural poverty." The primary emphasis of the new Commissioner of Indian Affairs was thus to be on efforts at accomplishing economic development on Indian reservations.

In education, the Task Force Report did not provide a penetrating or thorough critique of the inadequacies of federal educational programs for Indians. It suggested instead that an independent evaluation should be conducted with the assistance of the BIA. In addition, the Report recommends the following:

(1) The Task Force of 1961 favored the location of schools as close as possible to the Indian people.

(2) The Task Force recommended that special summer sessions for Indian students planning to enter college be instituted, and that counseling services for Indian students should be instituted for all levels.

(3) The Task Force indicated that the Bureau needs more funds for scholarships and that more of these should be fully sustaining.

(4) The Task Force indicated its disfavor with the practice of placing in boarding schools many Indian youngsters who need institutional care.

(5) The Task Force said the Bureau should give serious consideration to using school facilities in a year-round basis with some system of rotation by semesters and/or accelerated programs to permit Indian youngsters to complete their primary and secondary education in fewer than 12 years.

(6) The Task Force also indicated along this line that school facilities should be used during the summer months to help Indian children make up educational deficiencies and to assist them with using their leisure constructively, that there is a need for organized recreational and educational activities for Indian boys and girls during the summer months.

(7) The Task Force favored the establishment of public school districts on Indian reservations and the ultimate transfer of BIA responsibilities to these districts; that the districts having inadequate tax base for a sound school program should be assisted by the Federal Government; and that any school plans transferred to districts should be in good condition.

(8) The Task Force recommended that the Federal Government must improve the school physical plants and construct new school buildings as well as improving the roads used by school buses.

(9) The Task Force recommended that the Bureau must make a greater effort to involve Indian parents in school planning and to give the parents of youngsters attending school more opportunity to participate in the formulation of the school programs, with the establishment as rapidly as possible of parent-teacher groups where these had not already been formed.

(10) The Task Force recommended that the children of Government employees attend Federal schools on Indian reservations in an integrated manner with Indian youngsters.

(11) The Task Force recommended that the Bureau make a special effort to keep abreast of the latest developments in language training and instruction and carry on inservice training programs to be conducted in conjunction with the universities and colleges located nearby to meet this responsibility.

Mr. Josephy has summarized the import of these recommendations as follows:

In the field of Indian education, the Task Force recommended a wide range of new activities and changed practices, from increased funds for scholarships to the encouragement of Indian parent participation in the formulation of school programs. But Indian education was scandalous in 1961 (and still is), and the Task Force failed entirely to note that fact or come to grips with fundamental problems that would impede or make impossible many of the proposals it advanced. Most of its recommendations had a fine ring to them and would be repeated in successive studies throughout the eight years, but with Indian education relegated to a subordinate branch within the Bureau, as it was until mid-1966, and without a single professional educator in the branch, the Task Force's recommendations were hollow and would depend for their implementation on the personal interest and intercession of the Commissioner. Little that was meaningful came of the Task Force's educational recommendations.<sup>22</sup>

The Report was disappointing. It constituted at least a partial repudiation of the termination policy of the '50's, but it seemed to suggest that termination was merely something to be delayed over a period of time until the Indian was perhaps more ready for it. Similar to the Declaration of Indian purpose, the Task Force recommended a 15-member Indian Affairs Advisory Board to the Secretary of the Interior. Nothing came of this proposal.

The Task Force did comment on the organizational inadequacies of the Bureau of Indian Affairs, but did not come to grips with the basic issues. The Report pointed out that, based on everything they could learn from talking with people in the field, the Bureau was a terribly slow and inefficient bureaucracy, penetrated throughout with administrative delay and poor communications between the field and central office. A major cause of this serious breakdown in communication was the "substantial layering" of the Department. The Report states, "The most frequency heard complaint about the administration of Indian Affairs related to the 'area offices' \* \* \* Critics of the area offices seek their abolition on the ground that they interpose a barrier between the Indian and the Department in Washington, and they take away power and authority from the Superintendent."<sup>23</sup> Nevertheless, the Report indicated that the abolition of the area offices would be impractical and would lead to "poor management." The report simply suggested that there should be better delegation of re-

<sup>22</sup> *Ibid.*, p. 24.

<sup>23</sup> *Ibid.*, p. 26.

sponsibility from the area offices to the Reservation Superintendents. Mr. Josephy has summarized the outcome of the Report by stating:

As a whole, the Task Force Report paved the way for a policy reorganization of federal-Indian relations (away from termination-mindedness and toward economic development), but did not prepare the ground for the second point that Udall had mentioned to the Task Force members on February 9, 1961, namely an administrative reorganization. As a result, from 1961 to 1965, the Bureau did shift its policy direction, and did adopt and begin to implement a number of important programs designed for the economic and community development of the Indian people, but it did almost nothing to refashion the Bureau into an effective instrument for carrying out the new policy and programs. Frustrations and delays continued, and even increased, and Indian chafing and restlessness became more pronounced.<sup>21</sup>

Three major efforts and documents came out of the Spring of 1961, which attempted to define a new policy for Indian Affairs in the 1960's. Unfortunately, unlike the Meriam Report of 1928, all three efforts were too preoccupied with rejecting the termination policy of the past, and consequently lack a clear and thorough-going vision of the future. Of the three, the Udall Task Force Report is probably the most disappointing. It provided a laundry list of items in various functions where the Bureau of Indian Affairs could improve its services. Despite their mandate to clearly think out a reorganization plan for the Bureau of Indian Affairs, they failed to come to grips with this issue, although they do note numerous and serious complaints made by Indians in the course of their field study, and by other informed people. More importantly the Task Force Report did not give voice to Indian needs, aspirations, and desires. This is clearly evidenced by the force and eloquence of the 'Declaration of Indian Purposes,' in contrast with the Task Force Reports. Apparently, the Task Force Report did not listen to or pay any attention to the University of Chicago Conference of Indian leaders. One thing clearly does emerge from the Task Force Report, and that is the expression that the major new focus of concern and initiative for the "New Frontier" should lie in the area of economic development on reservations. Unfortunately, there were no strong or original new ideas about how this could be accomplished.

The Fund for the Republic Report is important because of its much clearer statement of the serious inadequacies of both public and federal educational programs for Indians. It points out that the failures of the past have been serious, and that education must become a priority in the 1960's. In addition, it clearly states that the new standard for federal schools must be excellence in every respect. Federal schools must serve as examples of the best practice, and must provide leadership for the improvement of public school education for Indians. The Report notes that the Johnson-O'Malley program, administered by the Bureau of Indian Affairs, has not been used in a meaningful way

<sup>21</sup> *Ibid.*, p. 30.

to improve public school education for Indians, and that this must change.

In addition, the Fund for the Republic Report provides a fairly strong argument for substantially increased Indian control, a rejection of the bureaucratic paternalism, which it finds to be a serious problem, and an expression that the Bureau of Indian Affairs *must* be remodeled in such a way that it can become responsive to the needs, desires, and self-determination of Indian communities. Unfortunately, the Report did not provide an explanation or a plan for how this can be accomplished.

The most interesting and eloquent of the three documents which contains at least a partial vision of what should come in the 1960's, and equally important, contains the nucleus of a plan of action for accomplishing that vision, was the Declaration of Indian Purposes. Far more than either of the other two documents, the 400 tribal leaders point out in their report that if the new vision is to be achieved and Indian self-determination to be meaningfully accomplished, a thorough-going reorganization of the Bureau of Indian Affairs will be necessary. It also suggests that Indians play an important role in determining how the BIA should be reorganized.

The contributions of the first half of the 1960's in the area of improving education for Indians were rather disappointing. Nevertheless, some new initiatives were taken and some progress was made. Emphasis was placed on school construction, for example, and some 40 projects accommodating 2,786 students were initiated, during FY 1962. In addition, summer programs for Indian students were expanded threefold. The construction effort continued its momentum into the next fiscal year with 38 additional projects. Much of the impetus for the construction program came from the revelation in the Commissioner's Report of 1961, that of the 9,000 Indian children of school age who were not in school, almost 5,000 were not enrolled because of a lack of classroom space. Thus, neglect due to the termination policies of the 1950's was being reversed.

Some effort was made to increase the educational budget of the Bureau of Indian Affairs, but it was not totally successful. An examination of budget increases between 1958 and 1966, taking into consideration inflationary factors, reveals that little progress was made. In fact, real dollars to be expended per student were less in 1966 than they were in 1958. In terms of imaginative new programs, there were not many examples. However two can be mentioned.

The Bureau opened two new special schools in Fiscal 1963, aimed at doing a better job of meeting the special needs of Indian students. First, the Institute of American Indian Arts was opened in Santa Fe, New Mexico. (Actually, it was superimposed on an old BIA boarding school which imposed serious constraints on its effective development). The Institute was designed to provide an academic program with special emphasis on the vocational implications of the fine and applied arts, particularly as they related to the cultural background and heritage of the American Indian. Secondly, a special demonstration school was opened at Concho, Oklahoma, which was to be concerned with finding new solutions to the drop-out problem

and developing new programs in the area of special education. Unfortunately, neither of these schools was conceptualized in a way that could provide leadership for making improvements throughout the Bureau school system. In effect they have had little impact except as isolated endeavors.

In 1963, the Vocational Education Act was passed by the Congress. Unfortunately, the Bureau of Indian Affairs did not qualify under the Act. This was probably more a matter of oversight on the part of Congress, and inattention and neglect on the part of the Bureau of Indian Affairs, than it was one of purposeful exclusion. Nevertheless, Bureau of Indian Affairs schools could have benefitted tremendously from provisions under the Vocational Education Act. In 1969, the Bureau of Indian Affairs is still not included under the Vocational Education Act, although the legislative proposal has been made.

Mr. Josephy has summarized the period of the early '60's as follows: "Together with the fear of termination, the frustrations of the Indians' desires (as set forth in the Chicago Declaration of 1961) underlay Indian Affairs during the Kennedy Administration. In May 1964, several hundred Indian leaders, assembled in Washington for a Capital Conference on Indian Poverty, again spelled out their demands that frustrations at the reservation level cease, and that Indians be given a decision-making role in their own programs."<sup>23</sup> Finally, the Indians had found a receptive audience, and important new initiatives were to come out of the Economic Opportunity Act of 1965.

#### A NEW COMMISSIONER

In 1965-66, the BIA went through a protracted change in leadership and an attempt at self-examination. Not only were Indians disappointed with the accomplishments of the first four years of the 1960's, but so also were Secretary Udall and the Congress. As a consequence, Commissioner of Indian Affairs Philleo Nash resigned, and after a period of considerable confusion and delay, a new Commissioner, Robert Bennett, was appointed. Noteworthy is the fact that Mr. Bennett was an Indian, and the first Indian to serve as Commissioner of Indian Affairs in the 20th Century. It is also noteworthy that Mr. Bennett came from thirty years of experience as an employee of the Bureau of Indian Affairs. Perhaps, as a consequence of that fact, as Mr. Josephy points out, "The self-examination of the Bureau which was directed by the new Commissioner Mr. Robert Bennett was informal and superficial."<sup>24</sup> Not much was to come of that re-examination of the Bureau other than a new rhetoric of self-determination for Indians, but little organizational change. Three years later, with another change of administration, the new Commissioner Mr. Bennett would leave his office almost as ignominiously as Philleo Nash had left it in 1965, and with equally strong feelings of frustration.

<sup>23</sup> *Ibid.*, p. 37.

<sup>24</sup> *Ibid.*, p. 35.

## LANDMARK LEGISLATION

Two important pieces of landmark legislation were passed in 1965, which had important implications for the conduct of Indian Affairs in the second half of the 1960's. As usual, the initiatives were to come from outside the Bureau of Indian Affairs, which has proven to be the case throughout the 1960's. The Economic Opportunity Act provided for a number of new programs which had important benefits for Indian Education. Head Start provided the first meaningful effort to provide significant early childhood educational experiences for Indian children. In 1968, about 10,000 Indian children benefitted from Head Start programs. On the Navajo Reservation alone, the Tribe operated over 115 different Head Start programs throughout the reservation. No program has been greeted with greater enthusiasm, rapport, and support, by the Indian community. No program has permitted greater participation and control on the part of Indians. No program has demonstrated greater imagination in coming to terms with the educational disadvantages of Indian children. The results have been substantial and significant.

The Upward Bound program, initiated by the Office of Economic Opportunity, has benefitted a substantial number of Indian students who would probably not have gone on to college or been able to succeed in college without its assistance. The Job Corps program reached a number of Indian youth who were without it, dropouts, rejects, and probably welfare cases to be. Several Job Corps camps were located directly on Indian reservations, and the Kicking Horse Job Corps Center in Montana was specially designed to meet the needs of Indian youth. A decision on the part of the Nixon Administration to phase-out this particular Job Corps camp has met strong, out-spoken, and concerted Indian opposition. It is clear that the Indian population in the United States feels that they have benefitted from the Job Corps program.

The only part of the Economic Opportunity Act which mentions Indians specifically was the VISTA program. The VISTA program has brought hundreds of idealistic and committed volunteers to Indian reservations to provide services in a variety of ways to Indian communities. A promising new formulation of the VISTA program appears to be taking shape. The Navajo Community Action Program has recently presented a proposal to the Office of Economic Opportunity, which recommends that the total VISTA program on the Navajo reservation be taken over and controlled by the Tribe itself. The program will utilize indigenous reservation Navajos as VISTA's, to serve their own people. The program will be controlled by a Navajo board of directors, and planned, administered, and evaluated, by Navajos. The Office of Economic Opportunity has responded favorably to this new development.

Many other initiatives of importance have come out of the Economic Opportunity Act, but by far the most significant development was the establishment of the Indian Community Action Programs. In terms of demonstrating the capability of Indians for running their own affairs, in terms of demonstrating how a contracting relationship could be established between a federal agency and an Indian tribe, in

terms of demonstrating the importance of Indian initiative and self-determinations, in terms of demonstrating the ability of Indians to carry out effectively their own programs, the CAP's on Indian reservations have been the most important innovation of the 1960's. More than sixty Community Action Programs presently exist involving 105 federal reservations in 17 states. The Community Action Programs have been assisted by a consortium of universities which have provided training, leadership development, business and technical support to the tribal Community Action Programs. Thus, in terms of Indian control, self-determination, innovation, and new imaginative initiatives, the Economic Opportunity Act constitutes the most important piece of legislation in the field of Indian Affairs in the 1960's.

In the field of Indian education this is dramatically borne out by the establishment of the Rough Rock Demonstration School on the Navajo Reservation in Arizona.

The Rough Rock School is the most important experiment in the field of Indian education in the 1960's. As a "demonstration" it has been extraordinarily influential in shaping a "new policy" and a reform movement in the field of Indian education. Rough Rock has become a symbol of Indian participation and control and educational innovation. Established on June 27, 1966, as a private non-profit organization the school is run by a five-member Navajo school board. Only two of the school board members have had any formal education and weekly school board meetings are conducted in Navajo.

It is highly instructive to note several facts about the genesis of the project. First, the initiative came from Stanford Kravitz, the Associate Director for Research and Development within the Office of Economic Opportunities' Community Action Program, and the basic ideas came from Dr. Robert Roessel who was to become the school's first Director.

Four concepts that Roessel mentioned seemed particularly meritorious to Kravitz: (1) Indians would never give schools their wholehearted moral support until they were involved significantly as adults and given a measure of control. (2) English must be taught as a second language to Indian children, not regarded as something they could learn immediately through mere exposure. (3) The schools should be responsible, not only for educating Indian children, but for assisting in the development of local communities, through extensive adult education opportunities and other means. (4) The schools should help transmit to the young the cultures of their parents; tribal elders should be used by the schools, for instance, to teach traditional materials.

Second, the first attempt to launch the experiment at Lukachukai was a failure because a new "demonstration staff" was super-imposed on a traditional BIA boarding school. When the demonstration staff and the newly crested Navajo School Board attempted to launch unconventional programs, they encountered resistance from the regular school staff, who saw most new approaches as incompatible with BIA policy."

Third, a decision was made to "start fresh" with a newly completed BIA school plant at Rough Rock and Mr. Kravitz of the Office of

Economic Opportunity argued successfully that the experiment would fail again if the usual civil service requirements and BIA policies remained in force. Thus, BIA provides the plant and the standard per-pupil fiscal allotment while permitting the experiment to function independently.

Fourth, if the school was to serve community development purposes as well as develop new innovative educational programs, it was clear that substantial funding above the regular BIA level was necessary. This money has been provided by OEO. Thus, it was OEO leadership in cooperation with Dr. Roessel that brought Rough Rock into existence and defined its purposes and organizational requirements.

A second landmark piece of legislation was passed in 1965. The Elementary and Secondary Education Act (Public Law 89-10) made it a matter of national policy and priority that all disadvantaged youth in this country should receive an effective education. The act called for substantial innovation in achieving this goal, and provided a number of new approaches for accomplishing this objective. Title I of the act provides for billions of additional dollars to be spent on disadvantaged students. It made clear that unless there is a willingness to spend substantially larger amounts of money, an equal education opportunity for disadvantaged youth could not be accomplished. In 1966, title I of Public Law 89-10 was amended to include the Bureau of Indian Affairs. It seemed only too apparent that the Indian student population was the most disadvantaged in the country, and that the most disadvantaged were in federal schools. It was also clear that the operational budget of the Bureau of Indian Affairs was totally inadequate for providing a quality education for these children, and that therefore additional monies would be necessary.

As a consequence of this amendment, approximately five million dollars was set aside for federal schools in fiscal 1968, and approximately nine million dollars in fiscal 1969. These monies have provided an important boost in both moral and new programs within federal schools.

Title III of Public Law 89-10 provides for the establishment of special supplementary innovation centers which would provide backup support to public school districts in the development, and the development of new educational methodologies for disadvantaged students. Title III was clearly intended to provide a new institutional force for educational change, and to provide a complementary support for public school districts in their attempts to use Title I money effectively and wisely. The Bureau of Indian Affairs has also been included by amendment under Title III, although the amounts of money received have been relatively small.

Title IV of Public Law 89-10 is a general research title, but in addition contains important new initiatives. Perhaps the most important was the development and establishment of 15 Regional Educational Laboratories across the country, four of which have functioned to provide leadership for developing new and more effective programs for Indian students in federal and public schools.

The Regional Laboratories, as evidenced by the testimony received by the Subcommittee, have provided one of the most important forces for innovation and change in the field of Indian education. They have

conducted a number of important research studies, they are working on development of new curriculum, they have worked with developing important new models of school programs in the field, they have been effective in disseminating a number of new innovative ideas and techniques, and they have provided a kind of sophisticated leadership that has been sadly lacking in the past. Two additional amendments to Public Law 89-10 provide monies in areas of major importance in terms of solving problems in the field of Indian education. These new areas are "Drop-Out Prevention" and "Bilingual Education." In summary, the Elementary and Secondary Education Act has provided a new national policy of educational excellence for the disadvantaged. A clear-cut implication of this new national policy is that if the federal government has a special and necessary school system for Indian youth, it should indeed be one that demonstrates the best of practices and leadership for all schools in this country. Secondly, it makes clear, that if this goal is to be accomplished, much greater investments will be required.

#### THE FIRST ASSISTANT COMMISSIONER FOR EDUCATION—BIA

The general policy enunciated in the Elementary and Secondary Education Act of 1965, was to become manifest in the Bureau of Indian Affairs with the appointment of Dr. Carl Marburger to assume the position of director of the Education Division within the Bureau of Indian Affairs. It had been clear for a long time that the organizational status of educational programs in the Bureau of Indian Affairs were clearly inferior to the size and importance of their operation within the Bureau. Considering that education programs constituted more than 50% of the total budget of the Bureau of Indian Affairs, it is astounding that as late as Spring of 1966, the educational programs in the Bureau of Indian Affairs constituted one of several branches in one of several divisions in the Bureau of Indian Affairs. Commissioner Robert Bennett changed the status of the branch of education to a division in mid-1966, and following the appointment of Dr. Carl Marburger, the head of the new division became an Assistant Commissioner of the Bureau of Indian Affairs. Dr. Marburger, who had been an Assistant Superintendent in the Detroit Public School System responsible for innovative federal programs, brought a new vision, a new sense of urgency, and a new set of standards and competence to the Bureau of Indian Affairs. Equally important, he brought a dynamic sense of leadership and a desire for change. Although he was to remain in his position only a year, Dr. Marburger managed to accomplish a number of important things. Most importantly were the new policy formulations which he articulated both within and outside the Bureau of Indian Affairs. The new policy formulation centered on Indian participation and control, and secondly, the vision that the federal school system for Indians should provide a model of excellence for the nation in terms of effective education for disadvantaged youth, or in short, as he put it, it should be "exemplary." The following is a brief list of a number of new and important initiatives that were taken:

(1) Action was taken to include Bureau of Indian Affairs schools under the Elementary and Secondary Education Act. Dr. Marburger provided the testimony and the amendment was successful.

(2) Dr. Marburger specified a number of new policy positions in regard to Indian control. This was reflected in the establishment of a new National Indian Education Advisory Committee composed of 16 Indian leaders which was to advise the Assistant Commissioner for Education on all important policy decisions. A major new emphasis was placed on the importance of the Indian family and the Indian community in terms of its involvement in educational programs. This meant a thorough-going rethinking of the whole BIA boarding school system, out of which came a statement of policy that elementary boarding schools should be discontinued as rapidly as possible, and that whatever new approaches were needed to accomplish this should be taken. It was clear that day schools were preferable to elementary boarding schools, and that elementary boarding schools might very well be damaging to the children in terms of their emotional and personality development. In addition, a new policy statement that federal boarding high schools should no longer be placed long distances from the populations they were to serve, but should be near or on the Indian reservations where their students would be coming from.

(4) Important new emphasis was placed on the development of bilingual educational approaches, teaching English as a second language, and the development of culturally relevant curriculum materials.

(5) A clear statement was made that Indian children should not be transferred willy-nilly to public schools as they had been in the past, until it could be clearly demonstrated that public schools could effectively assume the responsibility for the education of these children.

(6) An effort was initiated to build a strong evaluation, consultant utilization, and research and development component in the Education Division of the Bureau of Indian Affairs. Prior to this time, no consultant or research and development money had been available.

(7) A number of new positions for educational specialists were established in the central office of the Bureau of Indian Affairs to effectively evaluate and provide leadership for innovative change in the field. Perhaps the most refreshing aspect of the new leadership he brought to the Bureau was a sense of candor and honesty about the many and extremely serious inadequacies of the federal school system for Indians.

Change is always painful, and perhaps this had something to do with the fact that Dr. Marburger was received with mixed emotions within the Bureau of Indian Affairs. Whatever the reasons, it is clear that Dr. Marburger did not receive the kind of support he needed to carry out his new policies and programs effectively. The major issue was whether or not he actually had any control over what was going on in the more than 200 schools he was responsible for. During his tenure as Assistant Commissioner, as he has made clear in his testimony before the Subcommittee, it became increasingly clear to him that without line control over schools in the field, he was not going to be able to make many of the important changes that he deemed necessary.

Recognizing that line control was not going to be permitted Dr. Marburger resigned only a year following his appointment. Nevertheless, the impact of his new leadership and policy guidelines were substantial and continue to be an important force for change in the Bureau.

Dr. Charles Zellers, moving from a position of Deputy Assistant Commissioner for the Elementary and Secondary Education Bureau in the Office of Education, to the position left open by the resignation of Dr. Marburger, proceeded to carry on in a forceful way many of the new policy initiatives and programs which had been established in the previous year. But he also has made it clear in his testimony before the Subcommittee that he has been hamstrung in effectively carrying out what he felt were necessary changes and in implementing new programs by the same factor that had thwarted Dr. Marburger's efforts. He in turn has received inadequate support for his attempts at major change within the Bureau educational system, and has been increasingly frustrated over his lack of line control over the schools for which he is responsible. It is abundantly clear at this point, that if substantial meaningful change is to take place in terms of improving federal schools and reaching any first approximation of the concept of a model school system and exemplary practices, that the Assistant Commissioner for Education must have line control over the schools. The serious question still remains whether or not this will prove to be adequate in and of itself.

#### SENATE CONCURRENT RESOLUTION 11

In the Fall of 1966, similar to the Spring of 1961, three events took place which were of major importance to the development of a "new policy" in the field of Indian Affairs. The President instructed the Secretary of Interior to develop a basic piece of legislation equal in importance and promise to the Indian Reorganization Act of 1934. In addition, the President quietly established a White House Task Force of experts from a variety of disciplines and occupations independent of the Federal government. The Task Force was given the assignment of conducting a thorough independent review of the BIA and other Federal programs for the American Indian and to prepare a detailed report with recommendations for the President. In Congress, Senator George McGovern introduced Concurrent Resolution 11 on October 13, 1966.

Senator McGovern's Concurrent Resolution called for a "new national policy" in the field of Indian Affairs. It pointed out that the "first" American was still the "last" American in terms of income, employment, health and education. Secondly, it pointed out that fluctuations in national policy had been a serious impediment in finding appropriate and workable solutions to the problems which the Indian faces, and had, in many instances, proven to be mistaken, resulting in a perpetuation of Indian poverty rather than alleviating it. It was clear that one of the major intentions of the Concurrent Resolution was to disavow the termination policy of the 1950's. Third, the Resolution pointed out that although a number of new government pro-

grams had been added and greater sums appropriated in recent years, the nation had really just begun to establish meaningful breakthroughs and needed to recommit itself to a much greater, more systematic, sustained and enlightened effort to solve these problems.

When Senator Robert F. Kennedy testified before the Senate Subcommittee on Indian Affairs pertaining to Concurrent Resolution 11 on March 5, 1968, he said the following regarding the implications of the 'new statement of national policy' for Indian education programs:

What are the implications of this bill with regard to federal responsibility in Indian education? I am convinced that the Federal Government has a moral and legal commitment to provide or subsidize not just an average educational program but an educational program unsurpassed in its excellence and effectiveness for as many Indian children as can be properly considered within the Federal Government's direct or indirect responsibility. As Dr. Carl Marburger, recently the Assistant Commissioner of Education for the Bureau of Indian Affairs, stated the goal: The Bureau of Indian Affairs should be running an educational system second to none or, as he put it, "exemplary" in the fullest sense of the word. We are a long way from accomplishing this goal, but I certainly agree with his stated objective.

I would go even further than this and say that if our present practice of moving children into public schools as rapidly as possible is to continue, then the government should bear a substantially larger burden than it presently assumes for seeing that these public school systems are adequately staffed and financed for an effective and exemplary program. I am concerned that too often in the past, out of ideological fervor for "state responsibility," out of concern for lowering federal expenditures and demanding "rapid assimilation—whatever the cost," we have forgotten or simply overlooked the fate of the Indian child. I am also concerned that far too often this transfer of responsibility is decided without the adequate involvement or acceptance of the Indian parents or Indian community. It is obvious that, in many instances, transfer from a BIA school to a public school district places the Indian child in a small rural school, underfinanced and understaffed, unprepared to cope with his special needs, and, in some instances, openly hostile and unfriendly. This is not to suggest that I am opposed to the concept of integrated education and state responsibility. It does suggest that the real test is educational performance and the ultimate responsibility for historical, legal, and moral reasons lies with the Federal Government. I do not think that we have lived up to that responsibility nor have we provided viable options to Indian parents and their children. I think Concurrent Resolution 11 makes the same point.

The resolution passed the Senate but did not pass the House and has been reintroduced again this year.

## THE INDIAN RESOURCES DEVELOPMENT ACT

In response to the White House request to draft new basic legislation, the Department of Interior developed a bill which became known as "the Indian Omnibus Bill" which was introduced in Congress on May 18, 1967. It was called the Omnibus Bill because it contemplated meeting a broad range of Indian problems. It was hoped that the bill would have the same degree of importance as the Indian Reorganization Act of 1934. Despite its ambitious title, the bill, after having gone through a number of drafts, turned out to be an act primarily aimed at providing financial resources for tribes and Indian individuals. This was entirely consistent with the emphasis on economic development which had emerged out of the Task Force Report of 1961. Josephy points out that while Department of Interior officials were working on the bill, Commissioner Bennett conducted regional hearings among Indian leaders in the field, inviting them to make recommendations on what should be included in the legislation.

The Indians took him at this word and went to great lengths to prepare their presentations. At the hearings, they proposed a total of 1,945 separate recommendations covering all phases of Indian Affairs. It was probably the most comprehensive and detailed expression of Indian interests, needs, and aspirations in the history of our country. It is interesting to note that 17% of the recommendations were in the field of education. There were to be no educational provisions in the Omnibus Act and it became clear that the Indians weren't to have anything to say about what was to be in the Omnibus Act. "While the hearings were still in progress, the first draft copy of the bill which the Department had been working on, was made public, and disillusionments set in among the Indians, who suspected that, once again, the government had no intention of taking a recommendation seriously."<sup>27</sup> In addition, once the bill was made known, it became clear that the Indians objected to a number of major titles in the bill and clearly felt that one of the intentions of the bill was "termination." It was also clear from the beginning that the bill would be rejected and it was unfortunate that this could not have been foreseen by the Department of the Interior. It would have prevented serious disillusionment among the Indians who participated in the regional conferences and a terrible embarrassment to the new Commissioner of Indian Affairs.

Perhaps the importance of this abortive effort lies in the fact that once again the Department of the Interior proved that it did not understand Indians' needs or desires, nor could it operate in other than a purely paternalistic way, and last, that a basic "termination attitude" still existed within the Department.

## PRESIDENTIAL TASK FORCE REPORT ON THE AMERICAN INDIAN

In the Fall of 1966, an outstanding group of men from various disciplines and occupations outside of government came together to form a Presidential Task Force on the American Indian. This group

<sup>27</sup> *Ibid.*, p. 43.

deliberated for a period of three months and produced a substantial report with recommendations for the President in January of 1967. This document probably constituted the most important statement in the field of Indian Affairs in the 1960's. Education received top priority attention in the Report. It made clear in no uncertain terms that both federal schools and public schools were failing Indian children. The Presidential Report, in contrast to the Omnibus Bill and the Udall Task Force Report, recognizes the fact that "the first step in any program concerned with training and employment of Indians must be that of the development of a far more effective educational system."<sup>23</sup>

The Report is particularly blunt on the failings of public schools. It states, "Indian children attending BIA schools are more disadvantaged than those attending public schools. Even so, public schools are not notably more effective in educating Indian children than the Bureau schools, and, in many places, are considerably less effective." The Report continues, "Moreover, the strong factor of social prejudice is present in many areas where substantial Indian populations exist. These attitudes make for a very inhospitable climate for educating Indian children in public schools. The assumption that "integrated education" is invariably better \* \* \* would not appear to be valid under present circumstances in many areas."<sup>24</sup>

The Report notes the "overwhelmingly inadequacy of data on Indian education, and the inadequate effort to correct this deficiency."<sup>25</sup> The Report stated that, "The assumptions underlying the conventional approach to Indian education evidently have not been valid and a systematic search for more realistic approaches is clearly in order."<sup>26</sup> It was "shocked" to find that the BIA did not have a Research and Development budget for this important task, made clear that Research and Development is a basic need—not a frill—and the Research and Development effort and leadership must come from the Federal Government.

Two facets of a "new policy" were delineated. First, improving the effectiveness of the education provided to Indian children must remain a high priority objective in the Federal Government. Although direct federal action can most readily take place in the federally-operated schools, special efforts should be directed to encourage and assist the public schools in improving the quality of their educational programs for Indian children. But rather than continue to press for the transfer of Indian children to the public schools, irrespective of whether they are willing and able to provide the special attention needed by Indian children, the *Federally operated Indian schools should be made into models of excellence for the education of disadvantaged children!*<sup>27</sup>

The report points out that accomplishing this goal will be expensive, probably requiring a doubling or even trebling of the per pupil costs. The Report emphasizes that this is an investment, not an expendi-

<sup>23</sup> Presidential Task Force Report, Jan. 1968; p. 12.

<sup>24</sup> *Ibid.*, p. 15.

<sup>25</sup> *Ibid.*, p. 17.

<sup>26</sup> *Ibid.*, p. 17.

<sup>27</sup> *Ibid.*, p. 17.

ture, that in the long run, this kind of investment more than pays for itself.<sup>33</sup>

The second facet of the "new policy" received particularly strong emphasis. Indians must not only participate in, but control the development of, the "model system." The Report made clear that Indian parental and community participation is very slight—Indian control is practically non-existent. The Report called for school boards to be established at every Federal school. It stated that without such boards, school administrator paternalism will persist. Also, such boards would be necessary to develop meaningful parental participation and the use of schools as centers for adult education and community development. Special stress was placed on the fact that school administrators would strongly resist the change, and the boards must in fact have authority, not just an advisory function.

In addition to school boards, the Report called for Indian control at the top in the form of a National Advisory Board on Indian Education. It points out: "Ideally, this should be a statutory board, but since it will take many months for Congress to consider and act on legislation, in the interim, the Secretary of the Interior could establish a twelve-member board of which at least half should be Indians; the others should be outstanding educators and private citizens with broad backgrounds in public affairs."<sup>34</sup> The most important task of the National Advisory Board will be the development of a comprehensive plan for making the Federally-operated schools into a model system.

In the final section of the Report, the Presidential Task Force faced up to the problem of how could its many creative recommendations be carried out. The reaction to the BIA had been unanimous—it was a tired, ineffectual, and in-bred organization, accustomed to lethargy, not change. Secondly, it was hurried under the Assistant Secretary for Public Land Management in the Department of Interior, yet its major responsibility was in the area of developing human resources.

Could the leadership come from the top—obviously not—the 1960's had already demonstrated that. In addition, there was the disturbing question about basic conflicts of interest between BIA and other parts of the Department of Interior over Indian resources—land, water, timber, minerals, etc.

After much deliberation, the Task Force recommended that the primary responsibility for Indian Affairs be transferred from the Department of the Interior to the Department of Health, Education, and Welfare, where it was to be placed intact as a new agency under an administrator for Indian Affairs who would report directly to the Secretary of HEW. The question of reintegrating the Indian Health Service which had been transferred to HEW in 1955 was not raised. The consensus of the Task Force was that the Indian Health Service had improved dramatically as a result of the transfer, and argued that the same would be true for the rest of the BIA. Clearly HEW had the kinds of technical support needed for BIA programs and in addition a tradition (unlike Interior) of substantial expenditures for Research and Development and consultants. Nevertheless,

<sup>33</sup> *Ibid.*, p. 18.

<sup>34</sup> *Ibid.*, p. 28.

this still left unanswered the challenge of how BIA could be reformed internally. Certainly most of the same personnel would remain. This was left as a moot question.

The Report concluded with a clear warning against acting precipitously and without full explanation and consultation with the Indian tribes. Nevertheless, the President seized upon the idea and moved secretly and in a way which aroused Indian anxiety. When the proposed transfer was hinted at by Secretary Gardner at an Indian Manpower Conference in February 1968, they reacted as if it was a termination proposal (the assumption was that the various functions of BIA would be scattered throughout HEW), and the matter was dead before it ever got openly explained and discussed. Worse, as a result of this initial failure the Report and its many important recommendations was filed away.

#### THE PRESIDENT'S MESSAGE ON INDIAN AFFAIRS

Following the demise of the Presidential Task Force Report, in the spring of 1967, a Second Interagency Task Force was organized in late summer which prepared a report that went to the President in October. This report served as a basis for the Presidential Message on Indian Affairs to Congress on March 6, 1968, and most of its salient features were included in that message. The first task force report had recommended the need for a Presidential address on Indian Affairs which would serve to clearly put to rest the fear of termination on the part of Indian tribes and would pledge the nation to a respect for Indian identity and Indian participation in all new programs and decisions affecting him. In addition, the message was to lay out a hold new program of federal initiatives to help raise the health, educational and economic status of the American Indian.

The Interagency Task Force was essentially a programmatic one, charged with the responsibility of evaluating all federal programs for the American Indian and determining where additional amounts of money could be invested to the best advantage and to determine what new program areas should be initiated. Many of its proposals were strongly influenced by prior recommendations in the Presidential Task Force Report. Although it was specifically instructed not to deal with the question of transfer of the Bureau of Indian Affairs out of the Department of the Interior, it is interesting to note that the Interagency Task Force in its report to the President felt it mandatory to make two new organizational recommendations. Although the Task Force made no serious examination of the Bureau of Indian Affairs' structure, and its internal inadequacies, it did point out that the position of the Bureau of Indian Affairs under the Assistant Secretary of Public Land Management was undesirable, and that the organizational status of the Bureau of Indian Affairs should be elevated to that of a new Assistant Secretary of Interior for Indian and Trust Territory Affairs. The report pointed out that both Indian affairs and trust territory affairs were primarily matters of human development or, as the report put it, "people oriented" and that consequently they deserved to have a new and different kind of leadership within the Department of the Interior.<sup>39</sup>

<sup>39</sup> Josephy, *Op. Cit.*, p. 52.

Secondly, the report pointed out that government programs for the American Indian across the executive branch were many times inconsistent with each other, that there was no mechanism for effective coordination between them, that although the Bureau of Indian Affairs had been charged with the responsibility for coordination it was incapable of doing so. The report recommended creating a new coordinating and ombudsman type mechanism called the National Council on Indian Opportunity. The Council was to consist of eight Indian leaders with the Vice President of the United States as chairman, and with Cabinet level representation from each of the departments which had significant Indian programs.

Although the report did not grapple with the question of the inadequacies of the organizational structure of the Bureau of Indian Affairs, it did point out several factors that grossly inhibited the execution of sound Indian policy. These factors included paternalism towards Indians by BIA personnel; BIA self-protectiveness, defensiveness and insularity; lack of vigor and innovativeness; and "two principle factors which inhibit further progress in promoting Indian self-sufficiency; personnel quality and a sound data base for planning and policy coordination."<sup>30</sup>

The primary concern of the Task Force had been how to distribute a proposed budget increase of approximately \$50 million among the various different Federal government programs for the American Indian, with some thought to be given to what new programs should be initiated. As Mr. Josephy observes, "the programmatic recommendations of the Interagency Task Force fell far short of the massive therapy and funding which the Presidential Task Force had considered mandatory, if the government were to solve the problems of the reservation."<sup>31</sup> In general, the Interagency Task Force Report is a disappointing document consisting primarily of a rehash of previously existing ideas and recommendations along with substantial descriptive information on federal programs and recommendations for budget increases. The report called for an increase of some \$76 million in the total Federal budget of \$525 million for Indian programs. This increase appears almost ludicrous when contrasted with the extremely ambitious goals and programs laid out in the Presidential Message on Indian Affairs. In addition, the amount of the increase was cut back to approximately \$52 million in the Presidential Message, and considerably less than this amount of money was actually appropriated.

The Presidential Message of Indian Affairs of March 6, 1968, rejects termination as a policy and suggests in its place programs which stress self-determination. In addition, it pledges itself to substantial Indian control and participation in all federal programs which affect them. It argues against paternalism and in favor of partnership and self-help. The only organizational recommendation contained in the message was the announcement of an issuance of an executive order to establish a National Council on Indian Opportunity similar to the one that had been recommended in the Interagency Task Force Report. It was to consist of the Vice President of the United States as chairman, the Secretary of the Interior, the Secretary of Agriculture,

<sup>30</sup> *Ibid.*, p. 53.

<sup>31</sup> *Ibid.*, p. 55.

Commerce, Labor, HEW, and HUD, the Director of OEO and six Indian leaders appointed by the President for terms of two years. The Council's functions were "to review federal programs for Indians, make broad policy recommendations, and to insure the programs reflect the needs and desires of the Indian people." The President went on to state, "I've asked the Vice President, as Chairman of the Council, to make certain that the American Indian shares fully in all our federal programs."<sup>33</sup>

The Message placed the highest priority on the improvement of education for American Indians and includes a substantial section of recommendations in that regard. The Message pointed out that present educational programs for American Indians are failing them badly, and that much more intensive and imaginative programs are needed. It pointed out that legislation enacted in the past four years can provide a considerable impetus for improving education for Indians; the challenge is to use this legislation to the fullest advantage and creatively for the benefit of Indian students. In addition, the Message called for a substantial increase in the Headstart program for Indian children and the establishment for the first time of kindergartens for Indian youngsters. It also recommended substantial increases in the college scholarship grants program to include for the first time living allowances for Indian students and their families, and that the Upward Bound program in the Office of Economic Opportunities establish a special program for Indian high school students. By far the most interesting and far-reaching recommendation is a special section entitled Federal Indian Schools.

It states:

Since 1961, we have undertaken a substantial program to improve the 245 federal Indian schools, which are attended by over 50,000 children. That effort is now half-completed. And it will continue.

But good facilities are not enough.

I am asking the Secretary of the Interior, in cooperation with the Secretary of Health, Education and Welfare, to establish a 'model community school system' for Indians. These schools will—have the finest teachers, familiar with Indian history, culture, and language—feature an enriched curriculum, special guidance and counseling programs, modern instructional material, a sound program to teach English as a second language—serve the local Indian population as a community center for activities ranging from adult education classes to social gatherings.

To reach this goal, I propose that the Congress appropriate \$5.5 million to attract both talented and dedicated teachers and to provide 200 additional teachers and other professionals to enrich the instruction, counseling and other programs.

To help make the Indian school a vital part of the Indian community, I am directing the Secretary of the Interior to establish Indian school boards for federal Indian schools.

<sup>33</sup> HR Doc. 272, 90th Cong., 2nd Sess., p. 3.

"School board members—selected by their communities—will receive whatever training is necessary to enable them to carry out their responsibilities."<sup>39</sup>

Thus, the new national policy statement for Indian education had emerged full-blown and consisted of two parts. The goals would be maximum Indian participation and control, and the pursuit of excellence in a model school system in the federal schools. As Mr. Josephy points out, "As a whole, the President's Message was more a statement of goals and principles than a satisfactory blueprint of methods and means by which to achieve the goals." He continues, "at the same time, the only slightly increased level of spending was hardly enough to support many of the programs that were proposed and was totally unrealistic if a meaningful impact was going to be made on the worst problems. Sights were scarcely raised in the field of housing, and many of the fine goals for education would remain simply goals."<sup>40</sup> In addition, "the President's silence about the BIA was deafening to critics of that agency. Many of the program's aims and programs, particularly in the field of Indian education, were unattainable, and not alone because the funding for them was too low, but because the Bureau's structure and administrative operations would preclude their effective realization. Without attending to the defects in the Bureau, the agency's malaise would continue, making much of the President's message mere rhetoric."<sup>41</sup>

### The Organization Question

Both the White House Task Force Report and the Presidential Message to Congress had called for a major transformation of the educational programs in the Bureau of Indian Affairs. Both the Report and the Message had recommended an "exemplary" educational program in the Bureau of Indian Affairs which would maximize Indian participation and control. In addition to providing a quality and effective education for Indian students, a "model school" system was envisioned which would be capable of demonstrating the most innovative and effective educational programs for disadvantaged students. The "model school" system would be capable of providing national leadership for improving the education of all disadvantaged students. The Task Force Report had made it clear that the Bureau of Indian Affairs was incapable of carrying out the "new policy". Unfortunately, the Presidential Message did not deal with the problem.

In an article entitled "Lo, the Poor Indian", Ralph Nader commented on the failure of the Presidential Message to deal with the basic problem which he called a "bureaucratic malaise". He states:

\* \* \* is there anything new here, other than further action-displacing sympathy that has bred a hard skepticism into most Indians long resigned to poverty in perpetuity? Clearly, a direct White House commitment to Indian betterment, for the first time, gives the mission greater visibility

<sup>39</sup> *Ibid.*, p. 5.

<sup>40</sup> Josephy, *Op. Cit.*, p. 60.

<sup>41</sup> *Ibid.*, p. 61.

and importance \* \* \* but beyond that, the President's Message avoided dealing with the enduring organizational dry rot upon which these programs are being advanced; namely, the Bureau of Indian Affairs.<sup>42</sup>

Mr. Nader suggests that the Bureau of Indian Affairs' "dry rot" is a function of its conflict of purposes and historical failures. He summarizes this allegation as follows:

One hundred and nineteen years ago, the BIA was established in the Department of Interior with both presumed and actual missions. The former dealt with improving the lot of the Indian; the latter dealt with facilitating the encroachment on or exploitation of Indian lands and resources. Under the Bureau's aegis and congressional directive, the Bureau land base shrunk from 150 million to the present 53 million acres—about the size of New England. For generations the Bureau presided over people without a future. Indians were called "wards", were culturally devastated, physically pushed around, and entwined in a most intricate web of bureaucratic regulations and rules ever inflicted anywhere in this nation's history. They still are.<sup>43</sup>

According to Mr. Nader, this historical legacy of failure has continued up to present constituting a fundamental "bureaucratic malaise" which must be dealt with in a radical fashion if real progress is to be made in the field of Indian affairs. In support of this contention, Mr. Nader points to the findings of the White House Task Force Report. He states:

There was a disgust and despair felt by many of the Task Force members about the performance of the Bureau. They took note of the widespread impression that too many BIA employees were simply time servers of mediocre or poor competence who remained indefinitely because they were willing to serve in an unattractive post, at low rates of pay for long periods of time; that too many had unconsciously anti-Indian attitudes and were convinced that Indians were really hopelessly incompetent and their behavior reflected that assumption.<sup>44</sup>

As a result, the Task Force Report had recommended a thoroughgoing reorganization of the Bureau of Indian Affairs and its complete transfer to the Department of Health, Education and Welfare. Mr. Nader suggests that the Task Force "might have made a far stronger case against the BIA," and he proceeds in the rest of the article to do so. Mr. Nader charges that:

1. The BIA provides generally very low quality services in all of its programs. In addition, there is an uneven distribution of services as a result of Bureau politics—playing favorites with certain Tribes.
2. Bureau schools fail both in terms of quantity and quality. The schools breed dependency, cultural inferiority and alienation, and consequently the drop-out rates are exceedingly high.

<sup>42</sup> "Lo, the Poor Indian," Ralph Nader, *The New Republic*, March 30, 1968, p. 14.

<sup>43</sup> *Ibid.*, p. 14.

<sup>44</sup> *Ibid.*, p. 14.

3. He cites a number of examples of BIA mismanagement of Indian land, timber, and water resources. He suggests that BIA has managed to oversee the leasing and franchising of valuable reservation property rights and income opportunities into, predominantly non-Indian hands.

4. He cites the general lack of data from the Bureau of Indian Affairs about their programs, and their "Byzantine secrecy" in not providing data for certain important problem areas such as Indian trust funds.

5. Despite their fumbling attempts to encourage economic development on reservations, the BIA has had little impact on the fundamental problem of Indian unemployment. He states that the basic economic problem of Indian communities could be solved by the provision of 40,000 jobs. If the Bureau were in any way a creative organization, it would have recognized that there was a solid precedent for success in job creation in the Indian Emergency Conservation Work Program during the thirties, where 15,000 men were put to work in a few months time.

7. With the exception of some advances in Indian health, reservation conditions remain as bad or worse than ten or twenty years ago. In the meantime, the BIA has prospered, growing to its present size of approximately 16,000 employees providing the services of a federal, state and local government in one single bundle. And, despite its failures, the BIA budget has been increasing at a rate that has doubled in the past decade.<sup>45</sup>

Mr. Nader's critique of the "bureaucratic malaise" of the Bureau of Indian Affairs was symptomatic of the substantial and long-standing feeling on the part of many Congressmen and informed citizens that the BIA was an extremely ineffective organization and one that was failing in many ways in its basic mission. It was this suspicion in regard to the BIA education program which led to the establishment of the Senate Subcommittee on Indian Education.

#### INTERDEPARTMENTAL REPORT

The Interdepartmental report, entitled, "Quality Education for American Indians, a Report on Organizational Location," was received by the Senate Education Subcommittee on May 11, 1967. The report was in full agreement with the "new policy" recommendations of the White House Task Force Report and the President's Message. In regard to establishing exemplary educational programs, the report states:

"Wherever the locus of responsibility resides, the departments believe that the federally-run Indian education program should be an exemplary system directed at providing the highest quality education to meet the special needs of Indian people. All the resources required to achieve the desired goals should be made available."

<sup>45</sup> Ibid., pg. 14-15.

<sup>46</sup> "Quality Education for American Indians, A Report on Organizational Location" prepared for the Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate, May, 1967. p. 1.

In regard to the need for Indian participation and control, the report stated the following:

"Every effort should be made to encourage Indian parents and tribal leaders to assume increasing interest in, and responsibility for, the education of Indian children in accordance with the concept of community action. School boards, elected by the community and entrusted with appropriate responsibility for education, should be adopted as standard operating procedure. Specialized training programs should be instituted for Board members. Study should also be given to the possibility of making grants directly to Indian groups to administer their own educational programs.<sup>6</sup>

Although the report does not examine in any detail the organizational effectiveness of the Bureau of Indian Affairs, or the quality of its educational programs, it does list a number of recommendations for change which clearly imply important defects. In two areas, the report points out basic deficiencies that clearly would impede innovation and change. First, the report states that the Assistant Commissioner for Education in the Bureau of Indian Affairs presently serves in a staff capacity, which does not permit him to be an effective leader, or to carry out needed changes. The report recommends a significant reorganization of the BIA education function, calling for line control over the schools by the principal education officer. It states:

"The principal official responsible for education should be in a role comparable to that of a superintendent of a major school system, i.e., with full responsibility for the total educational enterprise, including school construction, operation, and maintenance.<sup>7</sup>

Secondly, the report calls for a thorough-going overhaul of the staffing policies and procedures. The report states:

"Staffing policies and procedures should be reviewed to develop procedures for recruitment and selection to assure employment and retention of the highest quality staff. Positions in education should be aligned with the rest of the education profession, e.g., in terms of work year, incentives such as salary, opportunity for continuing education, etc. Consideration should be given to acquiring staff for schools in isolated areas by creating a volunteer or limited assignment category which might increase the likelihood of attracting well-qualified staff committed to working with the Indian child. Programs such as Teacher Corps and VISTA should be fully utilized. The roles of teacher and dormitory aides and other supportive personnel should receive appropriate consideration, particularly as a means of involving the community.<sup>8</sup>

In addition to these two key areas, the report points out a number of additional areas where BIA performance must be improved. These include: developing more effective liaison and coordination with the Office of Education; Indian youngsters should be moved out of board-

<sup>6</sup> Ibid., pg. 8.  
<sup>7</sup> Ibid., pg. 7.  
<sup>8</sup> Ibid., pg. 8.

ing schools and placed in community schools on the reservation as soon as this can be done with no reduction in quality of education; more effective coordination with state departments of education and local school districts in assisting them to develop strong and effective programs for Indian children; more effective procedures should be developed for transferring Indian students from federal schools to integrated public schools; more effective ways should be found to provide a higher education opportunity for Indian children, including the encouragement of junior or community colleges on and near the larger reservations."

Three recommendations in the report suggest the need for considerable reexamination and bold new initiatives on the part of the BIA education program. The report calls for a "comprehensive study of the educational needs of Indians and the effectiveness of present programs—federal, state, and local—in meeting these needs."<sup>10</sup> Second, "A review of vocational education opportunities for Indian young people and adults should be undertaken \* \* \* the most extensive program of vocational education possible should be available to Indians, beginning with the high school level, and should be closely tied to job availability and family mobility. Every Indian who completes high school should have an opportunity for college or additional vocational training."<sup>11</sup> Third, the report calls for a bolder vision, and substantially greater innovation, in carrying out BIA education responsibility.

The report states:

Educating must be viewed as a single, continuing process which ranges from pre-school through adulthood. Beginning with pre-school experience for all Indian children, the research and development capacity of the appropriate agencies should be strengthened, in order to tailor educational programs to the needs of Indian people. Study should be made of the possible application of new educational technologies. Greater attention and support should be given to special education, since there is a high incidence of disability and handicaps among Indian children. Attention should be given to funding experimental programs at universities to assist Indian youth in adjusting to contemporary American society. Consideration should be given to supporting a center for graduate study of the languages, history, and culture of American Indians."

In summary, the Report had pointed out a number of areas where substantial improvement was needed in BIA education programs, including some important structural changes.

In arriving at its decision as to whether or not the educational function of the BIA should be transferred to the Office of Education, the Report considers the prior transfer of the Indian Health responsibility from the Bureau to the Public Health Service in 1955. The Report

<sup>9</sup> Ibid., pg. 7-9.

<sup>10</sup> Ibid., pg. 9.

<sup>11</sup> Ibid., pg. 9.

<sup>12</sup> Ibid., pg. 8.

emphasizes that the transfer of the health function to the Public Health Service had resulted in larger appropriations, greater professionalism, and "there has been a marked improvement in the state of Indian Health."<sup>13</sup> Nevertheless, the report indicates an important difference between the transfer of health and education. The difference was, "The Public Health Service's experience in the operation and control of hospitals and other medical facilities, whereas the Office of Education has never operated schools or a school system."<sup>14</sup> Therefore, the Report felt that the transfer of the health functions in 1955 did not stand as an adequate precedent for the transfer of the education function.

The Interdepartmental Report concluded that the education function should not be transferred from the Bureau of Indian Affairs to the Office of Education. The Report states:

Because education is inextricably linked to the other human service functions, and because transfer of the education function would result in further fragmentation of the total spectrum of services now afforded American Indians by the federal government, the Departments recommend that the Bureau of Indian Affairs should retain the education function at this time, working in close cooperation with the Office of Education to develop a high quality program of Indian education. This recommendation also reflects prevailing Indian opinion.<sup>15</sup>

In arriving at its conclusions, the Report had weighed the following advantages and disadvantages:

#### ADVANTAGES OF TRANSFER

1. The quality of Indian education might be expected to increase as a result of the augmentation of significant professional expertise, research capability, and financial resources.

2. A more positive public image of Indian education could result from greater identification with the education profession.

3. The Office of Education would have great incentive to build a model program for the education of Indian youth, particularly since this would be its only direct operational program.

4. A more effective transition of education functions from federal to state governments might take place with the more viable relationships which exist between the Office of Education, State departments of education, and local education agencies.

#### DISADVANTAGES OF TRANSFER

1. The portion of the Bureau remaining after transfer of the education function might be handicapped, and the quality of remaining services might deteriorate. At present approxi-

<sup>13</sup> Ibid., pg. 8.

<sup>14</sup> Ibid., pg. 8.

<sup>15</sup> Ibid., pg. 1.

ing schools and placed in community schools on the reservation as soon as this can be done with no reduction in quality of education; more effective coordination with state departments of education and local school districts in assisting them to develop strong and effective programs for Indian children; more effective procedures should be developed for transferring Indian students from federal schools to integrated public schools; more effective ways should be found to provide a higher education opportunity for Indian children, including the encouragement of junior or community colleges on and near the larger reservations.<sup>9</sup>

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<sup>9</sup> Ibid., pp. 7-9.

<sup>10</sup> Ibid., pp. 9.

<sup>11</sup> Ibid., pp. 9.

<sup>12</sup> Ibid., pp. 8.

mately 70% of the total BIA budget is allotted to education activity. Because of the intricate dovetailing of funding structure, personnel functions, and other services which have developed over the years, education is closely related to other BIA activities. A transfer of the education function doubtless would result in a period of dislocation.

2. Indian people tend to view a transfer of this nature as an additional step toward termination of federal responsibility, a policy strongly opposed by most Indians.

3. A transfer of education alone would result in further fragmentation of services which would necessitate Indians dealing with yet another Federal agency. This diffusion of services is viewed as eventually decreasing the measure of total, integrated assistance to Indians, when it would appear more beneficial to be consolidating or in other ways improving the coordination of direct personal service programs.<sup>16</sup>

In considering the advantages and disadvantages stated, it is apparent that the Inter-departmental Task Force felt that the quality of Indian education programs would be substantially improved by the transfer to the Office of Education, and that the new location would provide a far better opportunity for the development of a model program. On the negative side, the Task Force felt that the removal of the education program from the BIA might have a deleterious effect on the rest of the BIA programs. More importantly, it was clear that the Indians felt that the transfer would reflect a termination of federal responsibility.

On November 9, 1966, a meeting had been held in Denver, Colorado, to discuss the transfer question with eighteen Indian tribal chairmen and members of tribal education committees. At this meeting—

Indian representatives expressed concern about the transfer of education from BIA to the Office of Education. They were fearful of 'termination' of federal activities in their behalf, and were generally opposed to the disruption of the traditional relationships which existed with the government. They indicated distrust of the fragmentation of Indian services within the federal establishment. They felt their welfare would suffer if these functions were further divided between agencies rather than remaining concentrated in the Bureau of Indian Affairs.<sup>17</sup>

An important consideration was whether or not the Office of Education would actually assume the responsibility with enthusiasm, and carry it out with good faith. Indians seemed to feel that the Office of Education not having had prior experience with an operational program, and strongly beholden to state departments of education, might quickly transfer its responsibilities back to the states. Based on prior experiences with state governments, Indian representatives felt that this would be a disaster. It would result in a substantial reduction of both quantity and quality of educational services available to Indian children.

<sup>16</sup> *Id.*, pp. 6-7.

<sup>17</sup> *Id.*, p. 8.

In addition to the stated reasons for rejecting the proposed transfer of the education function, two other factors probably played a role in the final determination. First, it might be considered a foregone conclusion that an Interdepartmental Task Force would operate in such a way, as to not embarrass either of the two departments involved. Such a format provided for relatively little independent judgment. Secondly, it is clear from the record of the meetings that were held, that the U.S. Office of Education expressed no enthusiasm for assuming the new responsibilities.

Having opted for the status quo, the Interdepartmental Report provides the following rationale for achieving the "new policy" goals of maximum Indian participation and control and exemplary programs. First, the Report takes note of the new leadership and new policies which had emerged in the Bureau of Indian Affairs, following the appointment of Dr. Carl Marburger, as Assistant Commissioner of Indian Affairs for Education. The Report comments favorably on the new leadership and suggests that it should be given a chance to prove itself. Secondly, the Report calls for closer liaison and cooperation between the Bureau of Indian Affairs and the U.S. Office of Education. Third, the Report recommends that the Bureau of Indian Affairs authorization for Titles I, II, and III, of the Elementary and Secondary Education Act, should be extended beyond the present expiration date and made consistent with the timing of the balance of the act. In addition, other legislative changes should be enacted which would permit the Bureau of Indian Affairs to take full advantage of new funding authorities available under programs administered by the Office of Education.

#### SENATE SUBCOMMITTEE ON INDIAN EDUCATION

There was no official response from the Senate Education Subcommittee following the receipt of the Interdepartmental Report. On July 18, 1969, Senator Paul J. Fannin, a member of the Education Subcommittee, sent a letter to the Subcommittee Chairman, Senator Wayne Morse, soliciting the establishment of a special subcommittee on Indian education. A memorandum was attached which pointed out the abysmal educational status of the American Indian, and the relationship of this educational failure, to the extreme and desperate poverty of the Indian tribes, whose birth rate exceeded twice the national average. The memorandum indicated the general lack of information and data on the quality and effectiveness of education programs for Indians, and pointed out that although Congress had authorized a comprehensive study as far back as 1956, the study had not been funded.

The critical question raised was that of past and present educational practices of the BIA. The memorandum stated:

By and large, Indian education has been administered in the Bureau of Indian Affairs by taking the children from their families at an early age to attend boarding schools, often hundreds of miles from home. How has this forced separation affected the Indian family? How has this separation affected the child's learning process? What has been the effect of segre-

gating these children in the non-Indian communities? Are there alternatives? For example, would it be wiser to set up schools on the reservations, run and controlled by the Indians rather than the federal government? Can adult education be effectively combined with the education of the Indian child? <sup>18</sup>

In contrast to the BIA, the memorandum pointed to the innovative Rough Rock Demonstration School as the place to look for answers. It stated:

\* \* \* the school is organized independent of the government as a private, non-profit corporation \* \* \* operated and controlled by the Indians. The example set by this unique school may help us find the pattern for future methods of Indian education.<sup>19</sup>

In August of 1967, the Senate Subcommittee on Indian Education was authorized by the Senate, with Senator Robert F. Kennedy as its first chairman. By November, professional staff had been hired, and on December 14 and 15, the Subcommittee held its first hearings in Washington, D.C. An important part of its mandate from the beginning was to evaluate the effectiveness of the BIA education program, and to search for new models and organizational alternatives. Was the BIA capable of carrying out the "new policy" called for by the White House Task Force Report and the Presidential Message on the American Indian? Could the BIA with a long history of excessive paternalism, maximize Indian participation and control? Could the BIA bring about a "model of excellence?" These were to be the central questions in the Subcommittee investigation.

In December, 1968, Senator Wayne Morse, Chairman of the Subcommittee on Indian Education, wrote to the Departments of HEW and Interior, asking them to comment on the implementation of recommendations of the May 1967 Inter-departmental Report. The question was also asked, whether or not their position had changed in regard to the transfer of the BIA education function to the Office of Education.

Both of the reports indicated that some progress had been made, that some new initiatives had been undertaken, and that coordination between the two Departments had improved. Both reports indicated that their position had not changed in regard to the transfer of the education function to the Office of Education. The Secretary of HEW commented that:

Until the American Indians can perceive significant and newly-added material benefit arising from transfer action, the experts will be convincing only themselves.

The response from the Secretary of Interior simply stated that:

Indian education has made significant progress under the Bureau of Indian Affairs in the Interior Department, and we believe the Bureau should retain the education function at this time.

<sup>18</sup> Hearings of Senate Subcommittee on Indian Education, United States Senate, Part I, 1968, pg. 9.

<sup>19</sup> *Ibid.*, pg. 9.

The Secretary of HEW indicated that his department had become more aware and attentive to Indian needs, and that this was reflected in the establishment of an Indian desk at the Secretarial level and in the Office of Education. The Secretary of Interior pointed out that the basic challenge was not the organizational location of the federal responsibility, but rather returning basic policy control to the local communities concerned. He states:

We believe the President has indicated a direction for the transfer of Indian education; namely, the involvement of local Indian communities, and the transfer of school functions to them under the control of local school boards.

Careful examination of the status reports reveals that a number of important recommendations have not been accomplished and that others had run into problems. Most importantly, Mr. Carl Marberger had resigned because the recommendation pertaining to line control over the schools had not been implemented. He found it impossible to provide effective leadership under these circumstances, and left the BIA to become Commissioner of Education in the State of New Jersey. Dr. Charles Zellers, who became the new Assistant Commissioner of Education in BIA, has expressed similar deep frustration and concern. Without line control over the schools, effective educational leadership would continue to be crippled, and the most serious problems would go unresolved. Secondly, a thorough-going review of the personnel problems and staff policies and procedures of the education function of the Bureau, had not been accomplished. Serious personnel problems were evident throughout the educational activities of the Bureau of Indian Affairs. Teachers were still working on a 12-month year basis, and recruiting had only been slightly improved. Third, although the Bureau of Indian Affairs had been re-authorized under the Elementary and Secondary Education Act, Congressional resistance had prevented the BIA from being included in several other important pieces of educational legislation, and important objections had been raised in regard to appropriating funds for the BIA programs under Titles I, II, and III, of the Elementary and Secondary Education Act. Fourth, a review of the Vocational Education Programs in the Bureau had not been conducted, and the policies and practices in this area remained thoroughly confused and inadequate. Fifth, although a 'road study' had been conducted on the Navajo Reservation, little if any progress had been made in replacing boarding schools with community day schools. Sixth, although a new kindergarten program had been implemented in some BIA schools, serious problems had arisen over the quality of the programs and meaningful participation of Indian parents. Seven, although the first steps have been taken in the direction of providing some form of local control for Indian communities over the schools which their children attended, the basic issue of school boards had not been resolved, and in fact appeared to be blocked in the Solicitor's office of the Department of the Interior. The advisory school boards that had been set up appeared to be serving only a perfunctory and superficial function.

In summary, the basic problem had not changed, it had only been somewhat ameliorated. The intervening year and a half had not demonstrated that the Bureau would be capable of developing an ex-

emplary program, or a "model school system." The Subcommittee hearings in the Spring of 1969 revealed that the fundamental problem of "bureaucratic malaise" still continued, and that other alternatives must be sought.

Two important studies focused on this problem and suggested alternatives in the Spring of 1969.

### THE JOSEPHY STUDY<sup>20</sup>

In December of 1968, Mr. Alvin M. Josephy, Jr., was requested to prepare for the White House a study of the BIA with recommendations for reorganization, both internal and external. Mr. Josephy was an editor of the American Heritage Publishing Company, and the author of several important studies of the American Indian. In addition, he had been a member of the Indian Arts and Crafts Board of the Department of the Interior, and had played an important role in the establishment and support of the innovative Institute of American Indian Arts in Santa Fe, New Mexico. Mr. Josephy provides a thorough and extended analysis of the many attempts and recommendations for reform in the 1960's. Why had most of them failed?

One of the major reasons lies in what Mr. Josephy has called the "termination psychosis" of the Indian tribes. He defines this as "an almost ineradicable suspicion of the government's motives for every policy, program, or action concerning Indians." The depth and intensity of termination fears had been revealed in 1966 during the regional meetings, conducted by the Commissioner of BIA to discuss the new "Omnibus Bill." In 1967, these fears led to the unanimous opposition to "Omnibus Legislation" despite the fact that Indian tribes approved of some parts of the new legislation. In 1968, "termination fears" led to the rejection of the important proposals made by the White House Task Force Report, and caused the rejection of the proposed transfer of the BIA education function to the Office of Education. The conclusion drawn is that if organizational reform of the BIA is to be accomplished, "termination fears" must be allayed and Indian leaders must participate in deciding on the changes, and feel that the government is acting in good faith and in the Indians' best interests.

Mr. Josephy emphasizes that the fundamental problem does not lie with the Indians, but rather with the Federal government and its general failure both in terms of policy and administration. He cites a number of important factors which have resulted in the "bureaucratic malaise" and the failure to carry out meaningful reforms:

1. *Basic deficiencies of knowledge* about Indians among non-Indians who are responsible for policy formulation and the "management" of Indian Affairs. Indians have long complained about officials who listen to them but don't seem to understand them, resulting in actions and programs that are imposed by well-intentioned whites, but bear no relation to the realities of what a tribe, fashioned by a particular

<sup>20</sup> "The American Indian and the Bureau of Indian Affairs—1969."—A Study with recommendations prepared for the White House—February 11, 1969, pp. 9-12 (can be found in Subcommittee Hearings, Vol. VI—appendix).

history and culture, needed, desired, or could accept and carry out with success.

2. *A general lack of vision and historical perspective.* In the great mass of treaties, statutes, laws and regulations that have been built up during the long course of Federal-Indian relations, the non-Indian, either does not understand, or forgets certain basic truths about Indians that must never be forgotten:

- Indians have been here for thousands of years.
- This is their homeland.
- They evolved their own distinctive cultures, and did not share the points of view, attitudes, and thinking that came to the rest of the American population from Judeo-Christian, and Western Civilization legacies.
- Although the Indians were conquered militarily (and are the only portion of the American population that reflects that experience), they are confirming the lesson of history, namely, that no people has ever been coerced by another people into scuttling its own culture.
- Although acculturation and assimilation do occur, they occur only on the individual's own terms.

3. *Lack of self-government.* Indians are still governed, not entirely unlike colonial subjects, by strangers whom they neither elected or appointed, and who are not accountable to them. As late as 1934, the rule of the "governor" was absolute; since then, tribal councils, like the legislatures of many modern colonies, have acquired authority over a broadening range of tribal affairs. But the "governor" is still present with the apparatus of management, and the powers of direction, influence, finances, and veto to use when and where they really count. A recent article, entitled "The Indian; the Forgotten American," published in the *Harvard Law Review*, in June 1968, summarizes the suffocating, bureaucratic paternalism that still exists. It states: "The BIA possesses final authority over most tribal actions as well as over many decisions made by Indians as individuals. BIA approval is required, for example, when a tribe enters into a contract, expends money, or amends its constitution. Although normal expectation in American society is that a private individual or a group may do anything unless it is specifically prohibited by the government, it might be said that the normal expectation on the reservation is that the Indians may not do anything unless it is specifically permitted by the government."

4. *Lack of understanding of the Indian experience and the Indian point of view.* From the standpoint of the Indian the present is a continuation of an unbroken narrative of policies, programs, and promises, often abruptly changing, disorganizing, contradictory and unrealistic, and a people, many of whom still personally remembered, who gave promises and orders, and who sometimes worked for good, and sometimes for harm. The Indian point of view is a legacy of pacification, army, and missionary rule, punishments and repression, allotments, treaty sessions, and sacred promises,

laws and special rights acknowledged in return for land cessions, and orders given by the government in the 1920's, countermanded in the 1930's, countermanded again in the 1950's, and countermanded once more in the 1960's. The Indian point of view is conditioned by the knowledge of a "Mr. Smith" or a "Captain Jones" who came to the reservation as the agent of a President in the mid-19th century, and told the tribal leaders something that their descendants have kept alive from generation to generation. He will cover his reactions to a proposal with the ever-green memories of battles won or lost, of injuries and injustices, of land taken from his people by fraud, deceit and corruption, of lost hunting, fishing and water rights, and of zigzag policies of administrations that came to office, and then left.

5. *Inability to listen or accept Indian recommendations for change.* Indians had long asserted, but usually to deaf ears, that the individual tribes knew better than the government what kinds of programs they needed and wanted, and that if they could play decisive roles in the planning of such programs, they could, with technical and financial assistance, demonstrate an ability to learn quickly, to administer, and to execute them successfully. \* \* \* This assertion was stated forcibly in a "Declaration of Indian Purpose" by some 420 Indian leaders of 67 tribes at a gathering in Chicago in June 1961, but \* \* \* it received no serious recognition or encouragement from the Bureau of Indian Affairs. The Indians were deemed not to know what was best for them, and programs continued to be imposed. \* \* \* Included in the "Declaration of Indian Purpose" was an important recommendation for reorganizing the Bureau of Indian Affairs. Additional recommendations of this type have been put forth at various different times during the 1960's by Indian groups, but none have been accepted or paid attention to.

Recognizing the serious and basic deficiencies in the administration of Indian Affairs, Mr. Josephy concludes that "the primary urgency in Indian Affairs facing the new Administration in 1969, is the reorganization of the present Bureau of Indian Affairs." He recommends the following: "This study recommends that a meaningful and determined reorganization of the administration of Indian Affairs, together with the providing of an effective administration, pledged to go forward to the opportunities of tomorrow and not simply solve the problems of yesterday, can only be accomplished by moving the Bureau of Indian Affairs to the Executive Office of the Presidency, for the objectives of Indian Affairs in 1969 require nothing less than the priority, mandate, and visibility which the President himself can give them." Mr. Josephy adds that the terms of Bureau and Commissioner are outmoded, and should be changed.

Mr. Josephy supports his recommendation with the following arguments:

(1) Transfer of the Bureau to the Executive Office of the President would give it high visibility and a strong mandate for change and improved performance.

(2) Transfer of the Bureau to the Executive Office of the President would keep it intact while at the same time permitting a thorough-going reorganization.

(3) Transfer to the Executive Office of the President would probably be acceptable and perhaps even received enthusiastically by the Indians.

Other sub-optimal reorganization proposals are considered. If the Bureau of Indian Affairs must remain in the Department of Interior, provision must be made for a thorough-going reorganization along the lines proposed in his study. The reorganization would provide for radical decentralization of influence, power, and authority, to the tribes, primarily a contracting relationship between the Bureau of Indian Affairs and the tribes, and line authority over the schools by the Assistant Commissioner for Education in the Bureau of Indian Affairs. In addition, he recommends that the Bureau should definitely be elevated to the status of Assistant Secretary for Indian and Territorial Affairs, in the Department of the Interior. The Bureau's present location under the Assistant Secretary for Public Land Management is clearly unsatisfactory.

If the Bureau of Indian Affairs is to be transferred to the Department of Health, Education, and Welfare, "a deliberate and careful effort will have to be made to win the Indians' understanding and agreement. The fears of termination will have to be recognized, and the Indians will have to be persuaded that their concern, not alone about termination, but that they will be submerged and placed in a disadvantageously competitive position for services with non-Indians who greatly outnumber them, is generally groundless." If the BIA is to be transferred to HEW, it should be transferred to a single new agency under an Assistant Secretary or at a minimum, an Administrator for Indian Affairs in that Department. (This parallels the recommendation of the Presidential Task Force Report.)

The last option considered by Mr. Josephy is the creation of an independent agency or commission, not in the Executive Office of the President. He states:

This would not have the impact or commitment which Indian Affairs truly requires in 1969, but it would extricate the Indians from old adversaries in Congress and the Bureau of the Budget, would raise them from their present submerged position in a Department oriented toward non-Indian matters, and might place them in a better competitive position for government services for all Americans.

Mr. Josephy concludes with a strong admonition:

Wherever the present Bureau of Indian Affairs is positioned within the Government, its structure must be thoroughly reorganized.

#### THE CARNEGIE REPORT<sup>2</sup>

In March, 1969, Mr. Francis McKinley and Dr. Glen Nimnicht testified before the Senate Subcommittee on Indian Education in regard to a research project which they had been conducting over the past year funded by the Carnegie Foundation. Mr. McKinley had developed a number of innovative educational programs, as a member

<sup>2</sup> *Who Should Control Indian Education, A Report Funded by the Carnegie Corporation and prepared by Francis McKinley, Stephen Bayne and Glen Nimnicht, reprinted in subcommittee hearings, pt. 2, 1969, appendix, p. 1599.*

of the Ute Tribe in Utah, and had served as Director of the unique Indian Education Program at Arizona State University. Dr. Nimnicht was a nationally recognized expert in the field of "early childhood" education. Both were presently on the staff of the Far West Laboratory for Educational Research and Development in Berkeley, California.

On June 12, 1969, the Subcommittee received a draft of their final report to the Carnegie Foundation containing important findings and recommendations for improving education for American Indian students. The study was designed to be a field analysis of the education of Indian children at a representative sample of ten public and federal schools. The Study focused not only on the students and the school but also, more importantly, on the relationships between the school and the Indian community. The results of the survey study were to be used in the development of eight to ten demonstration schools, to test what might be accomplished when the Indian people have a major voice in setting education policy for the schools their children are attending. As the authors state:

Among other things, it was expected that the curriculum of these 10 model schools would be modified to reflect local Indian history, culture, and values, and that noteworthy educational innovations would be introduced to raise the educational achievement level of the Indian students.

The authors point out that although the full study is not yet completed, that the data finally available will support the following conclusions:

1. The education provided Indian children is a failure when measured by any reasonable set of criteria. The educational system has not succeeded in providing a majority of Indian children with the minimum level of competence necessary to prepare them to be productive citizens in a larger society. Additionally, very little attempt has been made to perpetuate the values and culture that might be unique to the Indian people, provide them with a sense of pride in their own heritage, or confidence that they can effectively control their own future development. It should be noted that the fault for these inadequacies in education does not lie entirely within the school; the whole system of relationships between the white majority community and the Indians is the source of the problem. While the schools, both public and Bureau of Indian Affairs supported, are in great need of improvement in curriculum, methods, teacher training, teacher turnover, and in the teacher's understanding of the unique problems of the students and their parents, any increase in money, time, and effort spent on Indian education can only relieve some of the more important symptoms of the underlying problem. These efforts will be relatively ineffective unless the basic relationships between Indians and white people can also be altered, and, specifically, unless the paternalistic relation-

ship between the white power structure and the Indian community can be changed.

2. The crucial problem in the education of Indian children is the general relationship between white society and the Indian people. This relationship frequently demeans Indians, destroys their self-respect and self-confidence, develops or encourages apathy and a sense of alienation from the educational process, and deprives them of an opportunity to develop the ability and experience to control their own affairs through participation in effective local government.

In their report, the authors cite many examples of the complete breakdown of communication between school officials and the Indian community and between teachers and Indian children in the classroom. They arrive at the conclusion that meaningful Indian parental or community participation in either public or federal schools, simply doesn't exist.

Despite the fact that the Bureau of Indian Affairs is officially on record as encouraging and supporting control of schools by local Indian school boards, one still encounters the same old paternalistic attitudes. They cite an example of a BIA area director for education who told them, "We cannot allow a board of illiterates to run the schools," and another BIA official who told a group of Indian leaders, "The best thing you can do about education is to leave the decisions to us. The Bureau schools have been good for you—look where you are now!"

They examine in considerable detail, an effort to develop a community school with a local Indian school board on the Pine Ridge Reservation in South Dakota. Despite a tremendous amount of effort and involvement, a strong expression of support and interest, and considerable planning on the part of the Indian community, the effort was abortive due to lack of encouragement and support on the part of the Agency Superintendent, the Area Director, and ultimately the Commissioner of Indian Affairs. A variety of excuses were used for not supporting the project, and ultimately it became embroiled in tribal politics. However, with encouragement, support, and technical assistance on the part of BIA, the effort might have been successful.

The authors conclude that Indian control over their own schools is a difficult process and one that is likely to take a variety of different forms. Given the difficulty of the task, and the need for considerable imagination and flexibility from those providing technical support, it is highly unlikely that the Bureau of Indian Affairs will be able to carry out its mandate to bring about meaningful Indian control.

Despite the complexity of the task, important precedents do exist for Indian-controlled schools. They point to the extraordinary success of the Choctaw and Cherokee school systems which constituted two of the finest school systems west of the Mississippi at the turn of the century. For a more recent example, they point to the Rough Rock Demonstration School on the Navajo Reservation. In addition, they provide an interesting case study of a movement towards community control, of a small rural public school in North Central Oklahoma. The authors had assisted in conducting an action research project in the Ponca Indian community of White Eagle, located five miles from

Ponca City, Oklahoma. The White Eagle school, which was the focus of attention, had been considered a "blight on the community." Attendance was sporadic, achievement was far below state norms, and the drop-out rate by sixth grade was an incredible 87%. The school was attended exclusively by the Ponca Indian children. Though the effort was only partially successful and met with considerable resistance, there were a number of important accomplishments including the election of an Indian to the school board for the first time in twenty years.

Having made a strong case for the absolute necessity for Indian communities to be allowed to assume major responsibility for the education of their children, and the need for a new kind of organization to carry out this mandate, the authors conclude their report with the following recommendations:

#### *Government*

1. *We recommend the creation of a Federal Commission to assume control of Indian education, with an explicit mandate to transfer this control to Indian communities within five years, after which the Commission would cease to exist.*

The Commission would assume responsibility for the following: (a) expediting the transfer of control over education to Indian communities by providing legal services; (b) training Indian educators to administer and staff the schools; (c) providing consultant assistance to Indian school boards toward establishing and operating a local school system; (d) providing funds for revising curricula to reflect the history, culture, and values of the Indian people the school serves; and (e) serving as a conduit for Federal support funds, including Johnson-O'Malley funds.

The documentation which this report gives to a continuing history of paternalistic relationships between the Bureau of Indian Affairs and Indian communities provides a strong rationale for immediate implementation of a program to transfer quickly the control of education from the Bureau of Indian Affairs to Indian communities.

Three models now exist for such a transfer. The first model is the Rough Rock Demonstration School which is operated by Dine, Inc., a Navajo non-profit organization. The second model is the Blackwater School on the Gila River Pima Indian Reservation in Arizona where an all-Indian School Board of Education has assumed jurisdiction for a former BIA day school. A more recent model is the Tama Community School which will be operated by the Tama Indian Community beginning with the 1969-1970 school year. (The BIA had planned to close this school and to transfer the students to a nearby public school. The Mesquakie Indians of Tama Indian Community protested, and succeeded in getting a court order sustaining the school.)

We would add that the definition of "community" in the transfer process need not be a monolithic one. The Commission could conceivably transfer control to local groups such as Headstart parents advisory committees, tribal councils, or

intertribal organizations such as the Arizona Indian Development Association or the California Indian Education Association.

We consider the following factors to be favorable to adoption of the specific method of control transfer which we have recommended above:

- The time limit is long enough to insure that the transfer of control will be orderly, and short enough to reassure the Indian people that the change will occur quickly.
- The limited life and purpose of the Commission will avoid the problem of replacing one vested interest bureaucracy with another.
- With adequate support for training administrators, teachers, and school board members, for revising curriculum, and for introducing educational innovations, the Federal Government can transfer the schools to local people in a manner that will greatly enhance the schools' chances for success.
- This proposal will not prevent mistakes from being made in the provision of education for Indian children. However, the mistakes will be made by the Indian people themselves, and not by a federal bureaucracy. Considering that our analysis has shown education for Indians to be largely a failure, we do not feel that the mistakes made by the Indian communities would make the situation any worse than it is now.

2. *We recommend that, in the interim until the Commission is initiated, there be an alteration in the criteria used within the Bureau of Indian Affairs for making decisions about promotions and financial rewards.*

Rather than rewarding field personnel for accurate reporting and tight administration as is now the general practice, rewards should be granted by the degree to which the recipient has: (a) successfully involved members of the Indian community in decision-making at the highest level; (b) transferred some of his responsibilities to Indians; (c) increased the number of Indians holding responsible positions; and (d) encouraged experimentation and innovation. If these criteria were applied to all aspects of the BIA's operations, the result should be an increase in the opportunity for local Indian people to govern their own affairs, at least to the extent that similar opportunities exist for non-Indian communities.

3. *In the interim until the Commission is formed, we recommend changes in the procedures of recruiting and selecting educational personnel within the Bureau of Indian Affairs.*

The standards of the education profession rather than those of the Civil Service should determine who shall teach Indian children. Currently, principals must accept a staff chosen by the Bureau Area Office from Civil Service registries, and thus find themselves often burdened by teachers

poorly qualified and unadaptable to the special conditions inherent in teaching Indian children.

4. *In the interim, we recommend that a definite statement of goals and purposes be made for each of the boarding schools operated by the Bureau of Indian Affairs.*

The boarding schools have never been, and are not now, simply "high schools," although that is what they purport to be. We recommend that the boarding schools be converted to special purpose institutions such as terminal vocational centers, academic high schools, remedial and special education centers, junior colleges, special subject schools (such as the Santa Fe Institute of American Indian Art) or regional schools, rather than keep their confused and archaic status as mixed academic, remedial, and disciplinary institutions.

We wish to be perfectly clear and explicit that the above recommendations are *not* intended in any way to support "termination." We feel that Indian communities have the right to their present legal privileges and immunities for as long as they wish to perpetuate them, and that it is the responsibility of the Congress as well as of the Indian communities to see that these rights are protected.

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## APPENDIX II

### Statistical Tables

**TABLE I.—ENROLLMENT AND AVERAGE DAILY ATTENDANCE (ALL AGES) BY TYPES OF SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968**

Area	Grand total		Boarding		Day		Hospitals	
	Enrollment	ADA	Enrollment	ADA	Enrollment	ADA	Enrollment	ADA
Grand total.....	51,558	45,003.5	35,309	30,971.3	16,139	14,003.3	110	28.9
Aberdeen.....	8,162	6,679.4	3,805	3,144.1	4,290	3,521.2	67	14.1
Albuquerque.....	2,371	2,096.9	1,004	872.4	1,324	1,209.7	43	14.8
Anadarko.....	3,152	2,589.6	3,152	2,589.6				
Billings.....	297	215.0		287	207.9		7.1	
Cherokee.....	1,047	879.3			1,047	879.3		
Juneau.....	6,793	6,109.8	905	845.8	5,888	5,264.0		
Miccosukee.....	44	39.8			44	39.8		
Minneapolis.....	58	55.5			58	55.5		
Muskogee.....	1,881	1,536.4	1,653	1,339.7	228	197.7		
Navajo.....	21,373	18,898.6	20,351	18,054.3	1,022	844.3		
Phoenix.....	5,465	5,009.1	3,276	3,061.5	2,189	1,947.6		
Portland.....	876	857.0	876	857.0				
Seminole.....	39	37.1			39	37.1		

<sup>1</sup> Federal facilities were provided for a total of 55,799 children, 4,204 of whom lived in Federal dormitories and attended public schools, and 37 of whom were enrolled in the Concho Demonstration School.

Source: Bureau of Indian Affairs, Indian education statistical summary (1968).

**TABLE 2.—NUMBER OF SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, BY TYPE, FISCAL YEAR 1968**

Area	Grand total <sup>1</sup>	Boarding total	Day			
			Total	Regular	Trailer	Hospitals
Grand total.....	226	77	149	145	2	2
Aberdeen.....	35	6	29	28		1
Albuquerque.....	15	3	12	11		1
Anadarko.....	6	6				
Billings.....	2	1	1	1		
Cherokee.....	1		1	1		
Juneau.....	75	2	73	73		
Miccosukee.....	1		1	1		
Minneapolis.....	1		1	1		
Muskogee.....	9	5	4	4		
Navajo.....	56	47	9	7	2	
Phoenix.....	23	6	17	17		
Portland.....	1		1	1		
Seminole.....	1		1	1		

<sup>1</sup> The Bureau also operated 18 dormitories for children attending public schools.

<sup>2</sup> Includes 1 special school with a capacity of 44 which enrolled 41 pupils during the school year 1968. 4 of these pupils transferred to other Bureau schools and are reflected in the enrollment of those schools.

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TABLE 3.—BOARDING SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS—FISCAL YEAR 1968

Area State school and post office address: ZIP code	Enrollment			Average daily attendance		
	Total	Boarding	Day	Total	Boarding	Day Grades
Grand total.....	35,309	31,749	3,550	30,971.3	28,016.5	2,954.8
<b>Aberdeen.....</b>	<b>3,805</b>	<b>2,370</b>	<b>1,435</b>	<b>3,144.1</b>	<b>1,943.9</b>	<b>1,200.2</b>
North Dakota.....	880	525	355	773.2	469.3	303.9
Standing Rock, Fort Yates, N. Dak. 58538.....	468	113	355	407.5	103.6	303.9 1-8
Wahpeton, Wahpeton, N. Dak. 58075.....	412	412	.....	365.7	365.7	..... 1-8
<b>South Dakota.....</b>	<b>2,925</b>	<b>1,845</b>	<b>1,080</b>	<b>2,370.9</b>	<b>1,474.8</b>	<b>896.3</b>
Cheyenne-Eagle Butte, Eagle Butte, S. Dak. 57625.....	866	379	487	638.8	368.2	470.6 1-12-S
Flandreau, Flandreau, S. Dak. 57028.....	643	643	.....	493.9	493.9	..... 9-12
Ogala community, Pine Ridge, S. Dak. 57770.....	1,087	494	593	746.4	320.7	425.7 8-12-S
Pierre, Pierre, S. Dak. 57501.....	329	329	.....	291.8	291.8	..... 1-8
<b>Albuquerque, N. Mex.....</b>	<b>1,004</b>	<b>979</b>	<b>25</b>	<b>872.4</b>	<b>851.5</b>	<b>20.9</b>
Albuquerque, Albuquerque, N. Mex. 87100.....	570	570	.....	505.6	505.6	..... 7-12-S
Candocito, Laguna, N. Mex. 87026.....	69	44	25	63.5	42.6	..... 20.9 B-2
Institute of American Indian Arts, Santa Fe, N. Mex. 87501.....	365	365	.....	303.3	303.3	..... 9-14
<b>Anardker, Kansas.....</b>	<b>3,152</b>	<b>3,152</b>	<b>.....</b>	<b>2,589.6</b>	<b>2,589.8</b>	<b>.....</b>
Haskell Institute, Lawrence, Kans. 66044.....	1,220	1,220	.....	937.3	937.3	..... 13-14
<b>Oklahoma.....</b>	<b>1,932</b>	<b>1,932</b>	<b>.....</b>	<b>1,652.3</b>	<b>1,652.3</b>	<b>.....</b>
Cheyenne-Arapaho, Concho, Okla. 73022.....	198	198	.....	140.4	140.4	..... 2-8
Chillico, Chillico, Okla. 74635.....	1,104	1,104	.....	967.5	967.5	..... 9-14
Fort Sill, Lawton, Okla. 73503.....	268	268	.....	220.7	220.7	..... 9-12
Riverside, Anadarko, Okla. 73005.....	362	362	.....	323.7	323.7	..... Do.
<b>Billings, Montana.....</b>	<b>287</b>	<b>95</b>	<b>192</b>	<b>207.9</b>	<b>65.3</b>	<b>142.6</b>
Busby, Busby, Mont. 59016.....	287	95	192	207.9	65.3	142.6 1-12
<b>Juneau, Alaska.....</b>	<b>905</b>	<b>905</b>	<b>.....</b>	<b>845.8</b>	<b>845.8</b>	<b>.....</b>
Mt. Edgecumbe, Mt. Edgecumbe, Alaska 99835.....	673	673	.....	635.0	635.0	..... 9-12
Wrangell Institute, Wrangell, Alaska 99929.....	232	232	.....	210.8	210.8	..... 5
<b>Muskogee.....</b>	<b>1,653</b>	<b>970</b>	<b>683</b>	<b>1,338.7</b>	<b>757.8</b>	<b>581.1</b>
Mississippi.....	975	273	683	824.8	243.7	581.1
Bogue Chitto, Rt. 2, Philadelphia, Miss. 39350.....	172	35	137	130.5	16.4	114.1 1-6
Conehatta, Conehatta, Miss. 39057.....	179	39	140	176.2	37.9	138.3 1-8
Choctaw Central, Philadelphia, Miss. 39350.....	605	199	406	518.1	189.4	328.7 1-12
<b>Oklahoma.....</b>	<b>697</b>	<b>697</b>	<b>.....</b>	<b>513.9</b>	<b>513.9</b>	<b>.....</b>
Seneca, Wyandotte, Okla. 74370.....	237	237	.....	180.8	180.8	..... 8-8
Sequoyah, Tahlequah, Okla. 74464.....	460	460	.....	333.1	333.1	..... 9-12
<b>Navajo.....</b>	<b>20,351</b>	<b>19,257</b>	<b>1,094</b>	<b>18,054.3</b>	<b>17,155.6</b>	<b>898.7</b>
<b>Arizona.....</b>	<b>10,751</b>	<b>9,841</b>	<b>910</b>	<b>9,555.8</b>	<b>8,804.4</b>	<b>751.4</b>
Chino, Chino, Ariz. 86503.....	986	986	.....	851.5	851.5	..... B-7
Crystal, Fort Defiance, Ariz. 87504.....	152	138	14	147.5	134.0	13.5 B-5
Denehotso, Kayenta, Ariz. 86033.....	287	280	7	257.7	251.6	6.1 B-6
Dilcon, Winslow, Ariz. 86047.....	476	269	207	403.3	223.1	180.2 B-7
Greenswood, Ganado, Ariz. 86505.....	655	537	118	582.4	479.8	102.6 B-8
Hunters Point, St. Michaels, Ariz. 86511.....	181	181	.....	174.1	174.1	..... B-5
Kaibeto, Lower, Tonalea, Ariz. 86044.....	218	200	18	200.8	183.0	17.8 B-1
Kaibeto, Upper, Tonalea, Ariz. 86044.....	487	420	67	406.0	331.9	54.1 2-8
Kayenta, Kayenta, Ariz. 86033.....	640	640	.....	610.5	610.5	..... B-7
Kinichee, Ganado, Ariz. 86505.....	212	212	.....	180.2	180.2	..... B-5
Leupp, Leupp, Ariz. 86035.....	664	664	.....	594.8	594.8	..... B-8
Low Mountain, Chino, Ariz. 86503.....	121	54	67	93.6	46.0	47.6 B-2
Lukachukai, Lukachukai, Ariz. 86507.....	484	272	212	392.9	225.9	167.0 B-6
Many Farms, Chino, Ariz. 86503.....	591	591	.....	487.3	487.3	..... B-8
Nazhini, Ganado, Ariz. 86505.....	135	135	.....	109.2	109.2	..... B-5
Pine Springs, Houck, Ariz. 86506.....	43	42	1	36.8	35.8	1.0 B-1
Pinoon, Pinoon, Ariz. 86510.....	260	240	20	240.8	228.1	12.7 B-3

TABLE 3.—BOARDING SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS—FISCAL YEAR 1968—Cont.

Area State school and post office address; ZIP code	Enrollment			Average daily attendance			
	Total	Boarding	Day	Total	Boarding	Day	Grades
Rock Point, Chinle, Ariz. 86503	210	184	26	200.1	174.9	25.2	8-5
Rocky Ridge, Tuba City, Ariz. 86045	134	87	47	119.7	79.6	40.1	8-2
Saba Dajkal, Winslow, Ariz. 86047	122	122		119.8	119.8		8-3
Shonlo, Tonalea, Ariz. 86044	768	768		688.3	688.3		8-8 S
Tecnospos, Tecnospos, Ariz. 86514	953	848	105	849.3	766.8	82.5	8-6 S
Town, Ganado, Ariz. 86505	681	681		608.2	608.2		8-7
Tuba City, Tuba City, Ariz. 85045	1,120	1,120		1,032.3	1,032.3		8-8
Wide Ruins, Chambers, Ariz. 86502	171	170	1	168.9	167.9	1.0	8-5
<b>New Mexico</b>	<b>6,983</b>	<b>6,799</b>	<b>184</b>	<b>6,036.3</b>	<b>5,889.0</b>	<b>147.3</b>	
Baca Previt, N. Mex. 87045	51	51		49.2	49.2		8-1
Cheechigeetho Gallup, N. Mex. 87301	92	87	5	89.8	85.2	4.6	8-2
Chuska, Tohatchi, N. Mex. 87325	635	635		555.7	555.7		8-8
Crownpoint, Crownpoint, N. Mex. 87313	1,050	1,050		857.4	857.4		4-8-S
Lake Valley, Crownpoint, N. Mex. 87313	119	112	7	106.5	99.8	6.7	8-4
Mariano Lake, Gallup, N. Mex. 87301	124	94	30	115.7	88.4	27.3	8-3
Nenahnezad, Fruitland, N. Mex. 87301	518	318		278.8	278.8		8-6
Pueblo Priado, Crownpoint, N. Mex. 87313	212	197	15	187.1	175.5	10.6	8-4
Red Rock, Shiprock, N. Mex. 87420	98	67	31	79.0	53.9	25.1	8-2
Sanoosee, Little Water, N. Mex. 87420	261	213	48	252.8	247.7	45.1	8-4
Shiprock, Shiprock, N. Mex. 87420	890	890		835.4	835.4		8-8
Standing Rock, Crownpoint, N. Mex. 87313	50	50		49.9	49.9		S
Thoreau, Thoreau, N. Mex. 87323	90	90		86.8	86.8		8-2
Toadlena, Toadlena, N. Mex. 87324	438	438		383.0	383.0		8-6-S
Tohatchi, Tohatchi, N. Mex. 87325	357	357		326.9	326.9		8-8
Torroneo, Cuba, N. Mex. 87013	65	65		55.0	55.0		8-2
White Horse, Crownpoint, N. Mex. 87313	39	39		35.4	35.4		8-1
Wingate elementary, Fort Wingate, N. Mex. 87316	1,023	975	48	617.3	789.4	27.9	8-5-S
Wingate High, Fort Wingate, N. Mex. 87316	1,071	1,071		874.6	874.6		9 to 12
<b>Utah</b>	<b>2,617</b>	<b>2,617</b>		<b>2,462.2</b>	<b>2,462.2</b>		
Aneth, Aneth, Utah 84510	400	400		348.8	348.8		8-5-S
Intermountain, Brigham City, 84320	2,177	2,177		2,075.3	2,075.3		9-13-S
Navajo Mountain, Tuba City, Ariz. 86045	40	40		38.1	38.1		8-1
<b>Phoenix</b>	<b>3,276</b>	<b>3,155</b>	<b>121</b>	<b>3,061.5</b>	<b>2,950.2</b>	<b>111.3</b>	
<b>Arizona</b>	<b>1,805</b>	<b>1,684</b>	<b>121</b>	<b>1,662.6</b>	<b>1,551.3</b>	<b>111.3</b>	
Keams Canyon, Keams Canyon, Ariz. 86034	308	308		296.6	296.6		8-8
Phoenix Indian, Phoenix, Ariz. 85000	1,032	1,032		958.0	958.0		7-12
Santa Rosa, Selma, Ariz. 85634	192	71	121	180.7	69.4	111.3	8-7
Theodore Roosevelt, Fort Apache, Ariz. 85926	273	273		227.3	227.3		3-28
<b>Nevada</b>	<b>655</b>	<b>655</b>		<b>629.4</b>	<b>629.4</b>		
Stewart, Stewart, Nev. 89437	655	655		629.4	629.4		8-12-S
<b>California</b>	<b>816</b>	<b>816</b>		<b>769.5</b>	<b>769.5</b>		
Sherman Institute, Riverside, Calif. 92502	816	816		769.5	769.5		8-12
<b>Portland, Oregon</b>	<b>876</b>	<b>876</b>		<b>857.0</b>	<b>857.0</b>		
Chemawa, Chemawa, Oreg. 97822	876	876		857.0	857.0		9-12
<b>SPECIAL BOARDING SCHOOL</b>							
Anadarko: Oklahoma, Concho Demonstration, Concho, Okla. 93022							

TABLE 4.—DAY SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968

Area agency and State school	Post office address	Zip code	Averages		
			Enrollment	ADA	Grades
Grand total.....			16,139	14,003.3	
Aberdeen.....			4,290	3,521.2	
Cheyenne River, S. Dak.....			252	194.6	
Bridger.....	Howes, S. Dak.....	57748	35	19.2	1-6
Cherry Creek.....	Cherry Creek, S. Dak.....	57622	65	51.9	1-6
Promise.....	Mobridge, S. Dak.....	57601	21	18.7	1-6
Red Scaffold.....	Howes, S. Dak.....	57748	50	38.0	1-6
Swift Bird.....	Gettysburg, S. Dak.....	57442	35	24.5	1-5
White Horse.....	White Horse, S. Dak.....	57661	46	42.3	1-8
Fort Berthold, N. Dak.....			463	417.9	
Mandaree.....	Mandaree, N. Dak.....	58757	216	194.5	1-12
Twin Buttes.....	Hatfield, N. Dak.....	58636	74	65.1	1-8
White Shield.....	Emmet, N. Dak.....	58534	173	158.3	1-12
Pierre S. Dak.....			332	289.1	
Fort Thompson Community.....	Fort Thompson, S. Dak.....	57339	237	204.8	1-8
Lower Brule.....	Lower Brule, S. Dak.....	57548	95	84.3	1-8
Pine Ridge, S. Dak.....			1,249	986.7	
Allen.....	Allen, S. Dak.....	57714	110	90.1	8-8
Little Wound.....	Kyle, S. Dak.....	57752	279	235.2	8-8
Longman.....	Odessa, S. Dak.....	57764	257	188.6	8-8 S
Manderson.....	Manderson, S. Dak.....	57756	223	170.4	1-8
Porcupine.....	Porcupine, S. Dak.....	57772	206	163.0	8-8
Wamblee.....	Wamblee, S. Dak.....	57577	174	139.4	8-8
Sisseton, S. Dak.....			86	73.9	
Big Coulee.....	Peever, S. Dak.....	57257	10	9.2	1-3
Enemy Swim.....	Waubay, S. Dak.....	57273	32	29.4	1-6
Old Agency.....	Sisseton, S. Dak.....	57262	44	35.3	1-6
Standing Rock, N. Dak.....			202	172.5	
Bullhead.....	Bullhead, S. Dak.....	57621	95	83.1	1-6
Little Eagle.....	Little Eagle, S. Dak.....	57639	107	89.4	1-8
Turtle Mountain, N. Dak.....			1,706	1,386.5	
Dunseith.....	Dunseith, N. Dak.....	58329	92	77.2	1-5
Fort Totten.....	Fort Totten, N. Dak.....	58335	224	185.3	1-8
Great Walker.....	Belcourt, N. Dak.....	58316	53	43.5	1-6
Houle.....	do.....	58316	79	58.8	1-5
Roussin.....	do.....	58316	51	41.8	1-6
Turtle Mountain Community.....	do.....	58316	1,207	978.9	1-12
Albuquerque.....			1,324	1,209.7	
United Pueblos, N. Mex.....			1,324	1,209.7	
Acoma.....	San Fidel, N. Mex.....	87049	80	72.3	8-3
Isleta.....	Isleta, N. Mex.....	87022	219	209.0	8-6
Jemez.....	Jemez Pueblo, N. Mex.....	87024	65	63.4	8-6
LaFune.....	LaFuna, N. Mex.....	87026	420	365.5	8-6
San Felipe.....	Algodones, N. Mex.....	87049	139	133.2	8-2
San Ildefonso.....	Santa Fe, N. Mex.....	87501	51	47.6	8-6
San Juan.....	San Juan, N. Mex.....	87566	51	49.3	8-6
Santa Clara.....	Esplanola, N. Mex.....	87532	84	74.2	8-6
Taos Pueblo.....	Taos, N. Mex.....	87571	164	145.6	8-8
Tesuque.....	Santa Fe, N. Mex.....	87501	19	17.7	8-5
Zia.....	San Ysidro, N. Mex.....	87053	32	31.9	8-3
Billings.....			10	7.1	
Northern Cheyenne, Mont.....			10	7.1	
Birney.....	Birney, Mont.....	59012	10	7.1	1-3
Cherokee.....			1,047	879.3	
Cherokee, N.C.....			1,047	879.3	
Cherokee Central.....	Cherokee, N.C.....	28719	1,047	879.3	8-12

TABLE 4.—DAY SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968—Continued

Area agency and State school	Post office address	Zip code	All ages		Grades
			Enrollment	ADA	
Juneau			5,888	5,264.0	
Alaska			5,888	5,264.0	
Akiachak	Akiachak, Alaska	99551	74	69.5	B-6
Aktik	Aktik, Alaska	99552	53	54.1	B-4
Alakanuk	Alakanuk, Alaska	99554	107	90.1	B-8
Arctic Village	Arctic Village, Alaska	99722	24	19.8	B-8
Barrow	Barrow, Alaska	99723	587	519.3	B-9
Barter Island	Barter Island, Alaska	99747	37	34.9	B-7
Beaver	Beaver, Alaska	99724	30	28.0	B-8
Brevig Mission	Brevig Mission, Alaska	99785	29	38.4	B-8
Buckland	Buckland, Alaska	99727	32	30.2	B-8
Canyon Village	Canyon Village, Alaska	99740	20	13.0	B-8-S
Chalkyitsik	Chalkyitsik, Alaska	99780	25	24.5	B-7
Chevuk	Chevuk, Alaska	99563	141	129.5	B-8
Chitornak	Chitornak, Alaska	99561	50	46.2	B-8
Deering	Deering, Alaska	99736	26	24.2	B-8
Diomedes	Diomedes, Alaska	99762	26	23.4	B-8
Eek	Eek, Alaska	99578	55	49.8	B-8 S
Elim	Elim, Alaska	99739	44	41.7	B-8
Emmonak	Emmonak, Alaska	99581	118	112.5	B-8
Gelena	Gelena, Alaska	99741	100	89.2	B-8
Gambell	Gambell, Alaska	99742	102	92.0	B-8
Golovin	Golovin, Alaska	99762	27	25.4	B-6
Goodnews Bay	Goodnews Bay, Alaska	99589	55	50.3	B-8
Grayling	Grayling, Alaska	99580	43	42.5	B-7
Hooper Bay	Hooper Bay, Alaska	99604	206	190.4	B-8
Kaiskog	Kaiskog, Alaska	99607	65	50.5	B-8
Kaituk	Kaituk, Alaska	99768	67	63.7	B-8
Kasitluk	Kasitluk, Alaska	99609	81	75.4	B-8
Kiana	Kiana, Alaska	99749	91	82.6	B-8
Kipnuk	Kipnuk, Alaska	99614	90	87.0	B-8
Kivalina	Kivalina, Alaska	99750	50	41.9	B-8
Klukwan	Klukwan, Alaska	99831	21	20.1	B-8 S
Kotlik	Kotlik, Alaska	99620	65	61.4	B-8
Kotzebue	Kotzebue, Alaska	99752	520	461.0	B-10-S
Koyuk	Koyuk, Alaska	99753	44	41.4	B-8
Kwethluk	Kwethluk, Alaska	99621	117	106.2	B-8
Kwigilingok	Kwigilingok, Alaska	99622	93	69.1	B-8
Kwinhagak	Kwinhagak, Alaska	99655	87	65.1	B-7
Lower Katsikad	Lower Katsikad, Alaska	99626	51	47.4	B-8
Mokoryuk	Mokoryuk, Alaska	99630	98	93.9	B-8
Mountain Village	Mountain Village, Alaska	99632	104	99.0	B-8
Napakiak	Napakiak, Alaska	99634	68	87.1	B-8
Napaskiak	Napaskiak, Alaska	99635	52	50.5	B-8
Newtok	Newtok, Alaska	99636	48	42.9	B-8
Nuhtmutu	Toksook Bay, Alaska	99637	43	33.8	B-8
Noatak	Noatak, Alaska	99761	79	68.7	B-8
Noorvik	Noorvik, Alaska	99763	138	125.4	B-8
Nunapitchuk	Nunapitchuk, Alaska	99641	131	123.2	B-8
Oscarville	Napaskiak, Alaska	99635	19	16.4	B-8
Pilot Station	Pilot Station, Alaska	99650	84	74.1	B-8
Point Hope	Point Hope, Alaska	99766	111	96.3	B-8
Rhoda Thomas	Birch Creek, Alaska	99740	20	16.0	B-7
St. Michael	St. Michael, Alaska	99769	66	55.2	B-8
Savoonga	Savoonga, Alaska	99769	114	103.4	B-8
Scammon Bay	Scammon Bay, Alaska	99662	53	51.7	B-8
Selvik	Selvik, Alaska	99770	136	113.0	B-8
Shageluk	Shageluk, Alaska	99665	48	44.9	B-8
Shaktotuk	Shaktotuk, Alaska	99771	49	41.1	B-8
Sheldon Point	Sheldon Point, Alaska	99666	39	37.9	B-8
Shishmaref	Shishmaref, Alaska	99772	74	67.2	B-8
Shungnak	Shungnak, Alaska	99773	54	51.9	B-8
Sleetmute	Sleetmute, Alaska	99668	28	22.9	B-8
Stebbins	Stebbins, Alaska	99671	55	52.6	B-8
Stevens Village	Stevens Village, Alaska	99774	23	21.1	B-8
Tamunak	Tamunak, Alaska	99681	76	72.2	B-8
Tetlin	Tetlin, Alaska	99779	26	24.7	B-8
Toksook Bay	Toksook Bay, Alaska	99637	74	60.5	B-8
Tulaksak	Tulaksak, Alaska	99679	57	46.2	B-8
Tuntutuliak	Tuntutuliak, Alaska	99680	47	39.1	B-8
Unalakleet	Unalakleet, Alaska	99684	193	115.6	B-10
Venetie	Venetie, Alaska	99781	38	27.4	B-8
Wainwright	Wainwright, Alaska	99782	91	83.0	B-8
Wales	Wales, Alaska	99783	45	39.5	B-8
White Mountain	White Mountain, Alaska	99784	50	46.4	B-8
Micosaukee			44	39.8	
Micosaukee, Fla			44	39.8	
Micosaukee	Box 1369, Homestead, Fla.	33030	44	39.8	S

TABLE 4.—DAY SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968—Continued

Area agency and State school	Post office address	Zip code	All ages		
			Enrollment	ABA	Grade
Minneapolis			58	55.5	
Sac and Fox, Iowa			58	55.5	
Sac and Fox	Tama, Iowa	52339	58	55.5	1-5
Mushogee			228	197.7	
Choctaw, Miss.			228	197.7	
Chickasaw	Jeaneretta, La.	70544	27	22.7	1-6
Red Water	Carthage, Miss.	39851	90	79.0	1-7
Standant Pine	Rt. 2 Walnut Grove, Miss.	39189	66	53.1	1-6
Tucker	Philadelphia, Miss.	39350	45	42.9	1-5
Navajo			1,022	844.3	
Regular day schools			834	703.7	
Arizona			501	411.5	
New Cottonwood	Chino, Ariz.	86503	337	265.1	B-5
Red Lake	Tonaleo, Ariz.	86044	164	146.2	B-5
New Mexico			333	292.2	
Beclabito	Shiprock, N. Mex.	87420	62	56.6	B-4
Barrogo Pass	Firewit, N. Mex.	87045	75	58.3	B-4
Broad Springs	Galup, N. Mex.	87301	49	47.7	B-4
Cave	Shiprock, N. Mex.	87420	100	94.6	B-5
Jones Ranch	Galup, N. Mex.	87301	43	34.0	B-4
Trailer schools			188	140.6	
Chikchinbeto	Kayenta, Ariz.	86033	112	90.6	B-4
Ojo Encino	Cuba, N. Mex.	87013	76	50.0	B-3
Phoenix			2,189	1,947.6	
Colorado River, Ariz.			26	24.6	
Supai	Supai, Ariz.	86435	26	24.6	B-2
Fort Apache, Ariz.			277	249.8	
Cibecua	Cibecua, Ariz.	86431	224	202.6	B-8
John F. Kennedy	White River, Ariz.	85941	53	47.2	B-3
Hopi, Ariz.			878	783.2	
Hopi	Oraibi, Ariz.	86039	240	213.4	B-8
Hotavilla	Hotavilla, Ariz.	86030	100	91.3	B-6
Moencopi	Tuba City, Ariz.	86045	88	77.4	1-4
Polacca	Polacca, Ariz.	86042	181	165.1	1-6
Second Mesa	Second Mesa, Ariz.	86043	269	236.0	B-6
Nevada, Nev.			23	18.6	
Goshute	Ibapah, Utah	89034	23	18.6	B-6
Pago, Ariz.			172	158.0	
Karwo	Sells, Ariz.	85634	48	42.0	B-6
Santa Rosa Ranch	do	85634	42	40.8	B-7-8
Yaya Chin	do	85634	82	75.2	B-6
Pima, Ariz.			500	454.1	
Casa Blanca	Bapchule, Ariz.	85221	129	121.8	1-4
Gila Crossing	Laveen, Ariz.	85339	109	101.4	1-5
Pima Central	Sacaton, Ariz.	85247	262	230.9	3-8
Salt River, Ariz.			165	133.2	
Salt River	Scottsdale, Ariz.	85251	165	133.2	1-6
San Carlos, Ariz.			148	126.1	
San Carlos	San Carlos, Ariz.	85550	148	126.1	1-4
Seminole			39	37.1	
Seminole, Fla.			39	37.1	
Ahfockhee	Box 40, Clewiston, Fla.	33440	39	37.1	B-4

TABLE 5.—DORMITORIES OPERATED BY THE BUREAU OF INDIAN AFFAIRS FOR CHILDREN ATTENDING PUBLIC SCHOOLS, FISCAL YEAR 1968

Area dormitory	Post office address	ZIP code	(All ages)		Grades
			Enrollment	ADA	
<b>Grand total</b>			<b>4,204</b>	<b>3,515.2</b>	
Aberdeen			375	231.9	
Rosebud	Mission, S. Dak.	57555	375	231.9	B-12-S
<b>Albuquerque</b>			<b>1,112</b>	<b>933.5</b>	
<b>Reservation dormitories</b>			<b>759</b>	<b>623.1</b>	
Ignacio	Ignacio, Colo.	81137	168	150.5	1-12
Jcarilla	Dulce, N. Mex.	87529	162	156.0	1-12-S
Magdalena	Magdalena, N. Mex.	87825	271	164.5	B-12
Ramah	Ramah, N. Mex.	87321	158	152.1	1-10
<b>Peripheral dormitory</b>			<b>353</b>	<b>310.4</b>	
Albuquerque	Albuquerque, N. Mex.	87100	353	310.4	1-12-S
<b>Billings</b>			<b>185</b>	<b>156.9</b>	
Blackfeet Boarding	Browning, Mont.	59417	185	156.9	1-12
<b>Muskogee</b>			<b>528</b>	<b>406.4</b>	
Carter Seminary	Ardmore, Okla.	73401	163	143.2	1-12
Eufaula	Eufaula, Okla.	74432	79	43.0	B-12-S
Jones Academy	Hartshorne, Okla.	74547	286	222.2	1-12
<b>Navajo</b>			<b>2,004</b>	<b>1,784.5</b>	
<b>Reservation dormitory</b>			<b>100</b>	<b>69.3</b>	
Huerfano	Bloomfield, N. Mex.	87413	100	69.3	B-6
<b>Peripheral dormitories</b>			<b>1,904</b>	<b>1,715.2</b>	
Attec	Attec, N. Mex.	87410	147	135.7	7-12
Flagstaff	Flagstaff, Ariz.	86001	315	252.6	2-12
Holbrook	Holbrook, Ariz.	86025	430	415.4	2-12
Manuelito Hall	Gallup, N. Mex.	87301	511	446.7	2-12
Richfield	Richfield, Utah	84701	132	117.2	1-12
Snowflake	Snowflake, Ariz.	85937	115	96.9	9-12
Winslow	Winslow, Ariz.	86047	264	248.5	1-12

TABLE 6.—COMPLETIONS AND NUMBER OF GRADUATES OF SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968

Area	High school graduates	8th-grade completions	Certificate of completion, postgraduates
<b>Grand total</b>	<b>2,041</b>	<b>2,480</b>	<b>403</b>
Aberdeen	215	542	
Albuquerque	170	63	33
Anadarko	294	56	362
Billings	15	23	
Cherokee	27	69	
Juneau	152	469	
Miccosukee			
Minneapolis			
Muskogee	80	107	
Navajo	463	821	8
Phoenix	424	330	
Portland	141		
Seminole			

TABLE 7.—ENROLLMENT BY TRIBE IN SCHOOLS OPERATED BY THE BUREAU OF INDIAN AFFAIRS, FISCAL YEAR 1968

	Grand total	Aberdeen	Albuquerque	Anadarko	Bilings	Cherokee	Juneau	Missoula	Minneapolis	Muskogee	Navaho	Phoenix	Portland	Seminole
Grand total	51,588	8,162	2,371	3,152	297	1,047	6,793	44	58	1,801	21,373	5,465	876	39
Alutic, Eskimo, and Indian <sup>1</sup>	7,940		12	377			6,793						758	
Apache	1,094	1	91	59										
Arapaho	174	38	1	72						2				
Aztec	74	46		26	1									
Blackfoot	129	44	5	74	6						1			
Cherokee	1,481	2	8	135		1,047				288	1			
Cheyenne	378	20	6	104	245					2	1			
Chickasaw	40		1	18						1				
Chippewa	1,827	1,765	13	44	4					21	1			
Choctaw	1,320		3	69						1,247	1			
Colville	107		12	93						2				
Creek	275		3	89						183				
Crow	182	85	5	90	1									1
Goshute	47			1										46
Havasupai	89													89
Hopi	1,350		10	60							8	1,312		
Hualapai	81		1	6										74
Kiowa	95			94						1				
Maricopa	47			2										45
Missoula	45			1										
Mojave	86			5				44						81
Navaho	23,591		545	671							21,344	913	118	
Omaha	80	72	1	7										
Palute	89		1	30										67
Papago	773		9	12							1			752
Pima	1,042		7	25								1,010		
Ponca	63			60						3				
Potawatomi	45		1	44										
Pueblo	1,597	1	1,512	75										9
Sac and Fox	87	3		23					58					
Seminole	126		1	29						57				39
Shoshone	133	35	3	67	3					1			24	
Sioux	5,441	5,312	29	77	13						11			
Three Affiliated Tribes <sup>2</sup>	744	687	5	48	4									
Ute	124		24	25										75
Warm Springs	44			40										4
Yakima	125		7	116	1									1
All other tribes <sup>3</sup>	623	51	56	384	18					71	4	39		

<sup>1</sup> Exclusive of enrollment of 37 at Concho Demonstration School and 4,204 living in Federal dormitories and attending public schools.

<sup>2</sup> Alaska natives.

<sup>3</sup> Includes Arizans, Gros Ventre, and Mandan Tribes of the Fort Berthold Reservation.

<sup>4</sup> Includes 64 tribes represented by 1 to 39 members.

## APPENDIX III

### Acknowledgements

Many individuals and organizations have been of substantial assistance in the work of the subcommittee and the preparation of this report.

The subcommittee wishes to express its appreciation to all of them. They include:

The members of the subcommittee staff: Mr. Brian E. Anderson, Mr. William M. Anderson, Mr. Robert Chernikoff, Mr. Philip S. DeLois, Miss Karen R. Ducheneux, Mr. Harold R. Finn, Mr. John L. Gray, Jr., Mr. Harold M. Gross, Mrs. Margo Higdon, Mr. Peter Hily, Miss Louise Lutkefelter, Miss Theresa McDonald, Mrs. Diana C. Middleton, Mr. Herschel Sahnman, Mrs. Judith S. Silverman, and Miss Marilyn Tabor. We wish to single out for our special appreciation Mr. Adrian Parmeter, who directed the work of the subcommittee for nearly 2 years.

Other Senate staff members: Mr. Robert O. Harris, staff director of the Committee on Labor and Public Welfare; John S. Forsyth, general counsel of the same committee; Mr. Roy H. Millenson, minority professional staff member of the same committee; Mr. Richard J. Spelts, legislative assistant to Senator Donohue; and K. Dun Gifford, legislative assistant to Senator Kennedy.

Others: Mr. Stephen A. Langone and Mrs. Mary T. Olguin of the Library of Congress; Mr. John Belindo of the National Congress of American Indians; and Mr. Peter Edelman, formerly legislative assistant to Senator Robert Kennedy and now associate director of the Robert F. Kennedy Memorial.

There are additional individuals and organizations whose work, counsel and suggestions helped us to shape the report. To them, as well as to those mentioned above, we extend our appreciation.

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## SUPPLEMENTAL VIEWS OF MESSRS. DOMINICK, MURPHY, SAXBE, AND SMITH

The undersigned minority members of the subcommittee gave support to the study and report, consistent with the historic sponsorship and support of constructive action in education on a bipartisan basis.

### CONTRIBUTIONS OF THE MINORITY

We are particularly gratified to note that some earlier misunderstandings between the minority and majority have been dispelled and that in drafting this report full and fair consideration was given to proposals advanced by the minority. As a result, some important major recommendations by Republican members were included in the report as finally approved. These include—

(1) Recommendation No. 16, that there be established a National Indian Board of Indian Education with authority to set standards and criteria for Federal schools;

(2) Recommendation No. 17 that Indian boards of education be established at the local level for Federal Indian school districts;

(3) Recommendation No. 15 that the Commissioner of Indian Affairs be upgraded to Assistant Secretary and that the Bureau of Indian Affairs be upgraded accordingly;

(4) Recommendation No. 6 for the presentation to Congress of a comprehensive Indian act to meet the special needs of Indian children both in Federal and public schools, and to replace the present structure of fragmented and inadequate education legislation.

(5) Recommendation No. 12 for full funding for the National Council on Indian Opportunity;

(6) Recommendation No. 52 that Johnson-O'Malley funding should not be conditioned by presence of tax-exempt land;

(7) Recommendation No. 9 that the HEW Civil Rights Enforcement Office investigate discrimination against Indians in school receiving Federal funds;

(8) Recommendation No. 18 that Indian parental and community involvement be increased;

(9) Recommendation No. 20 that the Departments of Interior and Health, Education, and Welfare, together with the National Council on Indian Opportunity, devise a joint plan of action to develop a quality education program for Indian children;

(10) Recommendation No. 25 that BIA boarding school guidance and counseling programs be substantially expanded and improved;

(11) Recommendation No. 37 to strengthen title III (developing institutions) of the Higher Education Act to include recently created higher education institutions for Indians on or near reservations;

(12) Recommendation No. 38 to expand the Education Professions Development Act, the Higher Education Act, and the Vocational Education Act to include BIA schools and programs;

(13) Recommendation No. 58 that State and local communities should encourage and facilitate increased Indian involvement in the development and operation of education programs for Indian children;

(14) Recommendation No. 59 to appoint Indians to U.S. Office of Education advisory groups; and

(15) Recommendation No. 60 that the BIA should have the same responsibility to the U.S. Office of Education for set-aside funds under Federal grant-in-aid education programs as do the States for similar programs.

In addition, the minority was also responsible for minor and technical contributions to the report.

Finally, we take especial pride in the key role in the creation of the subcommittee played by Senator Paul Fannin, of Arizona, the subcommittee's ranking minority member during the 90th Congress. As the late Senator Robert F. Kennedy stated at the opening hearing on December 14, 1967:

The stimulation for the establishment of this subcommittee came from my colleague, Senator Fannin, of the State of Arizona, who has always been interested in Indian education.

#### OPPOSITION TO RECOMMENDATION FOR SENATE SELECT COMMITTEE

While endorsing the greater part of the report, we do take exception to the recommendation that there be established a Senate Select Committee on the Human Needs of the American Indian.

A Senate select committee is not a legislative committee. It may only investigate and study and is not empowered to consider and report legislation. Thus, the recommended select committee would mean yet more additional studies of Indian problems. There is a surfeit of such studies.

The Indian Education Subcommittee, over a period of more than 2 years, has produced six volumes of hearings and a volume of appendix, five committee prints, 14 consultant reports, and a final report. This comes to a total of approximately one page of study for every 35 school-age Indian children, aged 5 to 18.

In addition, the subcommittee is recommending that other studies be undertaken—by the White House Conference on American Indian Affairs and by the National Indian Board of Indian Education. However, these studies possess a significantly different dimension, for they will be studies conducted by Indians about Indian problems, whereas the select committee would be just another in a series of governmental study efforts dominated by non-Indians. By utilizing studies by Indians about Indians instead of surveys by government bodies or by non-Indian academicians, we will be making the transition from reliance on Indian experts, as at present, to a reliance upon expert Indians. The latter course seems the wisest and in the best tradition of government by the consent of the governed.

#### A PLEDGE

For too many years study after study and report after report have been issued looking toward improvement of the lot of our Indian citizens which, while resplendent with promise, have come to naught.

We stress realization over promise, especially as concerns what is perhaps the most important recommendation contributed by the Republican membership of the subcommittee; namely, a means to achieve the guidance by Indians themselves of the education of their own children through national and local Indian boards of education.

To achieve these goals, we pledge to work for realization of the recommendations contained in this report so that the education of Indian children shall be, in accord with the precepts set forth by President Abraham Lincoln, of, by, and for the Indian people.

PETER H. DOMINICK.  
GEORGE MURPHY.  
WILLIAM B. SAXBE.  
RALPH T. SMITH.

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**BETWEEN TWO MILESTONES**

**THE FIRST REPORT  
TO  
THE PRESIDENT OF THE UNITED STATES  
BY  
THE SPECIAL EDUCATION SUBCOMMITTEE  
OF  
THE NATIONAL COUNCIL ON INDIAN OPPORTUNITY**

**NOVEMBER 30, 1972**

107865



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## CHAPTER I

### MAJOR FINDINGS AND RECOMMENDATIONS

The Special Education Subcommittee of the National Council on Indian Opportunity was initiated by the Presidential Policy Message of July 8, 1970 to 1) provide technical assistance to local American and Alaskan Native communities wanting to establish local boards of education and 2) to report the status and monitor change in American and Alaskan Native education through a national review and annual assessments. The Special Education Subcommittee was established as the primary mechanism for implementing the policy of self-determination without termination in the educational sector of American and Alaskan Native affairs. The nine member Subcommittee conducted regional hearings in the contiguous forty-eight states and Alaska.

#### MAJOR FINDINGS

On the basis of testimony by American and Alaskan Native people and Subcommittee deliberations, the following summary of major findings is presented:

1. The Federal Government is failing to implement its proposed policy that federal elementary and secondary day and boarding schools on or off reservations be placed under organizational and operational control of local school boards with all deliberate speed. The federal bureaucratic agencies charged with this responsibility are reluctant to abandon the paternalism and patterns of influence which the new policy sought to eliminate. Since July 8, 1970, only eight, out of an approximate total of 200, federal day and boarding schools

on-and-off reservations have been placed under the control of local boards of education with Native people as members. An additional six Native communities can be said to be in the process of establishing local boards to operate existing federal elementary and secondary schools. Those instances of actual and proposed assumption of control by Native people have generally been instigated and pursued by the people themselves. Middle and lower echelons of the Federal Government have not planned for nor pursued implementation of the proposed policy. After two years under the new policy, many local advisory boards have been created, but the actual operational control of the federal schools for American and Alaskan Native children remains in the hands of the Bureau of Indian Affairs. The power to guide and effect this policy clearly resides in the agencies of the Federal Government; it has not been exercised.

2. The July 8, 1970, Presidential Policy Message also called for the vesting of a greater degree of programmatic control over education of Native children in public schools by contracting for the expenditure of Johnson O'Malley educational funds directly with tribes and communities. During fiscal year 1971, approximately \$19,652,000 was allocated to Johnson O'Malley educational programs. Of this total, \$919,000 or about 4.67 percent was contracted directly with tribes or other Native communities. During fiscal 1972, \$2,750,000 or about 12.16 percent of the total Johnson O'Malley educational budget of \$22,600,000 was contracted directly with tribes and local communities. The Subcommittee interpreted the small proportions of Johnson O'Malley contracted directly to tribes to be evidence of hesitancy or actual failure in policy implementation.

The small proportion of Johnson O'Malley funds actually contracted directly with tribes may be in part due to the fact that needed enabling legislation has not yet been passed by the Congress. In its hearings, the Subcommittee found that the promise of vesting a significant degree of educational programmatic control with Native people at the local level remains largely unfulfilled.

3. A division of organizational authority and responsibility reduces the effectiveness of educational programs and services for American and Alaskan Native children attending public schools. Two uncoordinated federal agencies, the Bureau of Indian Affairs and the United States Office of Education, administer separate programs which have major significance for the education of Native children enrolled in public schools. The Johnson O'Malley program is managed by the BIA, and the USOE distributes resources authorized under P.L. 815, P.L. 874, several Titles of ESEA, the Vocational Education Act, and other laws.

The Presidential Policy Message recognized the dual relationship of the Federal Government to American and Alaskan Natives stemming from: (1) special treaties, statutes, and executive orders; and (2) rights and responsibilities attending United States citizenship. Under treaty provisions or other arrangements, the Federal Government is obligated to provide educational services to Native children living on designated federal trust land. While the Subcommittee opposes centralized control and student boarding features of the federal schools, it recognizes the important and necessary function of the BIA as an organizational mechanism for implementing and supporting special federal relationships with Native people.

When American and Alaskan Native children attend public schools on or off reservation land, a different set of relationships stemming from citizenship applies. The principal channel of control for public schools flows from a state legislature through a state department of education to local school boards. The principal channel, aptly described by one Subcommittee member as a maze, for federal support and limited control flows from the legislative branch to the USOE and from there to state organizations. These channels of authoritative communication constitute the formal organizational structure for public education. The BIA is not part of this organization, in spite of the fact that it disbursed \$22,600,000 in Johnson O'Malley funds and received an estimated \$16,316,226 in set-asides or project grants from the USOE during the fiscal year 1972. Beyond the amount of set-asides and grants to the Interior, the USOE has actual and potential impact on the education of Indian children through such varied programs as Compensatory Education, Bilingual Education, Drop-out Prevention, and other programs not aimed at particular ethnic groups. The passage of the Indian Education Act provides an important opportunity to provide better coordination of educational services provided for Native children enrolled in public schools.

4. The Special Education Subcommittee, conceived as an action agency to provide technical assistance, was reduced to a token Indian group by withholding official and financial support. The Subcommittee was appointed from the Office of the Vice President of the United States, but the prestige of that office was not infused in Subcommittee credentials in spite of repeated requests. The magnitude and importance

of the specific charges to the Subcommittee merited greater official support from the Executive Branch of the Federal Government if performance expectations really went beyond the mere preparation of another written report. The effectiveness of the Subcommittee as an administrative mechanism was neutralized through inadequate allocations of financial and/or human resources. The first charge to the Subcommittee was to provide technical assistance in the formation of local boards of education in Native communities wishing to assume local control of federal schools. Assumption of control of education is a complex task. A team of legal, financial, and educational specialists is needed to create a viable organizational structure. The Subcommittee members were experienced educators, but none of them were lawyers, accountants, or organizational specialists and all of them were employed on a full-time basis in demanding positions. Technical assistance in developing local boards of education to take over federal schools is not a part-time job. The Subcommittee was promised, but did not receive, the resources necessary to form an effective technical assistance team(s) that would be accountable to them.

The second charge to the Subcommittee was the preparation of a national review-status report on Indian education. The third charge called for an annual report that would serve a monitoring function. A national assessment is an undertaking of great magnitude. The 1928 Meriam Report and the seven volume Senate Subcommittee Report each took two years to complete, while the recent Havighurst Study required nearly three years from its inception. The Havighurst Study, for example, was performed on a grant of \$500,000. The Special Education

Subcommittee proposed to meet its charges on a rather conservative budget of \$191,000. The needed support was not forthcoming and, only after considerable negotiations, a total of \$21,000 plus travel was made available for the Subcommittee technical assistance, national status reporting and annual assessment functions. This lack of resources engendered the feelings of tokenism on the Subcommittee and the impression that implementation of the self-determination without termination policy did not have strong or healthy roots in the Federal Government. Only the collective and individual Subcommittee member commitments to improve the quality of education for Native people deterred resignation of the Subcommittee.

5. The Special Education Subcommittee sensed two general sentiments or points of view among Native people toward local control of education at the hearings it conducted. One point of view was characterized by hesitancy and a fear that local control of education would eventually mean a loss of support; another approach to termination. Support for this point of view was phrased in arguments that Native people are not yet ready to assume control, that sufficient numbers of trained Native personnel are not available, and that an assumption of local control might jeopardize existing programs and the progress that has been made. This point of view tended to be held by Native and non-native people whose status or career goals were linked to the perpetuation of the status quo. This point of view has a strong chance to prevail because its proponents tend to be in positions of influence or have access to those in power. If the implementation of local control of education is left to Natives and non-natives inclined toward this point of view, the process will be prolonged and difficult.

The second point of view toward local control of education by Native people was characterized by receptivity and enthusiasm. People who held this point of view were generally those who felt that they had little to lose as a result of change. These are the Native people who seek relief from the family strains of boarding school, who want curricula and programs which would help their children achieve better in basic subjects, and who want school climates which would be more sympathetic to the Indian and Alaskan Native experience. By and large, the Native people who advocate the assumption of local control see it as a means to better education for their children. Their concerns are not with formal organizational structure but with sensitivity to academic, personal, and social needs in the classroom.

6. The role of the Special Education Subcommittee is unclear. It was unable to execute the specific charges it was given. Its relationship to other American and Alaskan Native Education advisory groups in the Federal Government remains undefined. The future is even more uncertain. The recent Indian Education Act created a National Advisory Council on Indian Education in Health, Education, and Welfare. The language of the act charges the National Council with some of the same responsibilities as the Subcommittee. For example, in Section 442(b) (3) the National Council is charged with responsibility for the evaluation of any program or project involving Indian children or adults carried out under the auspices of Health, Education and Welfare. This responsibility for evaluation overlaps with the second and third specific charges to the Subcommittee which call for a status report and annual assessments.

Section 442(b) (4) states that the National Council shall "provide technical assistance to local educational agencies and to Indian

educational agencies, institutions, and organizations to assist them in improving the education of Indian children." The language of this provision clearly includes the primary charge to the Subcommittee in which it was to provide technical assistance to Native communities seeking to establish local boards of education.

The Special Education Subcommittee is concerned that the proliferation of advisory councils of American and Alaskan Natives can become counter-productive. Native involvement in policy formulation is essential, but too many councils or committees can impede real progress in the improvement of educational opportunity. The Federal Government must be commended for its efforts to involve Native people, but it must make a concerted effort to minimize role ambiguity for the advisory bodies it creates. The pressing educational needs of Native people cannot afford duplications of effort which may result in ineffective and inefficient use of available resources.

#### RECOMMENDATIONS

The educational concerns of American and Alaskan Native people go beyond the problems referred to in the charges to the Special Education Subcommittee. Hearing testimony and Subcommittee deliberations led to the following recommendations:

##### RECOMMENDATION NO. 1

WHEREAS, the cultural backgrounds, economic circumstances, educational needs, and degree of desired responsibility for the management of education are too diverse to be implemented by a single set of operational policies or procedures without violating the individuality of Native people or the spirit of self-determination;

IT IS RECOMMENDED THAT, all agencies of the Federal Government meet the obligation to support Native education and implement the policy of self-determination through a variety of contractual arrangements which are sufficiently flexible to meet the needs of Indian people living under the diverse circumstances of native communities on or off reservations and in pluralistic urban areas.

RECOMMENDATION NO. 2

WHEREAS, the local community constitutes the fundamental level at which individuals, families, and other social groups act out their social, political and economic interdependence, AND WHEREAS, the local community is the institution which preserves, adapts, and reinforces group mores and cohesiveness, AND WHEREAS, people have the right to join together to provide educational opportunities for their children, AND WHEREAS, there exists a special relationship between the Federal Government and Native people, AND WHEREAS, Native people do exist in both rural and urban communities:

IT IS RECOMMENDED THAT, social change in the Native community be officially accepted by all agencies of the Federal Government, AND THAT, for educational purposes, native tribes, clans, bands, chapters, villages, land claims settlement corporations, or nonprofit educational corporations of parents, who trace their lineage to several traditional Native nations be recognized by the Federal Government as agencies eligible to contract with the Federal Government for the support of the education of their children, AND THAT, guidelines for recognition and appropriation of support be legislated by the Congress of the United States.

RECOMMENDATION NO. 3

WHEREAS, the family is the basic unit of social structure in American

and Alaskan Native culture, AND WHEREAS, the family is the most important social institution for the rearing and nurturing of children;

IT IS RECOMMENDED THAT, federal implementation of self-determination take policy directions and procedural forms which preserve, support, and reinforce the American and Alaskan Native family, THAT, boarding schools as a normative education process for Native children be phased out as the result of road construction and decentralization programs until the boarding school experience remains only a minor program component of some day schools to accommodate exchange students or local students with special personal circumstances, AND THAT, the emerging day schools be governed by organizational structures which encourage and require direct and elected representative, community educational government.

RECOMMENDATION NO. 4

WHEREAS, Indian children attending public schools have rights to educational opportunity attendant upon state and federal citizenship, AND WHEREAS, the division of responsibility for the education of Native children in public schools between the BIA and the USOE tends to inhibit program coordination and effectiveness, AND WHEREAS, the Indian Education Act has created an organizational mechanism within the USOE capable of coordinating all educational efforts in the public schools;

IT IS RECOMMENDED THAT, all programs involving the education of Native people through public school organizations be administered or coordinated by the Bureau of Indian Education in USOE under the direction of a new Deputy Commissioner, AND THAT, the responsibility and authority vested in the new Bureau specifically include the management and distribution of Johnson O'Malley funds.

#### RECOMMENDATION NO. 5

WHEREAS, schools serving children of Native communities need to become an integral part of that community, AND WHEREAS, Native people want a choice to hire competent Native teachers, counselors, and administrators, AND WHEREAS, it is to the benefit of the Native and non-natives to have Native educators working in public schools which serve few, if any, Native children, AND WHEREAS, colleges and universities training teachers should have Native people represented on their staffs;

IT IS RECOMMENDED THAT, federal resources be made available to colleges and universities which have demonstrated involvement of Native communities and organizations and which are prepared to provide quality programs with Native policy input to recruit, train, and assist in placing Native teachers, counselors, curriculum specialists, librarians, special education teachers, school administrators and other educational specialists, AND THAT, a Native organization with a research capability be employed to assess the supply and demand function for such programs.

#### RECOMMENDATION NO. 6

WHEREAS, the revival of interest in Native history and culture is a vital part of an effort by Native people to gain a meaningful social perspective for their lives somewhere between a romantic, but unrealistic, return to the past and a complete, but artificial assimilation with transplanted European culture, AND WHEREAS, many of the educational materials are historically incorrect and prejudicial to the image of Native people;

IT IS RECOMMENDED THAT, federal resources be allocated to Native organizations for the development of instructional materials, curriculum and library resources which will lead to unbiased perceptions of Indian history

and culture by both Native and non-native students in pursuit of Native studies and for incorporation into the study of religion, art, music, dance, and other disciplines of study at elementary, secondary and collegiate levels.

RECOMMENDATION NO. 7

WHEREAS, the knowledge and skills offered by institutions of higher education are essential in the conduct of native affairs, AND WHEREAS, it is important to Native people to have non-natives become better informed about the past, present, and future of Native life in the context of higher education, AND WHEREAS, Native people must have increased access to general and professional programs in established colleges and universities, AND WHEREAS, the emergence of Native institutions of higher education is a new trend which promises unique orientation to the needs of Native people, AND WHEREAS, the costs of higher education have risen beyond the means of most Native students;

IT IS RECOMMENDED THAT, federal resources continue to be made available to established colleges and universities to stimulate Native studies and special professional training programs for Native people with mandatory programmatic control shared with representatives from Native communities, AND THAT, sufficient federal resources be made available to emerging Native institutions of higher education so that they have an adequate opportunity to demonstrate their effectiveness in meeting the needs of Native people, AND THAT, the level of funding for both undergraduate and graduate Native students be increased.

RECOMMENDATION NO. 8

WHEREAS, Native students are not adequately informed about undergraduate,

graduate and vocational scholarship opportunities in the various colleges, universities, and technical schools, AND WHEREAS, there is no formal structure established for the effective dissemination of information already available:

IT IS RECOMMENDED THAT, a central clearinghouse be established with assigned responsibility for collecting, cataloging, and disseminating information from federal, state, tribal and private agencies, regarding the nature of opportunities and levels of support available for Native students in vocational, technical, and higher education, AND THAT, regional branches be established throughout the United States to facilitate communication and the accommodation of diverse geographical needs, AND THAT, application procedures to various sources be consolidated to produce a more simplified, uniform, and expeditious procedure, AND THAT, part of each clearinghouse organization be a Native Student Scholarship Opportunity Committee to actively disseminate scholarship information to Indian high school and college students and recruit applicants for these opportunities.

RECOMMENDATION NO. 9

WHEREAS, the movement of Native people to urban areas is predicated on an often unfulfilled promise of economic opportunity to live a richer life, AND WHEREAS, the movement to urban areas tends to drain trained leadership away from Native communities which need the social presence and the services these individuals can provide:

IT IS RECOMMENDED THAT, the policies and procedures for the implementation of self-determination in Native education should reach into other areas of Native affairs so that the impact of vocational, collegiate, and professional training of Native people is felt more strongly in Native communities, AND

THAT, long-range plans for staffing the Public Health Service, Legal Assistance, Land Management, and other services provide on-reservation jobs at many skill levels for Native people who have completed appropriate training programs and wish to render service, other than in education, to their home or other reservation community.

RECOMMENDATION NO. 10

WHEREAS, American and Alaskan Natives are citizens of the United States and enjoy all rights and privileges, AND WHEREAS, the Native people have a unique relationship with the Federal Government through treaties, statutes, executive orders, AND WHEREAS, such treaties, statutes, and executive orders conflict with other federal statutes such as the Civil Rights Act of 1964, AND WHEREAS, federal funds are appropriated for education and disbursed to public schools, universities and colleges, state and federal agencies and profit and non-profit organizations subject to the conditions of the Civil Rights Act, AND WHEREAS, educational funds must also be expended to meet the educational needs of Native citizens residing in either on-or-off-reservation communities;

IT IS RECOMMENDED THAT, legal clarification be immediately undertaken to resolve the status of Native children in school desegregation plans of districts located on or adjacent to reservations; AND THAT, such clarification provide that desegregation plans being enforced by the Federal Government through Civil Rights Act of 1964 not apply to Native people, AND THAT, until such time as the Federal Government officially clarifies the implications of the Civil Rights Act for Native people, desegregation plans not be forced upon or accepted by reservation or non-reservation Native communities.

RECOMMENDATION NO. 11

WHEREAS, the areas of technical, vocational and related skills are expanding rapidly and now offer career opportunities which were not previously available to Native students, AND WHEREAS, Native students have traditionally been educated for selected technical and vocational careers that have not reflected the diversity of vocational opportunities nor specific skills demanded in the society in which they must compete, AND WHEREAS, the need for skilled technicians and tradesmen is severe on reservations and other Native communities, AND WHEREAS, a shift of national priorities is reflected in increased federal and state funding for vocational and technical education:

IT IS RECOMMENDED THAT, federal agencies provide human and financial resources for training Native people in all facets of vocational and technical education, AND THAT, federal agencies pool their efforts to have maximum impact in supplying trained Native citizens in various occupations.

RECOMMENDATION NO. 12

WHEREAS, American and Alaskan Natives have one of the highest dropout rates of any group of people in the United States, AND WHEREAS, educational achievement for Native students remains a critical issue, AND WHEREAS, traditional Adult Basic and Continuing Programs have not met the needs of Native people:

IT IS RECOMMENDED THAT, additional federal resources be allocated to Adult Basic and Continuing Education, AND THAT, these programs be redesigned with more mandatory involvement of Native people at the local level to increase their effectiveness in terms of existing opportunities.

RECOMMENDATION NO. 13

WHEREAS, there are American and Alaskan Native children attending public

federal, and mission schools who are in dire need of special education programs to deal with physical handicaps, emotional problems, mental retardation, and learning difficulties, AND WHEREAS, human, plant facility, and funding resources have been inadequate or non-existent by federal and state governments to accommodate these Native children, AND WHEREAS, special educational training programs for professional and para-professional staff have not been developed in colleges and universities with a specific focus on the problems of Native children;

IT IS RECOMMENDED THAT, the federal and state governments, schools, universities, and colleges make a concerted effort to provide the human and financial resources to develop comprehensive programs and special facilities to meet the special educational needs of American and Alaskan Native children, AND THAT, such resources be extended to include follow-through programs as the children become adults by providing resources in developing skills and job placement, because special education is a continuing process.

#### RECOMMENDATION NO. 14

WHEREAS, the Special Education Subcommittee established by the President's Message on July 8, 1970, related the following specific charges:

The Subcommittee will provide technical assistance to Indian communities wishing to establish school boards, will conduct a nationwide review of the educational status of all Indian school children in whatever schools they may be attending, and will evaluate and report annually on the status of Indian education, including the extent of local control.

AND WHEREAS, the Subcommittee did not receive adequate resources to actively and adequately perform the responsibilities with which it was charged, AND WHEREAS, the relevance and need for a thorough performance of

those responsibilities continue to increase, AND WHEREAS, the local school systems located on and near reservations and in urban settings have not been sensitized to the special and unique educational needs of Native youth, AND WHEREAS, the state and federal agencies have had limited effect in monitoring their programs and resources for the education of Native children, AND WHEREAS, the Indian Education Act has created a National Council with responsibilities overlapping those of the Special Education Subcommittee:

IT IS RECOMMENDED THAT, the role of the Special Education Subcommittee be clarified, AND THAT, the Subcommittee be continued with sufficient human and/or financial resources made available to insure effectiveness in pursuit of the assessment charge and further study and development of the local organizational control model.

#### RECOMMENDATION NO. 15

WHEREAS, educational resources allocated under the Johnson O'Malley Act are of major importance in the education of Native children, AND WHEREAS, the utilization of these resources has been subject to recent intense criticism, AND WHEREAS, there appears to be extreme differences in the utilization of these resources among the various states;

IT IS RECOMMENDED THAT, a comprehensive study of the distribution and utilization of Johnson O'Malley resources among the various states be conducted, AND THAT, the data collected be employed to formulate more uniform guidelines for the allocation and expenditure of these important resources.

#### OVERVIEW OF THE REPORT

The major findings and recommendations presented in this chapter are the end result of activities and deliberations presented in subsequent chapters. Chapter 11 describes the formation of the Subcommittee and presents

the general guidelines for its operation. The Subcommittee's deliberations on the basic local control issue are presented in Chapter III. A research design for meeting charges two and three is proposed in Chapter IV. A summary of Subcommittee deliberations on other topics and issues is presented in Chapter V. An appendix to the report provides brief biographical sketches of the Subcommittee members, and a calendar of Subcommittee activities.

APPOINTMENT AND CHARGES TO THE  
SPECIAL EDUCATION SUBCOMMITTEE

The national awareness and concern for the education of Native Americans is growing. During the two-year period between July 1970 and July 1972, two major milestones in Native education were passed. The first of these milestones was the proposed federal policy of self-determination without termination as set forth in the Presidential Message of July 8, 1970. The second milestone was the passage of the Indian Education Act by the Congress of the United States in June of 1972. The Presidential Message of July 8, 1970 proposed a new federal policy for Native affairs which would vest control in the hands of Native people and created a Special Education Subcommittee to promote and monitor the implementation of the proposed policy in the educational sector.

THE SPECIAL EDUCATION SUBCOMMITTEE

The seriousness of problems in the education of Native people was recognized in the Presidential Policy Message by the following words:

One of the saddest aspects of Indian life in the United States is the low quality of Indian education. Dropout rates for Indians are twice the national average and the average level for all Indians under federal supervision is less than six school years.

The new self-determination policy called for assumption of control by American and Alaskan Natives in federal schools as the key to resolving the problems of education. The following quotation from the July 8, 1970 Message

expressed this intent, established the Special Education Subcommittee, and charged the Subcommittee with primary duties and responsibilities:

Consistent with our policy that the Indian community should have the right to take over the control and operation of federally funded programs, we believe every Indian community wishing to do so should be able to control its own Indian schools. This control would be exercised by school boards selected by Indians and functioning much like other school boards throughout the nation. To assure that this goal is achieved, I am asking the Vice President, acting in his role as Chairman of the National Council on Indian Opportunity, to establish a Special Education Subcommittee of that Council. The members of that Subcommittee should be Indian educators who are selected by the Council's Indian members. The Subcommittee 1) will provide technical assistance to Indian communities wishing to establish school boards, 2) will conduct a nationwide review of the educational status of all Indian school children in whatever schools they may be attending, and, 3) will evaluate and report annually on the status of Indian education, including the extent of local control. (Numbering and underlining of charges added by the Subcommittee)

In addition to turning control of federal schools for Native people over to Native communities, the need for action to benefit an estimated 141,000 Native children enrolled in public schools was recognized. It was proposed that Congress amend the Johnson O'Malley Act so that the approximate 20 million dollars in Johnson O'Malley funds for the fiscal year 1971 could be channeled directly to tribes and communities. The intent of this change was to enable Native people to have a stronger voice in the policy and management of the public schools their children attend and, in some instances, to set up new school systems. This provision of the Policy Message had implications for the Subcommittee because 1) there are an estimated 89,000 Native children attending Johnson O'Malley schools and 2) the Subcommittee was charged with conducting "a nationwide review of the educational status of all Indian school children in whatever schools they may be attending."

The work and activities of the Subcommittee were governed by the

specific charges identified in the Message of July 8, 1970, the general charges to the Council established by Executive Order 11399, March 6, 1968, and by approved operational guidelines. The general charges to the Council which were applicable to the Subcommittee are as follows:

Section 2. Functions of the Council.

The Council Shall:

- (a) Encourage full use of Federal programs to benefit the Indian population, adapting them where necessary to be available to Indians on reservations in a meaningful way
- (b) Encourage inter-agency coordination and cooperation in carrying out Federal programs as they relate to Indians
- (c) Appraise the impact and progress of Federal programs for Indians
- (d) Suggest ways to improve such programs

The approved guidelines for operational activities of the Subcommittee were described as follows:

1. Through periodic meetings of the full Subcommittee the scope of work programs is (to be) defined. The scope and priority of activities (will be) given to the full-time Washington Education Coordination Staff of the Council in order that it can render proper assistance to the Subcommittee in executing its responsibilities.
2. The Washington Education Staff (will) maintain constant contact with Federal agencies dealing with Indian education to provide current information to the Subcommittee membership when not in formal session. Also, in conjunction with the Subcommittee, the Council education staff disseminates information to tribes, individuals, state, and federal offices.
3. The Subcommittee will hold periodic meetings with the staff of any federal agency having programs concerning Indian education, including members of the education offices of the BIA, OEO, (and) HEW. Also, discussions may be held by the Subcommittee and/or education staff with representatives from Congressional offices, the Civil Service Commission, and other groups concerned with Indian education.

SCOPE AND LIMITATIONS OF THE REPORT

The Subcommittee members were concerned by the following factors which

impeded the proceedings of the Subcommittee and imposed limitations on the report.

1. The Subcommittee was not provided with the resources necessary to marshal technical assistance teams which would help individual Indian communities to establish school boards to create new schools or take over existing federal Indian schools.
2. The Subcommittee, made up of Indian educators who have full time responsibilities, was unable to meet the charge of conducting a nationwide status study of Indian education. Available resources did not permit employment of a professional staff nor was assignment of staff personnel already employed by federal agencies sufficient to conduct a national study.

Subject to these limitations, the Subcommittee attempted to maximize the impact of those resources which were available. The Subcommittee members combined information from their experience, published documents, hearings, and visits conducted in diverse areas of the country. The report attempts to provide a national focus on the problems and policy issues involved in making equal educational opportunity available to Indian people. While the Subcommittee observed and discussed many educational problems in local Native communities, it made no attempt to recommend solutions for local situations.

## CHAPTER III

# LOCAL CONTROL OF EDUCATIONAL OPPORTUNITIES FOR AMERICAN AND ALASKAN NATIVES

The first charge in the Presidential Message of July 8, 1970 was that the Subcommittee provide technical assistance to Native communities wishing to establish school boards. This chapter presents the issues and problems encountered by the Subcommittee in making local control of education a reality for Native people. Vesting control of education with the parents of Native children is a complex task. Recent passage of the Indian Education Act had a direct bearing on the deliberations of the Subcommittee. The basic issues in the establishment of local control revolve about 1) the nature of control, 2) the nature of communities, 3) the diversity of Native people, 4) development of a model for alternative modes of control, and 5) Subcommittee operations and progress in policy implementation.

### THE NATURE OF CONTROL

The Presidential Message of July 8, 1970 represents an historical milestone in the affairs of Native people. It acknowledged both the Federal Government's special obligation to Native people and a right of Native people to guide their own destiny. Self-determination is the new policy for Native education proposed to Congress by the Executive Branch of the Federal Government. This proposed policy has been enthusiastically received by many Native people.

because it promises alleviation of educational hardships endured by Native children in federal and public schools. It brings to these Native people a new hope that educational opportunity will become adequate and relevant for their children through their assumption of control. The members of the Subcommittee share in the enthusiasm for self-determination in the affairs of Native people, but are concerned that the new hope for educational opportunity among Native people will not lead to new despair over differences between promise and performance.

The application of self-determination to Native education raises issues involving its congruity with the purposes of education and the nature of its control in a pluralistic society. While the old American and Alaskan Native nations are very much a part of our tradition and culture, Native people are also United States citizens. As tribes and nations, Native people have the sovereign authority to create exclusive Native schools, but do they really want to take this course of action? Under some geographical and social circumstances there may be no choice as they seek to serve the best interests of their children. But the system of education in the United States is also the system for Native people and should be made to respond sensitively to the needs of Native children. The isolated confrontations and legal proceedings now underway to create Native school districts may result in Native control but without producing the kind of educational experiences that Native people really want for their children.

The crucial elements of control in the educational systems that have developed in the United States are listed below:

- The collective social power of government to require participation in formal education and to stipulate the conditions of that participation. This element of control is exemplified by state legislation

of compulsory attendance and specification of age levels of persons for whom educational resources can be expended.

The authority to make and the power to enforce decisions that appropriate resources from the society at large and allocate them to the educational sector. Federal appropriations for Indian schools and state public school aid formulas illustrate the control of the financial element of school operation.

The authority to create educational organizations in which performance expectations and role relationships are specified. This element of educational control in our society is illustrated in the laws and regulations that create school districts and license persons, meeting specified minimum requirements, to serve as teachers.

The authority to legitimize a sequence of learning experiences to constitute a curriculum or educational program. This element of control is illustrated by state minimum subject requirements and the broad range of electives that is open to local educational agencies.

The Subcommittee anticipates that few, if any, Native communities will want to assume the absolute degree of control conveyed with all the elements described above. Most Native people who have attended Subcommittee hearings have not talked in terms of absolute and ultimate control, but mainly in terms of a degree of control that would make schools responsive to the needs of their children at the local community level.

Subcommittee proceedings and deliberations concerning the nature of educational control identified several dangers or pitfalls that accompany the opportunities of educational self-determination. The following list of potential dangers should be recognized by native leaders, but should not deter

them in their efforts to participate in the control of schools which serve their children.

- Focusing attention on Native control of education as an end in itself should not be allowed to obscure basic operational problems in providing meaningful learning experiences for Native children.
- There is an acute shortage of Native people trained as teachers, counselors, and administrators. Native children need and deserve the skills of highly qualified educational professionals. Native assumption of educational control does not necessarily mean the employment of an all-Native staff. Native communities can exercise policy control of their schools and still employ both Native and non-native personnel.
- Answers to all the problems of Native education will not be found within the local community. The Native-controlled schools need the help and support of other agencies such as colleges, universities, and state departments of education. Their contributions in the areas of curriculum development, home-school relations, counseling, special education, and administration are needed in Native communities which have not had extensive experience in the management of educational opportunity.
- Self-determination could become a form of termination. The total society might use the rhetorical appeal of Native control of Native education as a ploy to reduce federal, state, and local responsibility for the education of Native children.

While these potential dangers are real, Native people should not let them stand in the way of seeking and exercising the degree of local control

or participation they desire in educational management. Fear of obstacles and failure should generate caution and thoughtfulness, but not paralysis. Native people have a right to make mistakes and learn from them, as they seek to gain a greater degree of local control in education.

## THE CHANGING NATURE OF NATIVE COMMUNITIES: THE NEED FOR REDEFINITION

Beyond the family, the local community becomes the basic unit of social organization. In spite of problems in defining communities, there was an agreement that the local community is essential to the way of Native life. Communities are more than places. They consist of aggregates of human relationships and interdependencies. In societies of all eras, natural communities have been identified and officially recognized as feudal estates, states, cities, or villages. In American and Alaskan Native nations, tribes, clans, bands, villages, and other units emerged as recognized communities.

Patterns of economic development and migration in the United States have caused the birth or re-vitalization of some communities and the decline or disappearance of others. With the exception of the Indian Reorganization Act of 1934, the Federal Government has made no attempt to officially recognize Native communities other than those tribal groups which existed during the 18th and 19th century period of European colonization and western expansion.

Implementing the federal policy of self-determination in education which seeks to bring control down to basic organizational levels accepted by Native people requires that the Federal Government recognize a variety of Native communities - all in states of dynamic change. Many groups of Native people are true communities, even though their history cannot be traced to a federal treaty, statute, or to incorporation under the Indian Reorganization Act.

Revision of recognition policies can be made by the Federal Government because of its special historical relationship to Native people.

Native people who moved to urban areas either of their own accord or under the auspices of government relocation programs can constitute a "Native community" when they form organizations to maintain cultural traditions or advance common interests. Likewise, a "Native community" can exist under the circumstances of the terminated Menominee people, in spite of the fact that they no longer have tax exempt status for their lands as a result of the Federal Government termination policy of the 1950's. Formal education is typically a community endeavor. To bring control of education to all Native people, the Federal Government must recognize the real communities in which Native people live - rural or urban; on-or-off reservation land. The conditions of recognition must be established by the Congress of the United States after adequate involvement by Indian people. The Subcommittee agreed that not any group calling itself "Indian" should be automatically recognized. The Indian Education Act accepts this principle in allowing Indian organizations, other than official local educational agencies, to receive funds for Indian education programs. Similar recognition policies are needed by other governmental agencies.

#### DIVERSITY OF NATIVE AMERICANS

The word "Indian" has been used to refer to the descendants of over 300 tribes which had different languages, religious beliefs, and life styles adapted to diverse geographical circumstances. Since these differences are documented in the growing body of literature by, and about, American and Alaskan Natives, recounting and describing them is beyond the scope and intent of this report except for illustrative purposes. The primary concern

of the Subcommittee was that the significance of these differences be recognized by federal, state, and other agencies which attempt to plan for the implementation of self-determination in education for Native people.

The extent of diversity among Native people goes beyond historical background and includes such contemporary factors as differences in 1) degree of assimilation with European society, 2) impact of federal "Indian" policies, and 3) geographic and social isolation from forces shaping regional, national, and international life. Recognizing, understanding, and accepting these differences are essential in planning and implementing social programs such as education. These differences are real in the lives of Native people and must be accommodated by governmental agencies which seek to improve the quality of life and, at the same time, respect the individual and collective dignity of Native people.

The Subcommittee unanimously agreed that a flexible plan, or model, with several options is needed to effectively vest local control of education with Native people. If self-determination is to mean what it implies, Native people must have a voice in determining the extent and conditions under which they accept control of education. The diverse circumstances of the St. Regis Mohawks in New York, Miccosukees in Florida, urban Indians in Minnesota, Navajos in Arizona, Klamaths in Oregon, Tlingit and Haida Tribes in Alaska, Mandan-Arikara and Hidatsa Tribe in North Dakota, and the Five Civilized Tribes in Oklahoma, are cited here to illustrate the need for a flexible model to give Indian people a stronger voice in the control of education.

-- The Mohawk people on the St. Regis Akwesasne Reservation in New York did not seek recognition under the Indian Reorganization Act of 1934. For the tribe of approximately 6,000 people, the St. Regis

Reservation is a state, rather than federal reservation. The reservation area is divided between the United States and Canada and the status of the Jay Treaty which defined relations during the colonial period is unclear. Mohawk children receive educational services under the auspices of the Province of Ontario, the Province of Quebec, and the State of New York.

- The Miccosukee Tribe in Florida has only about 230 members and is recognized by the Federal Government for the provision of some social services. The Miccosukee people communicate in their native language and evidence little assimilation as compared to the Mohawk people just described. This small tribe has already assumed local control of education through a contract with the Bureau of Indian Affairs to operate an ungraded elementary school serving approximately 40 pupils which was built and formerly operated as a federal Indian school.
- Approximately one-third of the estimated 35,000 Native people in Minnesota live in the Twin City metropolitan area of St. Paul and Minneapolis. These Native people come from many tribal backgrounds. Their most commonly shared experiences come from being part of the movement of Native people to urban areas. In response to common problems, a number of Native organizations have been formed. The Native people tend to live in concentrations within the inner city. With the exception of an attempt by the American Indian Movement (AIM) to operate a free school, Native children are required to attend public schools in which they are truly minority groups.
- The Navajo Reservation has a population of approximately 150,000 people and is the largest reservation in the United States extending

into the states of Arizona, New Mexico, and Utah. The Navajo Tribe has established programs for managing its own affairs, including education. Its geographic isolation has preserved its native language and a strong sense of tribal identity. Through their own tribal organization and political expertise a number of educational innovations and variations include the Rough Rock School operated by a truly local board of education and the Navajo Community (Junior) College. Large numbers of Navajo children are still served by federal day and boarding schools and by public schools.

- The Klamath Tribe of Oregon had approximately 2,133 members when termination proceedings were completed in 1961. As a result of termination proceedings, all 2,133 members relinquished their rights to federal service, approximately 1,600 members accepted cash settlements, and the remaining members retained hunting and fishing rights on remaining property held in trust by a commercial bank. The responsibility for education rests with the public schools.
- The Tlingit and Haida Tribes of Southeast Alaska have approximately 11,000 members scattered in about 24 geographically isolated coastal towns and villages. A new and unique factor in the tribal life of the Tlingits and Haidas is the formation of the Sealaska Corporation. The Southeast Native Regional Organization was created in response to the passage of the Alaska Native Claims Settlement Act. The formation of the Sealaska Corporation will enable the Tlingit and Haida Tribes to make a regional response to education and other affairs and to project the Tlingits and Haidas into a more effective and professional relationship with the economic and social forces that shape

their lives. Regional and village corporations organized in response to the Claims Act will require a concerted approach to the development of programs to produce personnel needed to administer the Claims Act Corporations. Today Tlingit and Haida children attend a state-operated school, a BIA boarding school, one BIA day school, and a number of community public schools. An increasing number of Tlingit and Haida people are serving on official and advisory school boards. The Tlingits and Haidas are a vital people and are actively seeking a greater role in the control of education and other affairs that will determine their future.

-- The Mandan, Arikara and Hidatsa Tribes, with a total population of 4,437, have approximately 2,750 members living on the Fort Berthold Reservation in North Dakota. In 1960, the educational median level measured at the seventh grade, and by 1972, the median increased to the tenth grade level. Known as the Three Affiliated Tribes, they have been actively interested in the education of their children. During the last four years approximately ninety percent of the high school graduates have entered college and vocational schools; and during the same period they have maintained one of the largest percentages of Indian college graduates in the northern plains area. This is not to say that the dropout problem has been solved, but their educational progress has been achieved in spite of unfortunate past circumstances caused by the construction of the Garrison Dam. The dam project brought an inundation of tribal lands and homes, causing families and communities to move to higher ground and become scattered and permanently removed from historical landmarks and traditional ties to legendary sites. The children attend schools on and near the

reservations and three Bureau schools. Parents are serving officially on school boards and on advisory committees required by JOM and Title I programs. Inasmuch as there are no boarding school facilities on the reservation, an extensive bus system has been necessary. The Tribal Business Council has supported and sought educational programs that will continue to educate their children, since they clearly recognize that education is the key to continued progress of their people and the development of their land and natural resources.

-- The term "Five Civilized Tribes of Oklahoma", designating the Chickasaw, Choctaw, Cherokee, Creek and Seminole, has been in continuous use since 1876 when the United States Congress and the Office of Indian Affairs referred to them as such because, by that date, they had made remarkable advancements toward civilized life and customs. For almost three-quarters of a century, the Five Civilized Tribes had lived in Indian Territory (now Oklahoma) after forced removal from Southeastern United States, as sovereign nations. Each had their own legislative, judicial, and executive branches of government and impressive capitol buildings.

With the advent of statehood in 1907, the Five Civilized Tribes gave up their sovereign tribal governments and became full citizens of Oklahoma. The administration of tribal affairs and government of the Five Civilized Tribes was carried out by the Principal Chief or Governor, who was appointed by the President of the United States, until 1970 when all of the tribes held popular elections.

The Five Civilized Tribes now live in 42 counties of eastern and southern Oklahoma. The cultural status of tribal members ranges

from persons who are highly educated and possess assimilated culture comparable to the most advanced non-Indians of the area, to those who are wholly uneducated and living at a very low level of existence. This is due primarily to lack of training which would prepare them for better employment opportunities and thereby permit them to improve their social and economic status. Along with the poverty is often found the language handicap, illiteracy, bad health conditions and other elements of minority adjustments which have left Indian communities socially and economically behind. Before, the Five Civilized Tribes were noted for their excellent tribal educational systems and schools which were established as early as the 1830's; however in 1907, these were turned over to the State and Indians have not kept pace with the non-Indians.

Today approximately 90 percent of Indian students living in the Five Civilized Tribes area are attending public schools. There are two federal Indian Boarding Schools and three peripheral dormitories located in the area. There are 97 schools participating in the Johnson O'Malley Program, serving over 12,000 Indian students, and each school has a five-member Community Indian Education Committee. There are known to be 134 Indians serving on legally elected school boards.

These examples only begin to illustrate the diversity of arrangements which exist for Native educational opportunities. Each of these arrangements stemmed from a unique set of historical and organizational circumstances. The illustrations could be compounded many times by citing further illustrations from other tribes, villages and rancherias.

The diversity of circumstances affecting the education of Native children is further extended by the variations in existing state systems of education. While each state has unique characteristics, the organization and pattern of support for education in Alaska is of particular interest. Alaskan Native children attend three types of elementary and secondary schools, 1) state operated schools scattered across the entire state and under the control of a nine-member board appointed by the Governor, 2) burrough or public schools controlled by locally-elected school board members and 3) federal schools operated by the Bureau of Indian Affairs. All three types of school systems have day school and boarding alternatives. Of the 4.6 million dollars in Johnson O'Malley funds allocated to Alaska in fiscal year 1972, nearly all was spent for basic support. Approximately 1.8 million dollars were spent for dormitories and 2.1 million dollars for the boarding home program. An additional 5 million dollars are spent by state-operated schools, a portion of which, supports boarding programs.

The implications of this one unique state system of education for local Native control are numerous. The appointed board for the state-operated schools already has representation of Native people. Some of the burrough school districts serve primarily Native populations and have duly elected Native people on their boards. Federal schools typically have advisory boards. The diverse organizational circumstances, plus the geographic isolation, make complete implementation of the self-determination policy in education extremely complex. The implication for Native assumption of control over education in Alaska continues to change. In response to the Alaska Native Claims Settlement Act, twelve Native Regional Corporations have been formed under the laws of Alaska. These corporations have control over tribal

affairs under different circumstances than do tribal councils in the contiguous forty-eight states. They are actually profit corporations which hold land\* in fee simple as opposed to the government trust status of reservation land in the lower forty-eight. These regional Native corporate entities are expected to form nonprofit counterparts to manage education and other social affairs.

The Policy Message was aimed specifically at federal schools on reservations and Johnson O'Malley funds for Native children attending public schools. However, Native people living under the various circumstances of reservations, large cities, and in small towns and rural areas away from reservations -- all found new hope in the new policy statement. Native control of federal schools serving reservation communities would probably be easiest to achieve. However, all Native groups or reservation areas are not served by local federal schools. The diversity of circumstances among reservation communities, by itself, rules out the possibility of a single federal procedure for implementing self-determination which would effect Native control of schools in reservation communities. These problems would be in addition to the resistance to change offered by the size of the federal school bureaucracy and the vested civil service rights of employees.

In the large cities and small off-reservation towns, Native children attend public schools. The control of these schools is vested in state legislatures which typically delegate powers to local boards of education. In the cities and small town high school districts, Native people are a minority group and are seldom represented on boards of education. Two reasons for this are their lack of expertise in elections and inertia due to their

\* Still referred to as "reservations" for convenience in this report although the status is different.

inner feelings of powerlessness to change the educational system of the total society. Recently, Native voices have been heard on advisory and human relations committees and have been amplified by militant groups, but nevertheless have so far had limited effect on crucial educational decisions. Giving Native people direct control of Johnson O'Malley funds will give them a meaningful voice in the education of their children where Native children constitute a significant proportion of the school population. In most public schools serving Native children, the Johnson O'Malley portion of the income budget is too small to support basic educational changes that represent more than partial or token responses to the educational needs of Native children.

#### DEVELOPMENT OF A MODEL FOR ALTERNATIVE MODES OF INDIAN CONTROL OF EDUCATION

The Subcommittee deliberated at length in search of a theoretical framework or model that would vest organizational control of education with Native people in a wide variety of local communities. The model needed sufficient flexibility for application to both on-and-off reservation Native communities and to accommodate a wide range in degree of local control desired. Development of the flexible model required operation definitions of "control" and "Indian community". The Subcommittee defined "control" as the power or ability to influence the outcome of decision-making processes which govern the operation of local schools. Local "Indian communities" were defined as tribes, clans, bands, villages, chapters, non-profit corporations of parents and Native regional corporations who trace their lineage to traditional American or Alaskan Native groups. The Subcommittee was in agreement that educational benefits should accrue to both reservation and

non-reservation Natives, but retained that distinction in developing and defining organizational role relationships with other units of government for the delivery of educational services.

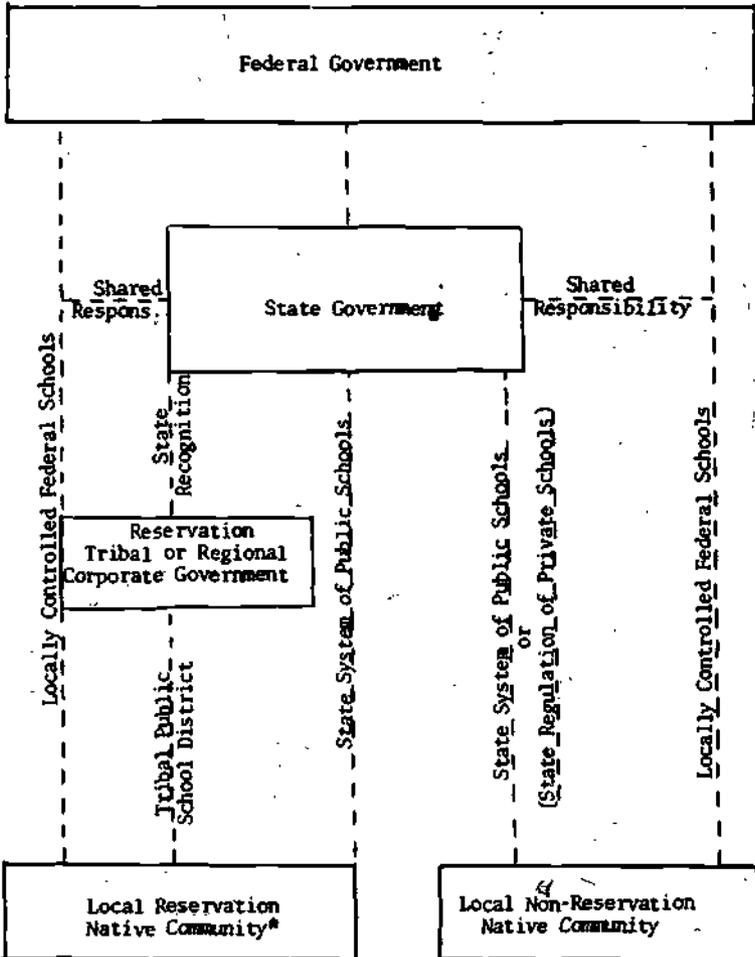
Within the definition of control presented above, two kinds of control emerged in Subcommittee hearings and deliberations. These two kinds of control can best be described as "organizational" control and "programmatic" control. A Native community has organizational control of the schools serving its children when Native residents are duly elected or appointed to the board of education. Under these circumstances, Native people do, in fact, have policy control over all school affairs. Programmatic control was identified with influence over special programs for Native children generally supported by outside funding. The vehicle for programmatic control is typically an advisory committee or board of Native people who must approve special projects or programs before they will be funded.

Of the two kinds of control, organizational control is more durable and pervasive, but may be extremely difficult, if not impossible, to attain in areas where Native people are truly in a minority status. The Indian Education Act relies primarily on programmatic control. Under its provisions, there must be evidence of Indian involvement before grants to local educational agencies will be made. The Subcommittee interpreted the Policy Message of July 8, 1970 as a clear call for organizational control for federal schools on reservations and programmatic control for public schools receiving Johnson O'Malley aids. The schematic chart presented in Figure I is a graphic portrayal of the Subcommittee's latest version of a model for vesting control of education for Native people in keeping with the self-determination policy announced on July 8, 1970. The purpose of the

model is to define a variety of relationships that could exist between local Native communities and tribal, state, or Federal Government.

Figure 1

Organizational Model for Relationships  
Among Local, Tribal, State and  
Federal Agencies Providing  
Native Educational Services



\* Includes land held in fee simple by Alaskan Native Regional Corporations.

On government-trust lands designated as Indian reservations by treaty, statute, or executive order, and land held by Alaskan Native regional corporations, the flexibility of the model provides for several options. Villages, chapters, bands, nonprofit corporations of Native parents, the reservation-wide tribal authority itself, or a regional corporation, could become the recognized local Native community for providing educational services. The conditions of recognition would be negotiated between each tribal or corporate government and the appropriate agency of the Federal Government. If the tribal council or regional corporate board established itself (or an elected or appointed education committee) as the exclusive representative on educational matters, then bands, chapters, clans, or education corporations on the reservation or in the corporate area, could not deal directly with the Federal Government. On the other hand, if the tribal council or regional corporate board saw fit to allow a local unit located on the reservation to operate independently of a tribally established system of Indian education, it would specify the conditions under which the local community would provide educational services and receive independent recognition. In other words, local control of education would be vested with the tribal councils on reservations or regional corporate boards, except in circumstances where the Native governing body saw fit to delegate this authority to a local community, for example, Rough Rock.

The relationship of a local on-reservation Native community (other than the tribal council) to the state in matters of education would depend on the relationship between the reservation tribal council or regional corporate board and state educational government. Three broad conditions could exist under self-determination:

1. If the tribal council or regional corporate board choose not to become involved in education, the state would be obligated to provide public education to all local Native communities (officially recognized or not) under their responsibility to provide equal educational opportunity to all citizens. The attendance units would not have to be located in the Native communities, nor would the school district be coterminous with the reservation.
2. The tribal council or regional corporate board could establish a reservation-wide school system and negotiate with the state for recognition of the reservation area as an independent school district. The terms of this negotiation would specify conditions of state recognition including class size, minimum program, teacher certification, and other factors affecting quality education. Under these conditions, there would be no direct relationship between local Indian communities and the state department of education, except through the tribal council or regional corporate board.
3. A third set of circumstances would occur if the tribal council or the regional corporate entity set up a tribal school system recognized by the state, but specifically excluded one or more local communities because of previous arrangements with public schools, geographic isolation, or other circumstances. Under these unusual circumstances, the relationship of the local Native community to state educational government would be the same as in Point No. 1 above or possibly under state regulations pertaining to private schools.

The relationship between the reservation tribal government and state educational government would exist under one of four sets of circumstances.

1. The reservation tribal or regional corporate government could decide to not become involved in a tribal educational system. Should they make this decision, there would be no relationship between the tribal and state educational agencies.
2. In the event that reservation tribal or regional corporate government establishes a tribal school system which is recognized as a school district by the state through a negotiations process, the tribal council, the regional corporate board, or a designated educational governing body would have the same relationships with the state as any other school board.
3. Should the reservation tribal or regional corporate board government establish a reservation school system which is not recognized by the state, the relationship with the state would be the same as that of any other agency operating a private school.
4. The tribe could be served by a federal school supported exclusively by the federal government or by a cooperative arrangement with the state. Under these circumstances the relationship between the state and the tribe in the area of education would depend on what arrangements might be negotiated between the state and federal government.

The Subcommittee noted that transfer of control to Native people could be most easily accomplished in federal Native schools. They also noted that this transfer of control has not taken place in most cases. The Subcommittee is concerned that progress has not been more rapid because of the control that the Executive Branch of government has over the operation of federal schools. Does this lack of progress where the turnover of control would be the easiest

mean that the Executive Branch does not intend to actively pursue the implementation of its own proposed policy? Does it mean that the vested civil service rights of employees in the massive federal Indian education bureaucratic system take priority over meeting the needs of people it was established to serve? Does it reflect an ambivalence on the part of Indian communities themselves for fear of termination or lack of manpower?

The Subcommittee agreed that further study of implementing self-determination without termination in the federal Indian School system is needed. The relationship of the Federal Government to the state in the area of Native education would depend on what relationship had already been established between the Federal Government and local Native communities and reservation tribal or regional corporate government. If no direct arrangements were made between the Federal Government and local Native communities and/or reservation tribal government, the Federal Government could contract directly with the state to fulfill its special obligation to Native people. However, if the Federal Government and local Native communities and/or reservation tribal or regional corporate government agreed to a system of federally-operated or supported schools, the state would not be expected to provide a dual system of public schools. Agreements between states and the Federal Government could provide for combination of federal and state-supported education.

Non-reservation Native communities which could consist of tribes, bands, clans, chapters, villages, or nonprofit Indian education corporations would have to be recognized by the Federal Government. The conditions of this recognition were passed by the Congress of the United States in the Indian Education Act. The relationship of the state to off-reservation

Native communities would be twofold. First, the state has an obligation to provide publicly-supported educational opportunity for off-reservation Native communities equal to the educational opportunity provided in any other community. If the Federal Government were to recognize an off-reservation Native community and to support local effort to the extent of providing a separate Native school, the relationship of the state would be as to any other federally-supported Native school.

Obviously, this model needs further study and development by present and future members of the Subcommittee. Some of the relationships would not be accepted by some Native communities and many non-native communities. Nevertheless, the Subcommittee agreed that the development of this preliminary model is an important first step. Its importance has been enhanced by the strong programmatic control provided by the Indian Education Act.

#### SUBCOMMITTEE OPERATIONS AND PROGRESS IN POLICY IMPLEMENTATION

The Presidential Message of July 8, 1970 set up the Subcommittee as an action group to provide technical assistance to local Native communities desiring to establish boards of education. The Subcommittee was unable to go beyond the discussion and model building stage activities described in preceding sections. While the discussion of issues and the development of organizational models are important, they cannot, by themselves, accomplish the goal of local control in Native education. The Subcommittee was not able to function as an action agency because of a lack of financial and/or human resources.

Creating local boards of education is a complex task with legal,

financial, and social, as well as educational dimensions. School boards are agencies of government that must operate within recognized guidelines. The legal relationships of a Native school board with state, federal and tribal government must be clearly established. The mechanisms for establishing these relationships may include enabling legislation, special regulations, executive orders, and/or contracts. The development of each of these mechanisms requires highly specialized legal help if ambiguities and misunderstandings are to be avoided or, at least, minimized.

An organizational structure vested with authority is not enough for the successful operation of a school system. Financial resources are needed which can be converted into learning experiences, pupil personnel services, and other components of school operation. Budgeting or planning for the receipt and expenditure of financial resources requires detailed work that must be closely coordinated with educational program objectives. Typically, Native communities have little natural or industrial wealth and a high dependence on agencies of the Federal Government for social services, including education. Without a carefully developed plan for the support of education, many Native leaders fear that creation of a local school board may result in a loss of federal support for education. The support base for Native education must be made secure and also planned to minimize the dis-economies of small-scale operation. Many Native communities which may want to assume control of education may not have developed the community political cohesiveness to agree on the structure of a local school system. Traditionally, federal programs operated in conjunction with local government have created long-lasting rifts and factions within Native communities.

Subcommittee members are not technically prepared to draft educational contracts, develop budget and accounting systems that meet state and federal requirements, conduct school board elections that meet existing legal requirements, and other similar tasks which are necessary if Indian people are to assume control of their schools in other than an advisory capacity. Furthermore, the Subcommittee members are all employed on a full-time basis. For these reasons it was imperative that the Subcommittee be given adequate resources to establish task force teams of legal, financial, and educational specialists capable of giving real and sustained assistance to local Native communities desiring to assume control of their schools. Neither the allocation of adequate financial resources nor the assignment of competent personnel already employed by federal agencies were accomplished to an extent which allowed the Subcommittee to fulfill an active role in making local control of education for Native people a reality.

In spite of the fact that the Subcommittee was unable to fulfill an active role in providing technical assistance, some progress was made in implementing the self-determination policy in education. To obtain reliable data on several questions relating to the extent and problems of policy implementation, several requests for data were submitted to appropriate personnel in the Bureau of Indian Affairs. The questions and responses are quoted below:

- A. How many Federal Indian schools were placed under the control of a local Indian Board of Education during Fiscal Years 1971 and 1972?

The following school programs were under contract for management and operation:

Fiscal Year 1971

Rough Rock (Navajo)  
Ramah Navajo (Albuquerque)  
Blackwater (Phoenix)  
Stephan (Aberdeen)  
St. Michael's (Aberdeen)

Fiscal Year 1972

Wind River (Billings)  
Miccosukee (Central Office)  
Omaha (Macy) (Aberdeen)  
Sinte Gleska College, Center  
(Aberdeen)  
Lakota Higher Education  
Center (Aberdeen)

- B. What specific efforts were made by the Bureau of Indian Affairs to implement the policy in specific Indian communities, but which did not become operational for reasons beyond the BIA's control?

Issuance of 20 BIA M 6 as a formal manual release served to clarify many of the misunderstandings and much of the confusion central to educational management contracts. Orientation and information sessions were provided by Central Office Contract and Education staffs to the BIA Indian Education Advisory Committee, Area Contract Officers, Area Directors of Education, Area ESEA Title I Coordinators, and in local Indian communities to School Boards. Sessions are planned for the National Tribal Chairman Association and Area JOM Coordinators. In addition, information meetings are held at the request of the local field unit or Indian community.

Bureau guidelines have stated that the initiative for educational contracts must come from the local Indian level rather than from the Federal Government. Hence, the Bureau serves in an advisory and supportive role, depending on local desires.

Several general problem areas that have been encountered during the past 15 months in the school contracts program are as follows: (1) Indian communities appear reluctant to make a major change from either federal, mission, or public school status for their children. There appears to be a "wait-and-see" attitude to observe what happens to the initial contract schools. (2) Fears of termination--if school contracting occurs--have been expressed in many instances by Indian communities as a major reason for not contracting. (3) The uncertainty of year-to-year funding by the Congress, the relative independence of the contractor, and divided sentiments in the local community are other major considerations.

In our opinion, the Bureau should negotiate all education management and operation contracts for school programs with the Tribal Council, rather than with the Tribal School Board or other designated entity on the reservation. Much conflict and misunderstanding can arise with the latter contract, particularly when the formal authority of the Council is bypassed. This has occurred at Loneman School where differences of opinion regarding the contract option transpired between the Tribal Council, its advisory school board, the Loneman school board, the Loneman PTA and members of the Pine Ridge community. This situation is gradually being clarified.

- C. What were the total amounts of resources allocated for the operation of Federal Indian schools during Fiscal Years 1969, 1970, 1971, and

1972? What proportion of these resources were actually handled by an autonomous local Indian Board of Education during each of these years?

	F.Y. 69	F.Y. 70	F.Y. 71	F.Y. 72
Total Educ. Appro.*	\$96.4M	\$117.5M	\$143.6M	\$165M
Federally Oper. Schs.	81.9M	96.9M	116.8M	125.1M
Indian School Boards	---	300,000	1.03M	1.9M

\*This sum includes appropriations for Federal operation of schools and non-Federal programs (Higher Education and JCM programs). The difference between line 1 and line 2 are the non-Federal program appropriations.

- D. What were the total amounts of resources allocated to JCM educational efforts during Fiscal Years 1969, 1970, 1971, and 1972. What proportions of these amounts were channeled directly to Indian tribes and communities?

TOTAL JCM ALLOCATIONS

F.Y. 1969	\$11.5M
F.Y. 1970	\$16.3M
F.Y. 1971	\$19.6M
F.Y. 1972	\$22.6M

TOTAL JCM-INDIAN CONTRACTS

F.Y. 1969	\$0
F.Y. 1970	\$0
F.Y. 1971	\$519,000 (United Tribes of North Dakota)
	\$400,000 (Nebraska Intertribal Development Corp.)
F.Y. 1972	\$650,000 (United Sioux Tribes of North Dakota)
	\$500,000 (Omaha Tribal Corp. & Nebraska Intertribal Development Corp.)
	\$1.6M (United Sioux Tribes)

These data indicate that progress toward policy implementation has been relatively slow for a variety of reasons. The Subcommittee expresses its appreciation to the Bureau of Indian Affairs for its excellent and prompt cooperation.

## THE USOE AND THE POLICY MESSAGE

The responsibility for the education of Indian children does not rest alone with the Bureau of Indian Affairs. The Subcommittee agreed that a separate organizational component such as the Bureau of Indian Affairs is necessary and appropriate for carrying out special obligations of the Federal Government arising from treaties, statutes, or executive orders relating to Indian people. The form and procedures employed in the performance of this function should follow the guidelines set forth in the Presidential Policy Message.

Beyond the special obligations of treaties and other provisions, the Federal Government has responsibility for the education of Indian children that are at least equal to those for children of all other ethnic groups. This responsibility is exercised through state public school systems. With the exception of the judicial influence, the support and control of educational opportunity offered by the Federal Government is channeled through the United States Office of Education. While the USOE cannot deal separately with Indian children on the basis of race or ethnic origin in the same way that is legitimate for the BIA, it does have the same degree of responsibility for their education as it does for children of all racial or ethnic groups. The present organizational cleavage between the Education Section of the BIA and the various sections of the USOE deters the fixing of responsibility and accountability.

The USOE formed a Task Force on Indian Education in response to the Presidential Message of July 8, 1970. While the Task Force identified issues, gathered the best available data, and made some recommendations, nevertheless, their report produced only slight changes in the organization of the USOE and produced no perceptible changes in USOE program operations. While the Task Force report represents a creditable piece of work, its importance has been somewhat overshadowed by the passage of the Indian Education Act. This act authorizes the establishment of a Bureau of Indian Education within the USOE headed by a Deputy Commissioner and guided by a National Indian Education Council giving policy direction.

The Subcommittee is not prepared to recommend what USOE policies should be regarding Indian education. However, the Subcommittee is in agreement that policy guidelines are needed and that their formulation be assigned high priority. The need for developing these policies is necessitated by:

- (1) the rapid increase in involvement in Native education starting with administrative responsibility for the federal impact laws in the 1950's,
- (2) the large number and proportion of Indian children served by public elementary and secondary schools, and (3) the need for a concerted and coordinated effort in program development for Indian students. The following quotation from the USOE Task Force report substantiates the growing involvement in Indian education:

The Office of Education plays a funding role in Indian education that has grown over the last 20 years to its present level of some 79 million dollars. As indicated earlier, this is due primarily to the extension of P.L. 874 in 1958 to cover local school districts which enroll students living on federal reservation property, and to the inclusion of BIA schools into Title I ESEA in 1967. During this time, the amount of resources going to Indian or Indian-related projects through discretionary programs has also increased to a significant level of 22 million dollars.

Data from the 1970 Federal Census indicate that nearly three-fourths of the American, and Alaska, Native children enrolled are attending public schools. The data tabulated below is quoted from the USOE Task Force report and indicates that "Indian education" is, in fact, public education:

<u>Type of School</u>	<u>Percent</u>	<u>Number</u>
Public Schools	73.5	197,245
BIA	29.6	52,591
Private	<u>6.9</u>	<u>18,323</u>
TOTALS	100.0	268,323

The USOE is the appropriate federal agency to relate to public education.

The inadequacy of the present federal organizational delivery mechanisms for concerted and coordinated programs for Indian children in public schools is reflected in two factors. These factors are: (1) the increasing demand on the USOE by Indian educators and groups who are dissatisfied with federal school programs or who lack adequate service because of a non-reservation status and (2) USOE's own recognition that its organizational mechanism is not adequate. The growing number of urban Indians not served by the BIA is perhaps the greatest single source of dissatisfaction among Native people in the area of education. The following quotation from the USOE Task Force report substantiates their recognition of organizational inadequateness:

Among Indian groups and members of Congress, there is a conviction that major steps must be taken if the full potential of OE's participation in Indian education is to be realized. Both the "Even Chance" study and S.2482 assume that OE must focus increased and diligent attention to Indian needs if the agency is to meet responsibilities to that population implied by its present role of delivering more general programs such as Title I, P.L. 874 and developmental activities.

In short, many Indians and some Congressmen believe that while the OE programs allocate significant dollar amounts to Indians, the impact too often does not reach the people. They conclude, therefore, that a separate structure of management and legislation is needed within OE to deliver what should have come through the broader programs, but in their opinion, has not.

The Subcommittee appreciated the excellent cooperation received from the staff in the USCE.

THE STATUS OF INDIAN EDUCATION

The second and third special charges to the Subcommittee were closely related. The second charge called for a "nationwide" review of the educational status of all American and Alaskan Native school children in whatever schools they may be attending. The third special charge called for an annual report on, "the status of Indian education, including the extent of local control". This chapter presents Subcommittee actions and deliberations in connection with these two special charges. The recently passed Indian Education Act has implications for both of these charges.

## THE NATIONWIDE REVIEW

A national study of any aspect of education is an extensive undertaking. The financial and human resource limitations discussed in preceding chapters are equally applicable to the charge that a nationwide review of Native education be conducted. This charge obviously did not take into account the diverse circumstances of Native people. It posed tremendous problems in defining and identifying the population of Native children and the school systems to be included in the study. A study of this magnitude would require two or more years to design and implement, unless an inordinate amount of resources were to be allocated to its completion. To illustrate the time requirements of a major study, the Meriam Report required two years to complete, the seven-volume Senate Subcommittee Report required more than

two years, and the recent Havighurst study was in progress for nearly a three-year period. Again, a nationwide status study is not the work of a part-time Subcommittee, unless it is given extensive resources to employ staff personnel.

The Subcommittee agreed that a sufficient number of studies of Native education have already been conducted using funds from federal and other sources. While the data collected in these studies may be fragmented, uncoordinated, or open to questions of validity, they consistently indicate that the status of education for Native people is far below the average for the United States. Most of the data collected under the auspices of the Federal Government should be readily available to agencies that wish to use it. The Subcommittee agreed that its report would serve little useful purpose in re-presenting and re-digesting data which were gathered by the Office of Civil Rights, the Office of Education (Indian Education Task Force), the Coleman Report, the Havighurst Report, legislative study commissions, and similar organizations or agencies. The Subcommittee agreed that further status studies which collect relatively fragmented data would only serve as a delaying tactic in the effort to improve educational opportunity for Native children.

The Subcommittee did agree that a status study which would provide comparison data on a monitoring basis over an extended period of time would be most useful. This useful purpose could be served by investing available Subcommittee resources in the development of a research design which would make the status report described in the second special charges into the first report produced under the third specific charge. This combination of activities would not only be more efficient, but would facilitate the implementation of the self-determination policy in education for Native people.

The Subcommittee agreed that the type of report described in the third special charge is greatly needed in Native education. Actually, the third charge was interpreted as giving a longitudinal dimension to the status reporting activity in the second special charge. The Subcommittee utilized the resources available for this purpose to make preliminary field visits and to develop a proposed research design. The research design would collect data from Native communities so as to perform a monitoring function in Native assumption of educational control and other factors with particular attention to the impact of the Indian Education Act. The following research design is proposed by the Subcommittee for further development by future Subcommittee members and full time staff or an established agency of the Federal Government.

TITLE:

A Research Model for Monitoring Changes in Indian Education

SUBMITTED BY:

Special Education Subcommittee, National Council on Indian Opportunity

ABSTRACT:

The purpose of this project is to establish a system of data collection that will yield comparable information about education for American and Alaskan Natives on an annual basis over an extended period of time. The collection of these data will allow a monitoring function to identify changes or trends in Indian control, achievement, pupil retention, and other factors of educational importance. The method employed should consist of 1) identifying public, tribal, and other schools serving Native

children which are eligible for elementary and secondary educational grants and aids earmarked for Native education and 2) utilizing a comprehensive data-gathering instrument designed to provide status information on topics of educational concern. A uniform data collection procedure over a period of several years would produce useful trend data.

#### BACKGROUND OF THE PROBLEM:

The education of Native children has been highly institutionalized and subject to changing policies and politics which have not affected the children of other sub-populations. Initially, the education of Native children was considered to be primarily a federal responsibility. The system of federal boarding schools required that children of school age leave their families to attend school. Under the assimilation policies, Native children were not allowed to use their language and were told that their "Indian ways" were inferior to the mores of the dominant society. Under these circumstances, parents were deliberately and systematically denied involvement in the formal education of their children. The federal Native school, as an institution, had little reason to be responsive to the people that it served.

With the loss of Native trust lands, migration of Native people away from reservations, urbanization, and the extension of public education; the education of Native children took on new dimensions. The old boarding schools continued to operate, but more Native children were enrolled in public schools. Many of these children in public schools were part of an increasingly visible sub-population called "Urban Indians". As Native people moved away from

reservations, they acquired a truly minority group status. In terms of education, their children found themselves in a very different environment. Again, the control of the public school environment was effectively removed from Native parents by their minority status in local school board elections.

The official policies and social forces that have shaped and transformed Native education have been augmented by other factors. Prejudicial attitudes, a high incidence of social problems, family instability, and poverty have left their marks on the education of Native children. Studies of Native education have consistently shown high dropout rates, poor attendance, and low achievement. The basic problem today is to reverse these trends. Many policy alternatives are available, which include vesting a higher degree of control with Native parents. Whatever policy alternatives are implemented, there is a need to monitor change. Most studies of Native education have not been designed to monitor change over time. This proposed study would provide the type of information needed for policy determination and decision making.

STATEMENT OF THE PROBLEM:

The problem addressed in this proposal is further defined by the following questions which will be answered by the data to be collected from schools serving Native children and which are recipients of grants and aids earmarked for the education of Native children or for poverty impact areas in which large numbers of Native children reside.

1. To what extent are Native people represented on local boards of education which actually exercise organizational policy control over schools serving Native children?
2. To what extent are Native people represented on advisory boards dealing with policy matters, curriculum, Johnson O'Malley budgets, Indian Education Act programs, and other matters affecting the education of Native children before, and after, the Indian Education Act?
3. What descriptive characteristics do the selected school systems have in terms of total enrollment, proportion of Native pupils, expenditure per pupil, pupil-teacher ratio, number of secondary level instructional units offered, special education services available, and provisions for including Native history and culture in the curriculum before, and after, the Indian Education Act?
4. How does the average performance of Native children compare with the average of non-natives in terms of percent of attendance, dropout rates, achievement in basic subjects, satisfaction with school, participation in activities, and attendance at post-high school institutions before, and after, the Indian Education Act?
5. What types of programs and projects at elementary, secondary, post-high school and adult levels were initiated as a result of funds being made available under the Indian Education Act in the following areas?
  - a. Innovative programs for educationally-deprived children

- b. Bilingual and bicultural education
  - c. Special health, nutrition, and related areas
  - d. Remedial and compensatory instruction
  - e. Vocational instruction
  - f. Guidance and counseling services
  - g. Special education for handicapped
  - h. Library and other instructional materials
  - i. Native adult education
  - j. Community college education
  - k. Ethnic heritage study programs
6. How much and what proportion of the school's income budget from state and federal sources can be attributed to the presence of Native children in the school? How is the identity of these funds maintained in terms of expenditure patterns?
7. What changes or trends in the items listed in the questions above can be observed in the data collected from year-to-year? Are there any discernible relations between assumption of Native control or changes in input variables and the output performance of Native children?

DESIGN OF THE STUDY:

The basic design of the study is set forth in the following sequential steps:

1. Designation, employment, or establishment of an agency qualified and staffed to refine and develop the details of this basic proposal, implement the design, analyze and report the results,

and sustain the research effort over a prolonged period of time.

2. Develop lists of public, tribal, and other schools serving Native children from each state. All school systems receiving federal support or aid because of the presence of Native children should be included. A sampling procedure is not appropriate because the subject schools do not constitute a single population.
1. Develop a comprehensive data gathering system that would yield uniform information to the largest possible extent. The data gathering system should maximize the use of electronic data processing techniques. Involved schools should not be required to change their operating procedures to conform to the data collection system. The information gathering system should be sufficiently flexible to utilize results of local testing programs or to provide testing programs to schools which do not have one of their own.
4. Train a staff of field assistants to implement the data gathering system and be assigned to the districts or schools by region. The field assistants would be in periodic communication with schools to answer questions and to actively assist in data compilation.
5. The results of the first year's study would be analyzed and reported. These data would meet the requirements of the second charge in the Policy Message of July 8, 1970 and would serve as a baseline for subsequent years of study. The study would then be replicated in succeeding years in effort to identifying changes, trends, and, hopefully, progress toward

providing better educational opportunity for Native children.

SIGNIFICANCE OF THE STUDY:

This study would systematically and objectively meet the needs identified in the second and third special charges to the Subcommittee and, at the same time, assess the impact of the Indian Education Act. For the first time, a reporting system would be established to take the pulse of Native education throughout the country. With these data, it would be possible to make realistic assessments of policy and to improve operational decisions.

The Subcommittee agreed that the development of this design, or one with appropriate modifications, was the best "first step" it could take. In implementing this design there should be a maximum involvement of Native people. If implementation is done on a contractual basis, it should be accomplished through a Native research agency or through an agency which regularly employs Native people. Responsibility for this evaluation could be integrated with the evaluation responsibility of the National Advisory Council on Indian Education created by the Indian Education Act. Integrating the status study charges to the Subcommittee with the evaluation responsibility legislated to the National Council would make more efficient utilization of resources and avoid unnecessary duplications of effort.

OTHER ISSUES AND CONCERNS IN  
SUBCOMMITTEE DELIBERATIONS

In addition to the problems mentioned in the three specific charges, the Subcommittee encountered other issues and concerns in its hearings and deliberations. These additional problem areas included 1) federal boarding schools, 2) the need for more Native educators, 3) biased reporting of Native history and culture, 4) higher education opportunity, 5) economic development and migration, 6) civil rights legislation, 7) adult and vocational education, 8) special education and 9) federal funding procedures for Indian education. The Subcommittee did not have the time and resources to conduct exhaustive research-type studies in each of these areas. However, the findings and deliberations of the Subcommittee on each of these topics is summarized in this chapter.

FEDERAL BOARDING SCHOOLS

Several points of view concerning federal boarding schools for Native children were expressed in Subcommittee deliberations. These points of view included the following:

- Boarding schools are necessary because of the geographical circumstances under which Native people live.
- The boarding schools could have been largely phased out by now, if an adequate program of road building and day-school development had been started several years ago.

- There will always be a need for boarding schools because some Native parents cannot provide the quality of home life or level of nutrition that Native children need.
- Boarding schools are the only economically efficient way of providing broad educational programs at the secondary school level.

Through all the deliberations, there was a feeling that these were good arguments for a bad thing. The basic problem with accepting the boarding school as a normative mechanism for delivering educational opportunity to Native children was its effect on the Native family. The Subcommittee agreed that the traditional role of the Native family is so important in developing cultural cohesiveness and identity that educational institutions ought to support, rather than negate, this relationship. The strengthening of the Native family social structure should be a major objective of Native education and the boarding school concept is contrary to this goal.

The educational process begins at birth and continues throughout the life span, therefore, concern should be, not only with formal education of youth, but also of parents. A greatly expanded adult education program is highly desirable to enable adults to assume the responsibility and provide the encouragement and motivation which all children need. Boarding schools cannot give the attention, love and association that parents can give to their children. Therefore, one goal and objective should be to phase out federal boarding schools, beginning with the off-reservation boarding schools.

#### THE NEED FOR NATIVE EDUCATORS

For those who are acquainted with the "American Indian Problem" and the history of the governmental concern for Native affairs, the story is an old

one. The U. S. Government and the concerned general public have devoted years of effort and large amounts of money to do good for the Native people, but never with their involvement or self-determination. Only in recent years has the problem been approached with the idea that the American and Alaskan Native would be able to help resolve his plight. Native leaders, often uneducated in conventional terms, have demanded education for their children and their treaties testify to this fact. Often, outstanding Native leaders are quoted in texts and documents to the effect that their people and their children must learn the ways of the whiteman in order to survive.

Regretfully, for various reasons, few Native students have graduated from colleges. Those who have graduated have typically gone to work in the dominant society and very few have returned to their people. Within the last few years, the Native people have become aware of the need for the return of their educated people. The greatest segment of Native population to be effected consists of school children; hence the great need for Native teachers, counselors, administrators and other educational specialists. With few exceptions, Native people generally identify more easily with Natives and with identification comes the opportunity to learn commitment, attitude, and responsibility. Native teachers and other educators would be particularly effective. The Native educator who merely makes demands on students to succeed like he did presents a suffocating domination of children.

Although current surveys and recent studies reveal that there is an oversupply of teachers and counselors, educators of Native ancestry are extremely scarce. The answer to the question why we need Native educators, is simply that Native children need to learn from some of their own people.

## AMERICAN AND ALASKAN NATIVE HISTORY AND CULTURE

The growing national awareness of minority groups has stimulated a new interest in Native American and Alaskan history and culture. The Subcommittee shared a concern that popular interest in these traditions frequently lacked depth and real understanding. In Subcommittee deliberations, a very broad interpretation of "cultural studies" was necessary. Not only was consideration being given to the reason(s) why an emphasis on ethnic/cultural studies has occurred, but, and perhaps more important, these studies were considered in terms of how they could be applied in contexts of personal and community need. If maximum benefit is to be realized from cultural studies and associated programs, there must be impact and meaning from such efforts in new approaches to educational programs at all levels of instruction. Cultural studies must be capable of providing insight and appreciation for cultural diversity between Native and non-native, as well as among the Native people themselves. More specifically, Subcommittee discussions followed two general directions: (1) cultural pluralism and its appreciation in American and Alaskan Native education, and (2) response to cultural pluralism--programs and activities in Native communities.

### CONCEPTS OF CULTURAL PLURALISM AND ITS APPLICATION IN AMERICAN INDIAN EDUCATION

The uniform curriculum works badly because it does not permit of relating teaching to the needs of the particular Indian children being taught... (Further) The curriculum must not be standardized. The textbooks must not be prescribed. The teacher must be free to gather material from the life of the Indians about her, so that the little children may proceed from the known to the unknown and not be plunged into a world where all is unknown and unfamiliar. The little desert Indian in an early grade who is required to

read in English from a standard school reader about the ship that sails has no mental background to understand what it is all about and the task of the teacher is rendered almost impossible. The material, particularly the early material, must come from local Indian life, or at least be within the scope of the child's experience.

Both the government and the missionaries have often failed to study, understand, and take a sympathetic attitude toward Indian ways, Indian ethnics, and Indian religion. The exceptional government worker. . . (has) demonstrated what can be done by building on what is sound in the Indian's own life.

The methods must be adapted to individual abilities, interests, and needs. Indian tribes and individual Indians within the tribes vary so greatly that a standard content and method of education, no matter how carefully they might be prepared, would be worse than futile.

The missionaries need to have a better understanding of the Indian point of view of the Indian's religion and ethnics, in order to start from what is good in them as a foundation. Too frequently, they have made the mistake of attempting to destroy the existing structure and to substitute something else without apparently realizing that much in the old has its place in the new.<sup>1</sup>

The foregoing remarks are found in the Meriam Report of 1928 and referred to studies conducted in Indian program administration, a situation that had become critical by the 1920's. A quick survey of recent recommendations in the Havighurst Report, Kennedy Subcommittee Hearings, and other studies of Native education will have an ironical similarity to these passages. The Meriam Report resulted from the issues and concerns that many expressed over the manner in which Indian programs were administered; especially education. That issue had its origins, institutionally and in policy beginning, about 1867 when the Indian Peace Commission recommended to Congress certain measures for reducing Indian hostilities along the advancing frontier in the Western United States. Recommendations included programs that would replace Indian

1. Meriam Report, 1928

language use with English. Missionary schools opposed this measure, since their programs had relied upon utilization of Native language as an educational technique. Probably, traditional institutions and culture identification were maintained through such language programs.

With the establishment of the off-reservation school system came maximum government control over education of the Indian. Contemporary and corollary events in socio-political areas were manifest in the 1887 Dawes Severalty Act which fragmented Indian land-holding patterns, shifting from communal, tribal ownership to individual title-holding patterns. The interpretation of motivations behind actions of those who saw these measures as necessary to bring Indian people into the greater society and those who were pragmatic politicians and/or militarists continues as the subject of great debate. Regardless, the outcome remains the same. Indian culture, language, traditions and strong-sinews of connection with family or tribal traditions were either cut or severely altered by these acts.

This brief overview of cultural factors in education must be viewed in even a greater context of academic approaches and concepts. Central to this discussion is the manner in which indigenous civilizations of the Western Hemisphere have been portrayed and considered as subjects of study in history, anthropology, behavioral sciences, and other academic disciplines. The disciplines have done much to influence the development of textbooks, teacher training, and other education programs. To a certain extent policies underlying programs dealing with the Indian people also have been affected by academic studies. To understand this development of theory, one authority and his work may illustrate the character of study that marked early research and writing about American Indians. The noted anthropologist, Paul Radin

wrote in 1927 (interestingly coincidental to the Meriam Report):

When a modern historian desires to study the civilization of any people, he regards it as a necessary preliminary that he divest himself, as far as possible, of all prejudice and bias. He realizes that differences between cultures exist, but does not feel that it is necessarily a sign of inferiority that a people differs in custom from his own. There seems, however, to be a limit to what a historian treats as legitimate difference, a limit not always easy to determine (emphasis added).

The term 'uncivilized' is a very vague one, and it is spread over a vast medley of peoples, some of whom have comparatively simple customs and other extremely complicated ones.<sup>1</sup>

Radin went on to discuss the importance of social Darwinism, combined with a certain amount of romanticism, that often distorted the concepts of primitive culture.

Within one hundred years of the discovery of America, it had become an ineradicably established tradition that all the aborigines encountered by the Europeans were simple, untutored savages from whom little more could be expected than from . . . children, individuals who were . . . slaves of their passions, of which the dominate one was hatred. Much of this tradition . . . has persisted to the present day. The fundamental position taken during these years was based on the doctrine that " . . . primitive peoples represent an early stage in the history of the evolution of culture"

Radin was occupied with the philosophical thought of primitive man. In this investigation he presented a principle that remains near axiomatic as one considers the basic characteristics necessary in the evaluation of any "civilization". Radin considered legitimate philosophical systems as functioning in all societies; to a great extent the issue was irrelevant to matters of complexity or primitiveness of society.

"Complexity of civilization has . . . comparatively little to do with the existence of such formulations (language, systemic categories, etc.). Indeed a complex civilization may very well stifle the urge to philosophize where it does not actually prohibit it."

1. Radin, 1957.

In his discussion of approaches relating to philosophical thought and systems among societies, Radin touched the real issue when he began to consider what most authorities of his time would accept as valid criteria for gauging the existence of philosophical formulations. For those who would evaluate the validity of such formulations the ultimate conceptual frame of reference was

" . . . the integrated philosophical systems which began in Western Europe with Plato and Aristotle" Finally, he commented: "At the bottom of all these theorists as well as many of the ethnologists whose data they have used, whether they admit it to themselves or not, predicate a special kind of mentality for all but the Greeks and their-cultural descendants"

While these statements tend to oversimplify a highly complex subject, still, it seems that pragmatic and scientific forces have combined to form a collective set of limiting factors in considering the status, role and vitality of American Native cultures. From such forces and influences emerge unfortunate limitations on the appreciation of Native cultures, history and society.

From premises patently stated or tacitly understood, a host of qualifying factors enter the consideration of Native society and its place in national or world civilization. The result is myopic and destructive not only to the concerns of the Native community but to the greater society which loses much of the enrichment and perspective that comes from acceptance of pluralism that includes Native contributions in society and cultural development. Interestingly, some of the great achievements in European culture set up fundamental propositions which later conflicted with the institutions and ethics of the Native American. The legacy of those historical forces resulted in the myth of the "melting pot" as the ideal for American society. The melting pot was never recognized as antithetical to a more realistic and healthy

acceptance of pluralism in our society. Until recently the greater study of effects of contact between European and American Indian civilizations has been conducted in Latin American history and anthropology.

#### RESPONSE TO CULTURAL PLURALISM: PROGRAMS AND ACTIVITIES IN THE INDIAN COMMUNITIES

In 1968, the National Congress of American Indians, meeting in Omaha, Nebraska, passed Resolution 17 which urged all educational agencies and organizations to remove materials that were prejudicial to Indian culture. Further, the NCAI recommended that there be a strong effort to replace such information with valid materials that: ". . . represents Indians as they actually were and are, knowing . . . that such materials will improve public reactions to Indians and create an increasing sense of pride in the Indian people themselves." NCAI concern and recommendations were not new. As early as 1928 (again, contemporary to the Meriam Report), the Grand Council Fire of American Indians, formed by Indian persons living in Chicago, criticized the educational literature used in the city schools as less than accurate or fair. More recently, Congress has heard familiar criticism and old issues raised. In 1969, the Report of the Committee on Labor and Public Welfare, U. S. Senate, in its Special Subcommittee on Indian Education, intoned again the Meriam Report, pointing to the failure of textbooks to deal adequately with American Indian history and culture. Recently, the American Indian Historical Society, an organization entirely administered by Indian people, published a comprehensive study on the inadequacy of current texts in dealing with Indian history. This study, Textbooks and the American Indian, includes 270 pages of evaluations, recommended readings and other pertinent data on selection and appraisal of

the literature. Under the guidance of Will and Lee Antell, the Department of Indian Education, State of Minnesota, in conjunction with the University of Minnesota, published a key document, American Indians, An Annotated Bibliography of Selected Library Resources, 1970, which combines criteria for materials (all media) evaluation, with resource information (bibliographies, filmographies, etc.), the human resources of the State of Minnesota, and support agencies that can provide funding or other consultant assistance for educational programs that recognized cultural needs in teacher training, curriculum development, and materials development. It is a definitive model for resource guides and evaluation. More recently, achievements have been made in further development of culturally pertinent instructional material. While quite numerous, a few of these projects are outlined below as representative of the trend now gaining momentum through the nation:

Local/Community Projects: Beginning with early projects, such as the Montana Reading Center series under John Woodenlegs, Northern Cheyenne culture has been disseminated more broadly to all communities in a literature series. Similar efforts have taken place among the Cherokee who have produced stories and legends for publication for a number of years. Combined efforts of the Western History Center, University of Utah, the Uintah Ouray Tribe and Uintah School District, led to the publication of a textbook, Ute People, An Historical Study, in 1970. This project demonstrated the manner in which university, public school, tribal authorities, parents, and pupils could cooperate in a major undertaking for the betterment of education information about Indian culture.

Through the assistance of the Doris Duke Oral History Centers (Utah, Oklahoma and Arizona Universities, principally), the Bureau of Indian Affairs

is working with the Zuni, Southern Ute, Nez Perce, Cheyenne-Arapaho, and Paiute-Shoshone in the publication of texts on the history and/or literature of these peoples. Some twenty-two other proposals are pending, all similar to the Nez Perce, Southern Ute, Zuni and other projects. While the immediate objective of the publications programs is to bring about new and more representative literature for study of American Indian culture and history, a larger, more significant goal also exists: through a survey of the existing literature about themselves, complemented and enriched by materials being derived through such publications projects, each tribe rightfully should become the expert about their history and culture. Through experiences of research, writing, editing and publication, the tribes develop a community expertise that serves in educational leadership and consultant roles for teacher training, curriculum development, and continuing projects in education materials production. The Library Project of the National Indian Education Association, now in completion of its initial phase achieves similar results in developing community-level expertise and definitions of programs, including culturally relevant materials in resource centers.

Regional/State Programs: Another program, under Mr. Dennis Huber, Director, Indian Education Staff, United Tribes of North Dakota, represents a more comprehensive research and applied cultural studies program. This project affects almost all areas of instruction, education planning and development; all related to Indian tribal needs. Curriculum, materials development, and teacher training are integral components of the North Dakota effort. The Navajo Curriculum Center has long engaged in production of materials. They have available a list of numerous publications. The subjects include linguistic manuals, a two-volume history of the Navajo tribe, and a volume of biographies

of famous outstanding Navajo leaders. Instructional materials and training programs are concomitants of the publications activity. Complementing these achievements are more publicized programs such as those conducted by such agencies as the Southwestern Cooperative Educational Laboratory, Project NECESSITIES, American Indian Historical Society, Ford Foundation Program with American Indian Organization, and others. Works by Indian authors, including Pulitzer Prize Winner, N. Scott Momaday, Vine Deloria, Alfonso Ortiz, and others highlight the literary activity now commonplace among the Indian community.

Community Centers: Whether termed community or cultural centers, another manifestation of cultural programs among Indians can be seen in the construction of community/cultural centers. The Economic Development Administration lists over fifteen such centers. These centers range from arts and crafts centers (San Juan Pueblo) to more governmentally-oriented centers where tribal political activity occurs (Southern Ute). In the latter case, however, an extremely significant archive of ratified and unratified treaties is housed. This collection has attracted more than passing curiosity among the Southern Utes; research of the documents has provided grounds for investigating certain legal issues that emerge from seemingly passive historical documentation. These centers can easily move from materials collection or archive facilities to active publications houses or similar programs which continue to build on the almost limitless human and material resources of the community. The final results of community and regional programs as those briefly outlined above are impossible to forecast; however, based on the development of organized cultural materials programs such as these, some of the programs that could evolve include:

1. Writing of original histories and studies on value systems. The Interamerican Indian Institute of Mexico publishes a series entitled "Legacy of the Americas" (El Legado de Las Américas). It covers the philosophical thought of Mexican and South American Indian civilizations before and after the Spanish contact. Such a major publication counterpart might be established in this country.
2. Studies on Indian government and legal systems. One example might be the recent issues involving Pueblo Indians' desires to be exempted from the 1968 Civil Rights legislation (Public Law 90-284, Title II). It is necessary to study the legal philosophy and traditional institutions of Pueblo Government to comprehend what the Civil Rights legislation can mean to the survival of basic institutions that sustain Pueblo culture.
3. Linguistic information. The richness of Indian languages should be placed on tape and typescript for use by student and teacher.
4. Indian literature. Content themes might include traditional folk tales, recollections of historical events, intertribal relations, contemporary problems of youth, generation gap, reminiscences of reservation life, oratory, ceremonies, personal life histories -- all have great significance for the potential Indian novelist or historian.
5. Curriculum change and development. With more Indian representation on school boards, the next step should be to change curriculum and instructional materials to accurately reflect Indian culture.

New approaches inherent to the programs listed above will require greater interdisciplinary effort and suggest basic education outcomes such as:

1. Balanced and accurate representations of Indian culture in American and world history. Mutual respect and understanding between Indian and non-Indian should be based on a recognition of the special nature of societies, religion, governments, and other institutions found in the American Indian world. It is ironic that primitive life is studied to solve crises of modern society. Studies have been funded to study pre-Colombian agricultural techniques in Colombia, Peru, and the Southwestern United States to determine how the early inhabitants conserved the environment. In such studies may rest solutions to ecological problems that face America today. There was greatness of urban development in ancient America. Few persons, other than specialists, realize that there were Indian cities in the most modern sense of the word. The achievements of American Indian civilization in mathematics, science, medicine, social organization, military genius, political organization, architecture, agriculture, oratory, and literature should be more generally and firmly established through new works at the primary, secondary, and higher educational levels. An extremely rich store of literature should be placed in all comparative literature programs.
  
2. A better understanding of the fact that American Indian and Alaskan Native cultures are changing, and not static. Examples of Pueblos' self-determination in civil rights discussions, the Zuni program, and the emergence of Navajo nationalism demonstrate that change is occurring; but that change must take place at the tribes' own pace and discretion. However, even with change there is still a deep-rooted traditional identification. Too often, customs and practices are viewed as symbols of static tradition, when they should be seen as signs of cultural integrity. Such individual features of American and Alaskan Native life must be considered as part of the total American (Western Hemisphere) culture to understand the people and provide intelligent programs that consider and respect particular values and yet accommodate to present forces of change. Through greater interdisciplinary studies, involving maximum Native contributions, symbols and parts of the total culture may be better understood.
  
3. Understand cultural value systems and world views. As Dr. Edward Dozier, a Tewa, observed, there are differences in conceptualizing philosophical, religious and other systems that exist among Indian people. In his discussions, Dr. Dozier contrasted the Pueblos of New Mexico and Arizona with western man. A lineal "cause and effect" system of knowledge and its structural counterparts in institutions or attitudes marks the western European heritage. Dozier points out the "interrelated wholes", many-faceted, views of life characterize the Pueblo World View. Dualism, in the latter sense, is not so much good-versus-evil, as it is that two correlated elements operate in a balanced universe. Each part is seen as necessary to the other; neither subordinate to the other. (Dozier, 1970: 112). Through development of materials derived from the tribal community, one can gain insight and understanding to the basic values of another, non-western thought and philosophical system.

4. Make curriculum changes that honor the value of cultural difference and deal with the fact of a pluralistic society in America.
5. Bring about changes in teacher training through preservice and inservice training programs or institutes which utilize the original materials developed by the Indian people. Institutes of this type have been held in increasing numbers throughout the Indian community. The training of aspiring teacher and faculty in university schools of education should be a target of this component.

What may be ultimately achieved by projects and programs of this nature may be better understood by means of an incident reported in the writings of Benjamin Franklin. Franklin referred to an offer made by the Government of Virginia to the Six Nations in 1774. In response to an offer to send six Indian youths to Williamsburg College, the Indian leaders replied:

"(The English) must know that different Nations have different conceptions of things; and you, therefore, not take it amiss if our ideas of this kind of education happen not to be the same as yours. We have had some experience of it; several of our young people were formerly instructed in all your sciences, but when they came back to us, they were bad runners, ignorant of every means of living in the woods, unable to bear either cold or hunger, know neither how to build a cabin, take a deer, or kill an enemy, spoke our language imperfectly, were therefore neither fit for hunters, warriors, nor counselors, they were good for nothing. We are, however not the less obliged by your kind offer, though we decline accepting it; and to show our grateful sense of it, if the Gentlemen of Virginia will send us a dozen of their sons, we will take great care of their education, instruct them in all we know, and make men of them." (quoted in (Adams, 1966)).

These remarks have great significance in any development of basic understanding of need and objectives in cultural studies programs. The comprehension of, and respect for, cultural differences in values and needs must be achieved before programs are initiated. Once the understanding is achieved, a new stage in developing texts, teaching techniques and curriculum may be at hand.

The future of the American and Alaskan Native will be determined to a large extent on the acquisition of skills to live in a rapidly changing technological society. What Native persons in the days ahead will be depends perhaps more greatly on what is retained as the record of American Native culture developed and passed on by the Native people themselves. Through university and more Native community participation, this record could be a means of establishing better understanding between Natives and non-natives, and perhaps more important, among the Native tribes and groups in current American society. The development of materials and programs, based on the information provided by the Native people can take many forms and be conveyed through many processes. Whatever form or process used in finding, organizing and distributing this information, the oral tradition and its literary-historical contribution to world culture makes possible an approach though which cultural confusion may be somewhat resolved. Established through the investigation and evaluation of these materials and living statements is the clear identity of the American and Alaskan Native to himself and to others. Such identity can do much to define direction for the future.

#### HIGHER EDUCATION

Subcommittee deliberations on higher education took three general directions: 1) programs at established colleges and universities, 2) support of Native institutions of higher education on reservations, and 3) scholarship programs. The principal concern with programs at established institutions of higher education was that their Indian studies programs be more than a means to attract federal funds. To alleviate this danger, Native people must

be involved in the program planning and funding process. The Subcommittee also recognized the legitimacy and importance of making non-natives aware of the Native past, present, and future at the higher education level. The point was also made that financing Native higher education programs should not happen at the expense of new Native colleges that are in the process of development.

Native institutions, such as the Navajo Community College, represent a new dimension in Indian education. Several programs were discussed as appropriate for institutions of this type. These offerings included transfer programs, selected vocational-technical programs, and adult education. The Subcommittee felt that the closeness of these institutions to the needs and circumstances of Native communities make them particularly worthy of support and further development. The Subcommittee felt that more attention should be given to the development of these institutions in future deliberations and in national plans for Indian education.

The Subcommittee discussions of Native scholarship programs had two emphases: 1) the dissemination of scholarship information and 2) the nature of scholarships that should be made available. The problems and proposed solutions associated with the dissemination of scholarship information will be further discussed in a sub-section. The Subcommittee's response to the types of scholarships that should be made available is summarized in the following points:

1. The number of Native students who graduate from high school is relatively small at the present time. For those who do complete high school, every effort should be made to further develop their talents as a long-range investment in the improvement of life for Native people. It follows from this position that resources for

undergraduates be sufficient to offer collegiate opportunities for every Native student who can and will put them to good use.

2. The Native people now recognize that high degrees of skill in technical and professional areas are needed to manage their affairs. The Subcommittee sees this desire as a trend in Native affairs and agrees that additional resources are needed for graduate scholarships and, in some instances, special graduate programs for training Native people in law, medicine, education, business management, engineering, and other fields.

#### DISSEMINATION OF NATIVE STUDENT SCHOLARSHIP INFORMATION

There currently exists the common complaint by most Native students throughout the United States that there is a lack of adequate information about undergraduate, graduate, and vocational training programs. Coinciding with this complaint is the lack of an adequate information source concerning funds and resources available to Native students wishing to acquire higher educational goals. Added to this is the confusion created by current recruiting programs by colleges and universities who feel it is necessary to recruit Native students to their particular colleges, in order to meet Native population demands for their federally funded Indian studies programs. Such practices do not always offer prime consideration to the educational needs of the prospective Native student, but clearly reflect an attitude of commercialization of limited Native resources.

What is needed to alleviate this problem and expedite necessary information regarding funding sources and institutions of higher education is a National Clearinghouse. The establishment of such a clearinghouse would serve

basically as an information center. This central office will have the responsibility of coordinating and collecting all available information regarding the names of colleges, universities, and vocational programs for Native students. The central office will also coordinate and collect information regarding funding for Native students, using such sources as federal, state, tribal, and private scholarship organizations who have funds available for Indian students.

It will be the responsibility of the central office to disseminate this information to the regional offices. These regional offices should be established throughout the United States, including Alaska, to facilitate communication and to accommodate the various and diverse geographical needs of the Native people. Since Native people are generally accustomed to dealing with the government at the BIA area office level, there would be an advantage in locating field staff offices on, or near, such sites. The regional offices would utilize their collected data, schools, and resources to assist and inform all eligible Native students in their regional areas. Of necessity, regional offices must obtain such structural and fiscal flexibility to accommodate the existing and changing needs of its Native students.

The regional offices should fulfill the following responsibilities:

1. Establish communication lines with all Native students, Native communities, primary, and secondary school officials, and institutions of higher learning in their respective regions.

This is to alleviate the current problem of inadequately informed eligible Native students, and inform them as to what possibilities they may consider for higher education achievements.

Working with primary, secondary and collegiate level officials serves the purpose of disseminating the information and sources which might be utilized.

2. Aiding in preparation and processing application forms and seeing that these application procedures to various sources are consolidated to produce a more simplified, uniform, and expeditious procedure.
3. Provide guidance and counseling services to Native students requesting information for their particular educational needs.  
It is important to remember that not all desire college degrees, but some are more interested in some type of vocational training.
4. Provide a data collection system which would be the base for the future evaluation of the success of such programs. A data collection system could provide necessary valuable information regarding the number of Native students in colleges, universities and vocational training resources most utilized by these students and their degree of achievement.
5. To conduct and finance regional Native education seminars with educators at all levels of learning.

Finally, in those instances where Native students attend public schools, some thought should be given to studying existing Johnson O'Malley guidance and counseling programs now being implemented jointly between school and Native authorities. Such programs have provided the means for meaningful control by Native people in an otherwise non-native-dominated established school system.

The success of local Native guidance and counseling programs in public school systems would seem to provide the most basic criteria in the consideration

of the policy of Native self-determination. Such programs would also provide the local communications absolutely necessary to make the proposed centralized systems workable.

## ECONOMIC DEVELOPMENT, MIGRATION AND INDIAN EDUCATION

The migration of Native people from rural reservations to urban areas still is in existence; however, the motivation and policies behind this push for migration has changed drastically in recent months. The migration of Native people to urban areas continues to have a direct impact on the reservation economy and tribal identity. Primarily, the impetus has been influenced most by economic opportunities more readily available in urban settings. In recent years, federal policies, through such efforts as the Relocation Program, have accelerated this migration to major proportions.

Until recent times, the Federal Government had the policy of influencing economic and educational opportunity migration through the Employment Assistance Program, an outgrowth of the 1950's termination policies. The young students, especially, were encouraged to leave their reservations on relocation programs, only one-third returned to the reservation to offer their acquired skills or more often, to find their skills not in demand. Because of the training and opportunities the remaining two-thirds found in the urban areas, they had no desire to return to an unemployment situation. The new direction of the Bureau is a result of years of frustration for both the Federal Government and Native people who have been involved with the disastrous workings of the previous policies.

The philosophy of relocating reservation Native people to urban areas, for whatever reason, has generally succeeded only in transplanting Native

problems from the reservation to distant unfamiliar surroundings. Ironically, the Federal Government appears to have succeeded in divesting itself of responsibilities it might otherwise have, while urban and reservation Native people engage in bitter altercations over limited funds. The impact of the continuing "brain drain" on efforts of reservations to develop industry and resources has been a major factor in the stagnation of Native communities. Inadvertently, perhaps, past policies geared to educational and training programs that encourage, if not direct, relocation have threatened vigorous tribal identity. Native priorities have identified the need to abandon budgetary considerations of education for relocation to one that encourages education for developing local resources. In recognition of Native priorities, the Bureau of Indian Affairs announced its new Five Point Program for the 70's on January 12, 1972.

Inasmuch as the Bureau of Indian Affairs has deemed it necessary to change its policies, as stated in their new approach for the 70's, it is inherent that programs be implemented for a coordination policy between Office of Education and the Bureau. It would be more advantageous if the Office of Education would, whenever feasible, direct its educational programs where they would co-relate with the new federal policy.

The new Bureau policy is geared to provide reservation-interest jobs at all levels. Whenever requiring training, the Office of Education should consider a coordinated effort with the Bureau to best achieve this goal, keeping in mind, however, that this job training for reservation economy improvement does not conflict with an individual's own career choice. Whenever feasible, the Office of Education should be geared to the new directions the Bureau is implementing, providing job training and educational assistance whenever programmed for reservation development.

## THE INDIAN AND CIVIL RIGHTS

The dilemma of enforcing the Civil Rights Act of 1964 in Native reservation or non-reservation communities will confront the Congress and courts with new challenges. The American and Alaskan Natives civil rights have been established by treaties, statutes, and executive order as well as the Federal constitution. The question of equal jurisdiction is complicated by what supercedes treaty, statute, or executive order.

Indian reservations were created by the aforementioned decision documents. There is ample evidence to suggest that the states may not have legal jurisdiction over civil rights of Native people on reservations. However, the Federal Government has delegated some responsibilities and powers such as health service and school attendance to the states. There are some obvious contradictions in existing law which will have to be clarified.

Jurisdiction becomes an important issue when self-determination is applied to reservation schools. Compliance with Title II of the Civil Rights Act of 1964 is fast becoming a critical concern for federal agencies and Native people. All-Indian schools, which are segregated school buildings, no doubt will cause delays and obstacles for self-determination should the Federal Government attempt to enforce those portions of the Civil Rights Act of 1964 which require desegregation.

Native people throughout this nation are striving for control of the affairs which affect their lives. There is ample evidence to suggest that the Federal Government will embark upon a calculated plan to desegregate public schools serving Native children. Public schools located on reservations could be seriously affected by the Civil Rights Act of 1964 and enforcement by the Justice Department. Before the federal government pursues a policy

of desegregating schools serving Native children, the Congress of the United States and the federal courts must clarify legal questions on conflicting statutes and treaty rights of American and Alaskan Natives.

There is confusion in some Native communities as to whether the Federal Government has a trust responsibility to Native people who do not reside on a reservation. Numerous court decisions have been rendered and there seems to be no clear understanding as to whether the failure of the government to honor this responsibility is based on treaty, statute or policy. The mounting pressures exerted by urban Natives to be eligible for identical services as reservation Natives suggests this is a policy of the Federal Government and can be changed. This further complicates the civil rights of Native people living off reservations. Which jurisdiction will apply?

There are clear understandings and expectations of civil rights and Title VI when federal funds are used by educational institutions to serve Native citizens. Report after report indicate that Native people have been discriminated against by public schools, state and federal agencies, colleges, universities, and profit or non-profit organizations who receive federal funds under the guise of providing services to American and Alaskan Natives. Compliance with Title VI and the use of federal funds must be immediately accelerated to insure Native citizens equal protection and opportunity under the law.

#### ADULT EDUCATION REDEFINED

The concept of adult education has lost its vitality because of stereotypical images that have emerged from countless narrowly conceived programs. The Subcommittee perceived a need for an innovative; revitalized adult

education for Native communities. The redefined approach to adult education would include both general and vocational education opportunities for people beyond secondary school-age levels. The expanded adult program would include scholarship funds which would enable interested persons to obtain training necessary for new job-entry level skills or to upgrade existing skills.

The shortcomings, problems, and despair with traditional adult education programs are reflected in the following representative statements by Subcommittee members:

-- The greatest failure in Indian education is in the education of the Indian adult. This failure is principally the inability to generate adequate funds to carry out meaningful programs. Periodically, the Bureau of Indian Affairs becomes disturbed at the failure of programs designed to educate Indian adults and they open the faucet and allow a few drops to trickle forth. There has never been, and there does not appear in the future, any sustained and massive adult education. It is utterly ridiculous to have a successful adult education program, such as that presently operating at Navajo Community College and not be able to find adequate funds to continue to support it on a continuing basis. The government has too many programs of a "demonstration" nature which allow innovations to be realized but there are inadequate programs and funds available to sustain the successful demonstration programs on a continuing basis.

-- I personally am completely convinced that there would have been Indian control over Indian education 50 years sooner if there had been a successful program to involve adult Indians in adult education. I sometimes think the exclusion of the adult Indian from many meaningful educational programs was deliberate because as long as he knew little or nothing about education he was in a weaker position with regard to demanding a voice in control of education.

-- This country was founded on the principle that an educated electorate was essential for successful democracy. Nevertheless, we fail to make any effort, and what is even worse, we today continue to fail to make any effort or to develop needed massive programs in adult education for the American and Alaskan Natives.

- Too often in those few places where we do have adult education we think of it merely as an illiteracy program or program in which we are trying to scrub the older Native people into acting and thinking like white people. These programs generate little interest in Native people and we use their failure as our defense of why adult education has not been effective.
- The keys to success of any educational program are mainly the determination of the content of the program to be made by the Indians themselves and the freedom and resources to carry out the programs so identified. Too often we use outside experts who have advanced degrees from illustrious colleges and universities in determining the scope and content of our adult education efforts. We then implant these programs on the Indian reservations and act surprised when they fail. The only successful approach would be for the Indians themselves to determine the scope and content of the adult education they want then to provide them with the resources and freedom to carry out those programs. These principles, of course, apply to all facets of education and account for the many failures we have in Indian education because we depend too often on the professional expert rather than on the people and students to be served for our direction, guidance and control.
- Adult education was not one of the committee's major or minor discussion items. That is symptomatic of the concern generated for the subject. There is just very little concern for the education of adults -- Indian or not -- in this society.
- Adequate funding levels are not the only solution. There is a desperate need for imaginative programs. The solution to that problem is the heart of this report. Let the Indian create the programs that satisfies his needs!

#### VOCATIONAL EDUCATION--AN ADDED DIMENSION

Vocational education is important in American society because it provides a means by which individuals can learn skills that will give them a productive place in the society and a means to share in its gross national product. For sometime, stereotype statements about "Indians being good with their hands" led well-meaning educators to prescribe vocational education for Native students. Unfortunately, vocational education carries a stigma of being "second class" and vocational education programs offered to Native students

were often inappropriate in terms of the actual job market. For example, in some areas of the country numbers of Native people have been trained as welders when there was really no demand. As a result, vocational education received a bad name among Native people.

Nevertheless, there is a real need for vocational education among Native people. This training should be aimed at enabling them to improve their own housing and living conditions on reservations and to take advantage of employment opportunities both on and off reservations. Too often the planning of vocational education has not had sufficient involvement of Native people in the planning process. However, local Native involvement alone is not enough. Well-planned vocational education programs require liaison relationships with business, labor and industry. Vocational education in its broadest sense is of growing importance in American society because of its opportunities to learn productive skills. Native people need to share in these opportunities.

The redefined adult education which covers a broad array of educational opportunities, coupled with support plans which enable Native people to take advantage of the opportunities, holds promise for the future. Adult education programs that offer little more than basic education will eventually fail because they do not offer enough. Basic education plus vocational training programs that lead to employment opportunity must be made available to all Native people who might perceive themselves as having finished their formal education.

## SPECIAL EDUCATION

The experiences of the Subcommittee members tended to indicate that over one-third of Native elementary and secondary students had problems

that require special educational programs. Native education has not kept pace in terms of providing special programs for the handicapped and the socially or emotionally disturbed. The Subcommittee felt that this phase of education is in need of further study and will probably become an important new emphasis in the future. When one looks at the achievement record of Native children, the need for programs that deal with special learning and behavior difficulties (SLBD) the need is overwhelming. There is clearly a need for studies to determine the special education needs of Native children.

#### FEDERAL SUPPORT FOR NATIVE EDUCATION

The Subcommittee discussed the various sources of support for Native education. It did not have the time or the resources to collect the data necessary for an analysis that would yield specific recommendations on funding levels and distribution formulas. The Subcommittee has a general concern for the overall level of funding from all sources and for the implications of funds being administered by several federal agencies.

The concerns for the overall level of funding centered around the educational implications of the federal hiring freeze and curback policies. The federal hiring freeze caused vacancies in federal schools to go unfilled and required transfers of people who were not always qualified to fill the needed professional educational roles. The Subcommittee understands the need to control inflation, but was not convinced that it should be done at the expense of education for Native children. Hence, the consensus that federal support for Native education should be adequate to meet basic and special needs.

The Subcommittee agreed upon additional study of the manner in which funds for Native education are accessed. The primary concern in this area

was the need for grantsmanship skills in order to get grants for special education projects. Those tribes which have more resources and political expertise tend to fare better in obtaining discretionary federal funds. The Subcommittee agreed that an agency which would coordinate sources of funds for Native education would enable Native communities to develop more comprehensive educational opportunities for adult, special, vocational, and other aspects of education. The establishment of this agency could also provide for better policy control by Native people as to who would be the recipients of federal money for Native education. Further study and deliberation are needed.

APPENDIX

BIOGRAPHICAL INFORMATION ABOUT  
SUBCOMMITTEE MEMBERS

Will Antell, Chairman

**Tribe:** White Earth Chippewa

**Present Position:** Director of Indian Education  
Minnesota State Department of Education

**Background in education:**

- B.S. Degree, Social Science Education, Bemidji State College, Bemidji, Minnesota
- M.S. Degree, Social Science, Mankato State College, Mankato, Minnesota
- Doctoral Candidate, Educational Administration, University of Minnesota.
- Nine years teaching and coaching experience in public schools.
- Four years administrative experience, Minnesota State Department of Education.

Alonzo T. Spang, Vice Chairman

**Tribe:** Northern Cheyenne

**Present Position:** Superintendent, Northern Cheyenne Agency, Lame Deer, Montana

**Background in education:**

- B.S. Degree, Counseling and Psychology, Eastern Montana College, Billings, Montana
- M.A. Degree, Counseling, Arizona State University, Tempe, Arizona.
- Doctoral Candidate, Education, Arizona State University, Tempe, Arizona.
- Two years teaching experience in public school.
- Two years teaching in federal Indian schools.
- Five years of higher education administrative and teaching experience at Arizona State University, Cook Christian Training School, Navajo Community College, and University of Montana.
- One year of administrative experience as agency superintendent.

John Borbridge, Jr.

Tribe: Tlingit

Present Position: President and Chairman of the Board,,  
Sealaska Corporation, Juneau, Alaska

Background in education: -B.A. Degree, Political Science, University  
of Michigan, Ann Arbor, Michigan  
-Graduate work at University of Washington  
and University of Michigan.  
-Six years of teaching experience in public  
schools.  
-Six years of teaching experience in  
boarding high schools and junior colleges.  
-Five years of administrative experience in  
Alaska Native Public Health Service and  
Central Council of the Tlingit and Haida  
Indians of Alaska.  
-Member, Alaska State Board of Education.

Ned A. Hatathli

Tribe: Navajo

Present Position: President, Navajo Community College  
Many Farms, Arizona

Background in education: -B.S. Degree, Northern Arizona University,  
Flagstaff, Arizona.  
-Graduate work, University of Colorado.  
-Honorary Doctor of Laws Degree, Eastern  
Michigan University, Ypsilanti, Michigan.  
-Twenty years of administrative experience.

Overton James

Tribe: Chickasaw

Present Position: Administrator, Indian Education Division,  
Oklahoma State Department of Education  
and Governor, Chickasaw Nation.

Background in education: -B.A. Degree, Education, Southeastern State  
College, Durant, Oklahoma.  
-M.A. Degree, Education, Southeastern State  
College, Durant, Oklahoma.  
-Ten years teaching and coaching experience  
in public schools.  
-Seven years administrative experience,  
Oklahoma State Department of Education.

Linda St. Peter

Tribe: Wailaki-Wintun  
Present Position: Student  
Background in education: -Education student at Eastern Montana  
College, Billings, Montana

John Rainer, Jr.

Tribe: Taos Pueblo-Creek  
Present Position: Student and Counselor in General College,  
Brigham Young University, Provo, Utah  
Background in education: -B.A. Degree, Music Theory, Brigham Young  
University, Provo, Utah.  
-Masters Degree Candidate, Guidance and  
Counseling, Brigham Young University,  
Provo, Utah.  
-One year teaching experience in general  
college.

Jon C. Wade

Tribe: Santee Sioux  
Present Position: Education Specialist, B.I.A., Aberdeen  
Area Office, Aberdeen, South Dakota  
Background in education: -B.S. Degree, Education, Northern State  
College, Aberdeen, South Dakota.  
-M.A. Degree, Mathematics, University of  
South Dakota, Vermillion, South Dakota.  
-Doctoral Candidate, Educational Administration,  
University of Minnesota.  
-One year teaching experience in public school,  
three years in BIA school.  
-Three years administrative experience as  
State Director of Indian Education, South  
Dakota; three years in Bureau of Indian  
Affairs.

Dave Warren

**Tribe:** Santa Clara Pueblo-Chippewa

**Present Position:** Director, Research and Cultural Studies Center, Institute of American Indian Arts, Santa Fe, New Mexico

**Background in education:**

- B.A. Degree, University of New Mexico Albuquerque, New Mexico.
- M.A. Degree, University of New Mexico Albuquerque, New Mexico.
- Ph.D. Degree, University of New Mexico Albuquerque, New Mexico.
- Two years teaching experience in public schools.
- Six years of higher education teaching at University of Nebraska, Oklahoma State University, and University of New Mexico.
- Seven years of administration experience in Air Force, Peace Corps, and Bureau of Indian Affairs.

The Subcommittee received staff assistance from Mr. James Bearghost, Mandan-Arikara, Assistant Executive Director of the National Council on Indian Opportunity.

Subcommittee Activities

In performance of the duties described in the general and specific charges and in accordance with the approved guidelines, the Subcommittee engaged in the following calendar of activities:

**Activity:** Organizational Meeting

**Date:** February 25-26, 1971

**Place:** Washington, D. C.

**Purposes:**

- Orientation to Subcommittee roles and responsibilities by Vice President Agnew and NCIO staff.
- Hear report on Havighurst Study by Dr. Estelle Fuchs.
- Hear report on Even Chance by Mark Yudof and Leonard Bear King.
- Hear report on Kennedy-Mondale bill by Tom Susman and Forrest Girard.
- Hear report on Bureau of Indian Affairs education programs by George Scott.
- Hear report on Performance Contracting and Drop-Out Prevention by Henry W. See, Joel Kay, and Fran Tarkington.
- Hear report on U.S. Office of Education programs by Helen Scheirbeck.
- Hear report on Indian Community Center by Michael Gross.
- Hear report on Ramah and Wind River Projects by Michael Gross.

-Hear report on Rocky Boy Project by Indian school board members.

-Election of Chairman and Vice-Chairman

Activity: General Committee Meeting

Date: March 7-8, 1971

Place: Kansas City, Missouri

Purposes: -Meeting with Indian members of NCIO  
-Clarifications of Subcommittee's procedural statement and budget.  
-Hear testimony from native leaders from throughout the country on self-determination.  
-Hear Vice President Agnew's statement on President's Message of July 8, 1970.

Activity: Role of Subcommittee

Date: May 10, 1971

Place: Washington, D. C.

Purposes: -Chairman meeting with NCIO staff and Indian members of NCIO to iron out difficulties in fulfilling responsibilities of Subcommittee.

Activity: Working Session

Date: May 24-25, 1971

Place: Portland, Oregon

Purposes: -Reported concerns and progress of Subcommittee to John Rainer, Sr. and Julia Vadala.  
-Completed work on Procedural Statement.  
-Set meeting dates for next two sessions.

Activity: Hearings on Indian Education Program in California

Date: July 30-31, 1971

Place: San Francisco, California

Purposes: -Hearing report on U.S. San Francisco Regional Office of Education by Colleen Reimer.  
-Hear report on Bureau of Indian Affairs education programs in California by James Hawkins.  
-Hear report on Bureau of Indian Affairs education programs, Indian control and Indian self-determination by James Hawkins.  
-Hear report on D.Q.U. by James Racine.  
-Hear report on returning lands to native people by Grace Thorpe.  
-Hear report on "Task Force Report on Indian Education", U.S. Office of Education by John Driscoll.

Activity: Hearings on Indian Education  
Date: August 27-28, 1971  
Place: Denver, Colorado  
Purposes: -Hear report on United Scholarship Service by Tillie Walker.  
-Hear report on native education on the Wind River  
Reservation by Larry Murray.  
-Hear report on Problems of Johnson O'Malley Program in  
New Mexico by Willard Scott, Myron Jones, Seferino Tenorio,  
and Bernard Koyote.  
-Hear report on U.S. Denver Regional Office of Education by  
Leroy Severson, Jill Kincaid, John Rork, Rudolph J. Munis,  
and Charles Emery.

Activity: Hearings on Federal Agency Indian Education Programs  
Date: September 29-30, 1971  
Place: Washington, D. C.

Purposes: -Hear progress reports on U.S. Office of Educations'  
program on Indian education by Helen Scheirbeck and  
Dick Hayes.  
-Hear progress report on Bureau of Indian Affairs  
education program by James Hawkins and George Scott.  
-Hear report on Indian Health Service Programs by  
Dr. George Blue Spruce.  
-Hear report on Advisory Committee to Bureau of Indian  
Affairs education programs by Dan Honahni.  
-Formulate plans for preliminary report.

Activity: Progress Report of Subcommittee

Date: October 27-28, 1971

Place: Portland, Oregon

Purpose: -Presentation of progress report to Indian Council members  
of NCIO by James Bearghost, John Borbridge, Jr., and  
Jon C. Wade.

Activity: Planning Session

Date: January 4-5, 1972

Place: St. Paul, Minnesota

Purpose: -Prepared topics, assignments, and time schedule for  
report to the Chairman. Dave Warren, James Bearghost,  
and Will Antell attended the meeting.

Activity: Hearings on Indian Education in Florida  
Date: January 19-21, 1972  
Place: Miami, Florida  
Purposes: -Working Session of Subcommittee  
-On site visitation of Miccosukee Schools, Indian controlled.

Activity: Working Session on Preliminary Report  
Date: February 12-14, 1972  
Place: St. Paul, Minnesota  
Purposes: -Assignment of specific topics to members of Subcommittee  
by Will Antell, and preparation of budget allocations  
for consultants to members of Subcommittee.  
-Members prepared preliminary writing assignments.  
-Subcommittee evaluated writing assignments.  
-Set time table for Preliminary Report to be presented  
to Indian members of NCIO

Activity: Complete Preliminary Report  
Date: March 9-11, 1972  
Place: St. Paul, Minnesota  
Purposes: -Collected all papers by members of Subcommittee  
and their consultants.  
-Completed preliminary report.

Activity: Reporting and Planning Session  
Date: March 21-23, 1972  
Place: San Diego, California  
Purposes: -Presented Preliminary Report to Indian members of  
NCIO.  
-Planned First Report to the President of the United States.

Activity: Hearings on Native Student Education  
Date: April 24-26, 1972  
Place: Gallup, New Mexico  
Purposes: -Visited schools under local Indian control (Ramah,  
Rough Rock, and Navajo Community College).  
-Hearings on Gallup-McKinley County, Chinle, and  
Zuni Public Schools

Activity: Field visits for Native Education

Date: May 22-23, 1972

Place: Oklahoma City, Oklahoma

Purposes:
 

- Hear report of Department of Public Instruction and JOM Programs.
- Hear report of BIA at Muskogee, Assistant Area Director of Education.
- Hear report of BIA at Anadarko, Assistant Area Director of Education.
- On site visitation to BIA boarding schools.

Activity: Reporting and Planning Session

Dates: June 4-6, 1972

Place: Washington, D. C.

Purposes:
 

- Orientation by Commissioner of USOE concerning advisory role of Special Education Subcommittee.
- Presentation of USOE programs by Deputy Commissioner.

Activity: Status Report to Indian Members of NCIO

Dates: June 14, 1972

Place: Washington, D. C.

Purpose: -Progress Report to Indian Members of NCIO.

Activity: Report Preparation Session

Dates: June 29-30, 1972

Place: Duluth, Minnesota

Purpose: -Reaction and revision of preliminary report. Dave Warren, James Bearghost and Will Antell attended the meeting.

Activity: Hearings on Indian Education in Alaska

Date: July 10-12, 1972

Place: Juneau and Anchorage

Purpose: -Presentations by State Department of Education, Native Alaskan organizations and federal officials to acquaint Subcommittee with educational circumstance of Alaskan natives present and future.

Activity: Working Session on Preliminary Report

Date: August 26-27, 1972

Place: Denver, Colorado

Purposes: -Review of progress of report by Subcommittee.  
-Review of operating budgets with NIEA.  
-Suggestions for indepth analysis of USOE programs for Indian Education.

Activity: Progress Report of Subcommittee

Date: August 30, 1972

Place: Washington, D. C.

Purpose: -Presentation of final draft of report to Indian Council Members of NCIO by Jim Bearghosi and John Borbridge. Subcommittee received approval and instructions to proceed.

Activity: Review of the Final Report

Date: November 1-3, 1972

Place: Seattle, Washington

Purposes: -Complete review of final report.  
-Plan procedure for presentation to the National Council of Indian Opportunity.

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## Toward Economic Development for Native American Communities

### Part I: DEVELOPMENT PROSPECTS AND PROBLEMS

## A STATISTICAL PROFILE OF THE INDIAN: THE LACK OF NUMBERS

By STEPHEN A. LANGONE\*

### FOREWORD

Efficient planning and execution of development programs must be based on accurate information concerning current economic and social conditions and changes in these conditions over time. Stephen A. Langone points out that such data is simply not available with respect to the American Indians. Information compiled on a reservation basis was more adequate a hundred years ago than it is at present, despite the fact that over this period Federal expenditures for Indian programs have risen from \$7 million to perhaps \$500 million (no one knows the exact total), and the number of Indians under Federal jurisdiction has risen from 290,000 to nearly 400,000. After describing and analyzing this current lack of information, Langone presents a detailed outline for an informational handbook on the American Indians designed to provide the economic and social data which are essential to any rational development program.

### Introduction

The purpose of this paper is to point out the absence of adequate statistical information on the American Indian and the need for such information by the Federal Government, the various States, the tribes themselves and the private organizations active in the field. In the Library of Congress Main Catalog there are—under the heading *Indians of North America*—12 drawers of cards. Twelve drawers contain approximately 18,000 cards and of this number only 16 cards are under the subheading *Statistics* and 11 cards under the subheading *Census*. Yet under the subheadings *Pottery* and *Legends* there are 103 for the former and 314 for the latter. Under the subheadings *Population* and *Income* there are no cards at all. The only reason for this observation is to point out that a person with an interest in the American Indian can get much more information on subjects such as pottery and legends than he can on the income, educational attainment, land, etc., of the American Indian today.\*\*

In any discussion concerning statistical information about the American Indian, his problems, and progress, one of the prime sources of information would seem to be the Annual Report of the Commissioner of

\*Analyst, American Indian Affairs, Government and General Research Division, Legislative Reference Service, Library of Congress.

\*\*Much of the material available from the Department of the Interior, Bureau of Indian Affairs on the American Indian is not available in public libraries because (1) there is no program to circulate such items to the libraries and (2) it is not combined in one publication that could be printed at the Government Printing Office and sent to depository libraries.

Indian Affairs. One hundred years ago—1869—the Annual Report of the Commissioner of Indian Affairs,<sup>1</sup> E. S. Parker, was published in book form and contained 619 pages of information. The report included a 42-page statement by the Commissioner concerning general problems, policy decisions during the year, and a summary of the situation at various field jurisdictions, then identified as: Washington, Oregon, California, Nevada, Arizona, Utah, New Mexico, Colorado, Wyoming, Idaho, Montana, Dakota, the Northern Superintendency (Nebraska), the Central Superintendency (Kansas, Indian Territory), the Southern Superintendency (Indian country south of Kansas and west of Arkansas), Independent Agencies, and Indians Not Embraced in Any Agency. Following the Commissioner's statement are reports from each agency, some miscellaneous reports concerning Indians, and a section on statistics (in addition to local statistics given throughout the report) 54 pages long, containing detailed tables on population, education, agriculture, trust funds, trust land sales, and liabilities of the U.S. Government.

In contrast the latest available Annual Report of the Commissioner<sup>2</sup>—1967 at this writing—contains 15 pages (double spaced) including approximately six pages of pictures. Statistical tables (two-thirds of one page) include (1) Awards by Indian Claims Commission; (2) Budget, Department of the Interior, Bureau of Indian Affairs; and (3) Income from Mineral and Surface Leasing of Indian Lands. Of course, the Bureau publishes separate reports that encompass other subjects, for example: *U.S. Indian Population and Land*,<sup>3</sup> *Statistics Concerning Indian Education*,<sup>4</sup> etc., but the population statistics are seven years old, those for land are six years old<sup>5</sup>, and those for education are two years old.<sup>6</sup> The Bureau of Indian Affairs compiles various statistical reports but they are either for administrative use only, or in some cases, not current enough for effective use. An example is the *Summary of Reservation Development Studies*,<sup>7</sup> a continuing study, begun "In response to a growing awareness of the need for more reliable human and natural resources data \* \* \*." Other publications such as the *Annual Statistical Summary*<sup>8</sup> compiled by the Branch of Employment Assistance and the *Annual Report on Indian Lands*<sup>9</sup> would be of much more value to the entire Federal Government structure, the Indians and private organizations if they were (1) published together; (2) in a somewhat different form; and (3) covered the same period of time.

These observations are not intended as an indictment of the Bureau of Indian Affairs, but to illustrate that it is considerably easier for a

<sup>1</sup>There is a report with statistics up to June 30, 1968, but this is evidently for limited use since the older publication referred to is sent in answer to requests on Indian land.

<sup>2</sup>This report covers Indian students. It does not provide information on the education of the Indian labor force which would be very useful.

<sup>3</sup>U.S. Bureau of Indian Affairs. Report of the Commissioner of Indian Affairs made to the Secretary of the Interior for the year 1869. Washington, 1870. 619 p.

<sup>4</sup>U.S. Bureau of Indian Affairs. Indian Affairs 1967; a Progress Report from the Commissioner of Indian Affairs. Washington, 1968. 18 p.

<sup>5</sup>BIA. *U.S. Indian Population (1963) and Land (1961)*, 25 p.

Note.—There is a later report published: *Annual Report on Indian Lands, June 30, 1968*, but evidently is only for Departmental use since the above is used for distribution.

<sup>6</sup>*Statistics Concerning Indian Education, Fiscal Year 1967* (latest available). 25 p.

<sup>7</sup>U.S. Department of the Interior. *Indian: Summary of Reservation Development Studies, Fiscal Year 1970*, September 26, 1968. 113 p.

<sup>8</sup>U.S. Bureau of Indian Affairs, Branch of Employment Assistance. *Annual Statistical Summary, 1966*. 123 p.

<sup>9</sup>U.S. Bureau of Indian Affairs. *Annual Report on Indian Lands, June 30, 1968*, 61 p.

researcher to study the conditions of the American Indian 100 years ago than it is to study conditions today. The information needed today is scattered, incomplete, and in some cases, unavailable, nonexistent, or contradictory. It is understandable that the Bureau of Indian Affairs statistical data is geared to the Bureau's own needs and limited by available funds and staff. But there is a real need for more complete and current information throughout the government.

In times past one of the finest sources of information was the annual report of each agency superintendent that appeared in the Bureau Annual Reports during the 1800's. Agency reports were a primary source providing a "bird's eye" view of the reservation, and any problems the Indians might have had, but the publication of such reports was discontinued early in this century. The absence of such reports today prevents the study of a given reservation—and the existing conditions—over a period of years. Whatever information is available, by agency, is generally found in congressional studies.

→ Keeping the comparative informational picture—1969 and 1869—in mind, we might point out that in 1869 the expenditure of the Bureau of Indian Affairs was \$7,042,923, the agency had approximately 400 employees, and there were 289,778 Indians under the jurisdiction of the Federal Government. In fiscal year 1969, by contrast, the Bureau of Indian Affairs appropriation is approximately \$250,000,000, the staff exceeds 16,000, and there are about 300,000 Indians living on trust land and 68,000 living nearby. In addition, the Department of Health Education, and Welfare spends about \$150,000,000 per year and has a staff of over 6,000 people working on Indian programs. Other Government agencies such as the Office of Economic Opportunity, Economic Development Administration, Small Business Administration, Department of Housing and Urban Development, Farmers Home Administration, Rural Electrification Administration, Forest Service, Bureau of Sport Fisheries and Wildlife, Bureau of Commercial Fisheries, U.S. Geological Survey, and the Department of Labor (Manpower Development and Training Act) spend annually an additional \$75,000,000 or more on Indian programs.

→ With all the millions spent—no one knows the total—and the thousands of Government employees working in the subject field it is literally impossible to obtain up-to-date and accurate information on such basic questions as employment and unemployment, average educational attainment, income, land ownership, reservation population, interest and vocational abilities. The Bureau of Indian Affairs does not have a research organization that can provide the Congress with such up-to-date information and Congress, as a result, has been forced to undertake much of the basic research necessary to legislative action in the field of Indian affairs. The only alternative for the Congress is to content itself with statistics that are, in many cases, five, ten, twenty, or more years old, and often incomplete and inaccurate. The result of this problem is a lack of continuity of statistical information on the conditions of the American Indian. Therefore there is no sound basis for comparison to determine the increase or decrease of given problems or indeed the improvement or lack of improvement in the economy of Indian tribes.

The Bureau of the Census publishes rather detailed information on Indians every decade, but as the Bureau of Indian Affairs points out

Because the enumeration districts for the Decennial Census do not generally match reservation boundaries, and trust land may be scattered in some areas, the Bureau cannot use Census data for estimating and planning for potential service requirements.

In discussing the general Census, the Bureau of Indian Affairs stated that:

The count of Indians in the 1960 Decennial Census was the most accurate since 1930, when all persons were asked if they were Indian and additional questions were asked of those who said they were Indian. In 1940 and 1950 enumerators did not ask questions about race and used their own judgment. This resulted in many undercounts, especially in large cities, and in counties and states without Federal Reservations, where the scattered Indian population was not generally recognized and recorded.

In 1960 people in postal areas received enumeration sheets by mail on which they recorded the basic information about themselves, including race. In non-postal areas enumerators were instructed to ask questions about race. The result was a higher count of Indians than ever before.

The major problem encountered in using Census Bureau statistics is that the Federal Government Indian program does not extend to all persons of Indian ancestry but only to those under the jurisdiction of the Bureau of Indian Affairs. Another related problem that has been a question for generations is "Who or what is an Indian?" Neither the Congress nor the Executive Branch has defined Indian other than for the purpose of a specific piece of legislation. An "Indian" can be a person with anywhere from a drop of Indian blood to a full-blood in the present confusion over definition. For example, there are people recognized by the Federal Government as Indians, others recognized by the various States, and others by the Census Bureau. As another example of the confusion, the Bureau of Indian Affairs publication on Indian land and population carried a covering memo stating:

Because of differences in definitions and in the wording and timing of requests for population data, there has been wide variation in statements about Indian population. This has sometimes led to misunderstandings. To prevent such misunderstanding, the data in this publication should be used throughout the Bureau for public statements and replies to information requests until later figures are available and officially distributed.

During the 88th Congress, the House Interior Committee published a study on the American Indian\* and pointed out that during the study it had encountered the same problem of definition:

Another aspect of the committee study included an analysis of expenditures by the various state governments for assistance to Indians. In drafting the questionnaire directed to state officials, the committee again encountered one of the most perplexing questions in this field: Who is an Indian? Various Federal laws define an Indian for the purpose of the legislation itself and Federal Government agencies are not in agreement concerning the recipients of services provided by them to variously defined

\* *Present Relations of the Federal Government to the American Indian*. Committee Print No. 38, 346 P.

"Indians." [Discussion of the term "Indian" follows.] This is a general racial definition of the people known as "Indians"; however, the problem at the moment is, who are "Indians" for the purpose of supplying services to these people by the Federal and State Government?

The Committee then went on to point out that the Department of Health, Education, and Welfare—

considers an individual to be an Indian "if he is regarded as an Indian by the community in which he lives as evidenced by such factors as membership in a tribe, residence on tax-exempt land, ownership of restricted property, and active participation in tribal affairs."

For the purpose of a State receiving financial assistance for Indian education, the Code of Federal Regulations required  $\frac{1}{4}$  or more Indian blood. For the purpose of eligibility for cattle loans the requirement was membership in a tribe and  $\frac{1}{4}$  or more Indian blood. However, under the regulations concerning law and order any person of Indian descent and a member of a recognized tribe was considered an Indian. The Indian Reorganization Act of 1934 (48 Stat. 984) authorizes the tribes themselves to define "Indian" for purposes of tribal membership. In contacting States with large Indian populations the Committee found that two States accepted the individual's opinion, four used the "recognition in the community" approach, Alaska required  $\frac{1}{4}$  Indian blood, five accepted residence on a reservation, and one used the Census Bureau definition. The Committee concluded its discussion concerning the definition of Indian with a statement that is undoubtedly as accurate today as it was then:

The definition of "Indian" presents one of the most difficult problems in the field of Indian affairs and no doubt accounts for many of the inconsistencies in various data supplied to the committee. Although all engaged in the field use the term "Indians," by applying the many and varied definitions we perceive a kaleidoscope of ever-changing groups. This accounts for many of the frustrations and difficulties in dealing with Indian legislation.

The research done over the years, by the Congress, to obtain adequate information on areas, within the field of Indian affairs, of legislative concern, has been carried on with the committee staffs available and the assistance of Library of Congress staff, as needed. As far back as 1904 when Charles J. Kappler—a Senate Indian Affairs Committee staff member—compiled the first two volumes of his four volume publication, *Indian Laws and Treaties*, the very same informational problem existed. The introduction to Kappler's Volume I states that—

an accurate compilation of the treaties, laws, executive orders, and other matters relating to Indian affairs, from the organization of the Government to the present time, has been urgently needed for many years, and its desirability has been repeatedly emphasized by the Commissioner of Indian Affairs in his annual reports to the Congress.<sup>29</sup>

<sup>29</sup> *Indian Affairs: Laws and Treaties*. 58th Congress, 2d session. Senate Document No. 319.

In the 51st Congress when the "compilation"<sup>11</sup> was published, the House Interior Committee pointed out that it had—

long recognized the need for gathering into one compilation all available important statistical information relative to the Indians under the committee jurisdiction and the laws affecting such Indians.

In 1952 when the revised compilation<sup>12</sup> was published the Committee stated that—

Congress wants information on the history of the special legislation affecting the several tribes, and statistical information regarding the effects of this legislation and the policies pursued under it, on the social and economic progress and welfare of the tribes themselves.

During the 85th Congress (1958) there was some concern about the diminishing Indian land base. The Senate Interior Committee found that "detailed statistics on the extent of Indian trust land disposals were not available in Washington" and undertook an extensive research project entitled *Indian Land Transactions*.<sup>13</sup> The problem was again pointed out in 1959 when the House Interior Committee published a study<sup>14</sup> on Government-Indian relations and stated that—

In past years the Congress has been frequently handicapped by the lack of available up-to-date and accurate information relating to the various problems within the vast field of Indian Affairs.

Another extensive study was made in 1959 by the Senate Interior Committee on the Indian heirship land problem<sup>15</sup> and the Chairman stated that his—

Intention was to make available to the members of this Committee a detailed analysis of the problem which could be used in drafting corrective legislation.

The Congress has relied heavily on its own staff, with some assistance from the Library of Congress staff, to carry out extensive studies on specific issues before the Congress. However, in each case, the staff starts from "scratch" and must contact pertinent Government agencies, tribes, individuals, Indian interest organizations, and, after collecting the basic data, proceed to the analysis. This has been mostly a "one-shot" approach since neither the congressional committees nor the Library of Congress has the staff necessary for continuous data collection, analysis, and publication. The following citations indicate the depth of research and the span of subject matter that the Congress has covered in the field of Indian affairs:

1904 58th Congress, 2d Session. Senate. Committee on Indian Affairs. Charles J. Kappler. *Indian Affairs: Laws and Treaties*. Vol. I. (Laws, 1162 p.). Vol. II. (Treaties, 1099 p.). Senate Document 319.

<sup>11</sup> House, 51st Congress, 2d session. Committee on Public Lands, Subcommittee on Indian Affairs. *Compilation of Material Relating to the Indians of the United States and the Territory of Alaska, Including Certain Laws and Treaties Affecting Such Indians*. June 13, 1890. Serial No. 89, 1110 p.

<sup>12</sup> House, 82d Congress, 2d Session. Committee on Interior and Insular Affairs, Subcommittee on Indian Affairs. *Report with Respect to the House Resolution Authorizing the Committee on Interior and Insular Affairs to Conduct an Investigation of the Bureau of Indian Affairs*. House Report No. 2668, 1504 p. (plus 167 maps and index).

<sup>13</sup> Senate, 85th Congress, 2d Session. Committee on Interior and Insular Affairs, *Indian Land Transactions*. December 1, 1958. Committee Print. 343 p.

<sup>14</sup> See footnote 2, p. 4.

<sup>15</sup> Senate, 86th Congress, 2d Session. Committee on Interior and Insular Affairs, *Indian Heirship Land Survey*. Committee Print. 3 vols. p. 1.

- 1913 62d Congress, 2d Session. Senate. Committee on Indian Affairs. Charles J. Kappler. *Indian Affairs: Laws and Treaties*. Vol. III. (Laws). Senate Document No. 719. 798 p.
- 1929 70th Congress, 1st Session. Senate. Committee on Indian Affairs. Charles J. Kappler. *Indian Affairs: Laws and Treaties*. (Laws). Senate Document No. 53. 1406 p.
- 1950 81st Congress, 2d Session. House. Committee on Public Lands. Subcommittees on Indian Affairs. *Compilation of Material Relating to the Indians of the United States and the Territory of Alaska, Including Certain Laws and Treaties Affecting Such Indians*. June 13, 1950. Serial No. 30. 1110 p.
- 1952 82d Congress, 2d Session. House. Committee on Interior and Insular Affairs. *Report with Respect to the House Resolution Authorizing the Committee on Interior and Insular Affairs to Conduct an Investigation of the Bureau of Indian Affairs*. House Report No. 2503. 1594 p. (plus 157 maps and index).
- 1952 82d Congress, 2d Session. House. Committee on Interior and Insular Affairs. *Statistical Charts Regarding the Indians of the United States*. 45 p.
- 1954 83d Congress, 2d Session. House. Committee on Interior and Insular Affairs. *Report with Respect to the House Resolution Authorizing the Committee on Interior and Insular Affairs to Conduct an Investigation of the Bureau of Indian Affairs*. House Report No. 2680. 576 p.
- 1958 85th Congress, 2d Session. Senate. Committee on Interior and Insular Affairs. *Indian Land Transactions: An Analysis of the Problems and Effects of Our Diminishing Indian Land Base, 1948-1957*. Committee Print. 838 p.
- 1959 85th Congress, 2d Session. House. Committee on Interior and Insular Affairs. *Present Relations of the Federal Government to the American Indian*. Committee Print No. 38. 346 p.
- 1959 86th Congress, 1st Session. House. Committee on Interior and Insular Affairs. *Indirect Services and Expenditures by the Federal Government for the American Indians*. Committee Print No. 14. 61 p.
- 1960 86th Congress, 2d Session. Senate. Committee on Interior and Insular Affairs. *Indian Heirship Land Survey*. Committee Print. 2 Vols. 1186 p.
- 1960 86th Congress, 2d Session. House. Committee on Interior and Insular Affairs. *Indian Heirship Land Study*. Committee Print No. 27. 2 Vols. (Vol. I, 555 p.; Vol. II, 1010 p.).
- 1962 87th Congress, 2d Session. Senate. Committee on Appropriations. *Federal Facilities for Indians, 1955-1961*. 209 p.
- 1963 88th Congress, 1st Session. Senate. Committee on Appropriations. *Federal Facilities for Indians*. 29 p.
- 1964 88th Congress, 2d Session. House. Committee on Interior and Insular Affairs. *List of Indian Treaties*. Committee Print No. 33. 45 p.
- 1964 88th Congress, 2d Session. Senate. Committee on Appropriations. *Federal Facilities for Indians*. 25 p.

- 1964 88th Congress, 2d Session. House. Committee on Interior and Insular Affairs. *Information on Removal of Restrictions on American Indians*. Committee Print No. 38. 90 p.
- 1965 89th Congress, 1st Session. Senate. Committee on Appropriations. *Federal Facilities for Indians*. 390 p.
- 1966 89th Congress, 2d Session. Senate. Committee on Appropriations. *Federal Facilities for Indians*. 856 p.
- 1967 90th Congress, 1st Session. Senate. Committee on Appropriations. *Federal Facilities for Indians*. 862 p.

The studies listed represent only a selection of congressional publications on the subject of Indian Affairs, but show the continuing congressional interest in the subject and the intent to pass effective legislation even though extensive research is required to establish the basic facts. While these studies have been most helpful at the time of publication, and—for lack of more recent information—still represent the latest “information” in some cases, they could be much more useful if they were current. However, with the Federal Government spending increased amounts on Indian programs and more and more agencies providing services to Indians, we seem to be in a position of having less information while programs, expenditures and staff are increasing.

Where does one go to find a complete list of all agencies and bureaus in the Federal Government operating Indian programs? How much does the Federal Government expend on Indian programs each year? Are all the programs using different definitions of “Indian”? How does an Indian or an Indian tribe find out about all the programs and how they can benefit from them? How can the Congress legislate effectively and how can the Executive Branch program effectively, if we do not have accurate and current statistics on unemployment, educational attainment, land interests, income, etc., for those Indians residing on reservations? These are some of the questions that have been brought up from time to time by the Congress and researchers in the field. There obviously is a real need for current information, published in usable form, and available throughout the country.

The experience of Representative William V. Roth in attempting to untangle the mass of all Federal assistance programs is instructive. Following an eight-month study in which some 1,091 distinct programs were identified, Representative Roth noted that “no one anywhere; knows how many programs there are; information on some programs is virtually impossible to obtain.” The results of the Roth study of Federal assistance programs in general are an accurate reflection of the problem in the field of Indian programs, and there should be a similar concern to develop comprehensive and detailed information on Indian programs.

Fortunately, in this day and age, the problem could be approached through the use of computers and the centralization of source material. Once the information is fed into computers the basic task is correcting and up-dating statistics and program information. In an attempt to determine the types of information that would be most useful in such a publication careful attention was given to Congressional needs in the field of Indian affairs over the past few decades. The following outline will give the reader an indication of how valuable a “Handbook” could be.

## PART I

### INDIAN TREATIES, AGREEMENTS, AND EXECUTIVE ORDERS

(This part would be based on Kappler's Laws and Treaties, Royce's Indian Land Cessions, and the National Archives' List of Documents Concerning the Negotiation of Ratified Indian Treaties. The organization could place the treaties, agreements, and executive orders in chronological order with the maps and lists of related documents with the pertinent treaty.)

## PART II

### HISTORY, LEGISLATION, AND CURRENT CONDITIONS ON INDIAN RESERVATIONS

**NOTE.**—The following would be a "form" report filled out by the Federal Officer in charge each year. It is based on a "questionnaire on a reservation profile" drafted by the Bureau of Indian Affairs a few years ago. Some changes have been made.

#### A. Nomenclature.

1. *Proper name of tribes.* If unorganized the generally accepted name.

#### B. Land.

1. *Location.* Describe the reservation's geographic location within a State or States and county or counties. Describe the proximity of trade centers, identifying the same and giving a general statement concerning size, population, and industry.
2. *Climate.* State the length of the growing season, the length of the tourist or recreational season, and give average temperature ranges and average annual precipitation.
3. *Historical.* Give the initial date of establishment of the reservation and groups and/or tribes for whom established, and citations to treaties, laws, and executive orders and original and present land area of the reservation.
4. *Ownership.* (a) Tribal (trust and fee separately), trust allotted, Government-owned (totals as of June 30, last fiscal year). (b) Characteristics of ownership. Show the pattern of ownership, whether it is checkerboarded, scattered or contiguous. Make a brief comment on the possible improvement in the characteristics of ownership by unitization, syndication, etc.
5. *Present Land Use.* Include the major categories of land use on the reservation with an average by percentage of each type, e.g. farming, grazing, commercial, etc. The percentage of Indian and non-Indian use of Indian land should also be given. The various categories of use should include a breakdown between individual Indian trust land and tribal lands.

6. *Heirship.* Number and percentage breakdown of allotted trust tracts belonging to a single owner, 2-10 owners, over 10 owners. Number of probate cases completed during the last fiscal year and the number pending. Total acreage in heirship status. Describe the heirship problem on the reservation.
  7. *Potential.* Give a brief statement on reservation land potential. Describe tribal land acquisition program, if any. Indicate income from tribal land purchases made during the last year and the purchase price.
  8. *Transportation.* Describe the major highways giving access to the reservation and the intra-reservation roads. How many miles of roads are there on the reservation? How many miles of roads are Bureau maintained? What jurisdiction(s) maintain the balance? Indicate commercial airports and railroads nearest to the reservation. List by percentage use of transportation, such as truck, car, horse, public, etc. Does the present adequacy or inadequacy of the road system hinder or help economic development of the reservation or the Indian's work opportunities?
- C. *Population.*
1. *Resident Total.* (a) Give the total number of Indian residents on the reservation, number of families, average number per family, average age, and other pertinent data. (b) Provide similar information for Indians residing adjacent to the reservation, i.e., service area population. (c) State briefly population trends. (d) Provide total number of adults (over 18), subdivided by sex, and the total number of minors. (e) Provide the total number of Indians residing on the reservation who are members of tribes other than those in residence.
  2. *Tribal Membership.* (a) Give total membership of tribe at present time. If an estimate, indicate, (b) Date of latest tribal roll.
- D. *Tribal Administration and Government.*
1. *Governing Body.* Give history of the tribal governing body, its functions, and membership.
  2. *Budget.* Give income and expenditures for the last fiscal year differentiating between tribal and other funds.
  3. *Member Civic Participation.* Describe the interest and activity of tribal members in tribal or social affairs and off-reservation, non-Indian affairs.
- E. *Disposition of Judgment Awards.*
1. *Past.* Describe and evaluate the use of any judgment awards in the past.
  2. *Current.* How does the tribe propose to use funds from the current award? (Attach any resolutions or program outlines.)

**F. Economic Activities and Potentials.**

1. *Reservation Development.* Indicate both resource development and industrial or commercial potential for the reservation.
2. *Labor Force.* (a) List the number of resident Indians employed on or near the reservation. (b) List the number of unemployed under the headings: temporary, seasonal, and permanent. A breakdown by sex should be included. Also distinguish between those residing on the reservation and those adjacent to.
3. *Employment Opportunities.* (a) Briefly state the livelihood source history of the Indian population. (b) Discuss the livelihood sources for non-Indians on the reservation and in adjacent areas.
4. *Income from Reservation Resources.* (a) List the total income from surface leases of all types, both to the Indians and non-Indians. If free use, or less than fair market value, is approved to Indian operators, calculate the rental rate on the average income from non-Indian use. (b) For grazing permits, use the same as above. (c) For timber, give the gross dollar income from stumpage sold; give estimated value of free-use forest products harvested. (d) For minerals include income from leases, bonuses, royalties, etc. (e) For commercial recreation, give the net profit from Indian and tribal recreational enterprises. (f) Under business enterprises, list the net profit from tribal enterprises other than recreation.
5. *Income from Employment for Reservation Residents.* (a) This should include a breakdown of those self-employed, and the Indian operator's income, less economic rent for land and operating expenses. (b) For those self-employed, other than in agricultural operations, calculate the disposable income from the business. (c) Other than self-employed should include all income from wages for Indians living on and working on, or living on and working near the reservation. This should include all types of employment (Federal Government, tribal, industrial, and private business). A breakdown of major employers by skilled, semi-skilled, or unskilled workers should be included. (d) Estimate the value of services received from the Federal Government that a non-Indian in the surrounding area would have to pay for.
6. *Income from Resources and Employment.* For purposes of comparison, the total income from resources and employment should be divided by the number of families on the reservation to indicate the average amount per family that can be expected from these sources.
7. *Median Effective Family Buying Income in Surrounding Counties.* Include a comparison of on-reservation

income per family with the income of non-Indians living in counties surrounding the reservation. This appears to be the best measure of income that should be expected for Indian reservation residents. A national or state income level is too general and has less application to the program objectives.

### G. Health.

1. *United States Public Health Service.* What facilities are provided by the United States Public Health Service?
2. *Adequacy.* Are these facilities adequate to meet the health needs of Indians?
3. *Use.* Are the facilities fully used by Indians?
4. *Needs.* What are the major health needs of the Reservation?
5. *Water and Sanitation.* Describe briefly the availability of water and sanitary facilities to meet normal needs for both family and community.
6. *Comparison.* How do each of these services compare with those of non-Indian families in the surrounding areas?

### H. Welfare.

1. *General Assistance.* Give the BIA general assistance for the last fiscal year by number of cases, persons, and amount, and a breakdown of high and low months for such assistance.
2. *Other Financial Assistance.* Any Federal, State, or county assistance to Indians received through county Departments of Public Welfare. Include types of cases, total cases, and total number of persons involved.
3. *Commodity Program.* The numbers involved and the cost of any commodity program.
4. *Summary.* Give total of tribal members receiving assistance and indicate categories.
5. *Attitude.* What is the attitude of State and local officials regarding welfare to Indians?

### I. Education.

1. *Level.* Give the average educational level for the following age groups in terms of the highest grade completed.

	Male	Female
18-25 years, inclusive.....	.....	.....
26-45 years.....	.....	.....
46 years and over.....	.....	.....

2. *School Age Population.* Give the numbers of resident tribal members in the following age groups.

	Male	Female
1-5 years, inclusive.....	.....	.....
6-13 years.....	.....	.....
14-18 years.....	.....	.....
19-21 years.....	.....	.....

3. *School Facilities*: Give the following data regarding school facilities on the reservation (last fiscal year).

System	Number of schools	Capacity	Grades served	Indian enrollment	
				Elementary	Secondary
Public schools.....	.....	.....	.....	.....	.....
BIA schools.....	.....	.....	.....	.....	.....
Indian schools.....	.....	.....	.....	.....	.....
Other schools.....	.....	.....	.....	.....	.....

4. *Special*. (a) Describe briefly participation of Indian parents in school affairs. (b) What is the attitude of tribal members toward education? (c) Special problems related to school attendance, dropouts, etc. (d) Special services such as counseling, adult education, etc., available or needed in local schools and communities. (e) Scholarship aid (if any) provided by the tribe.
5. If available, provide the same for 1, 2, 4 (a) and (c) concerning the non-Indian population in surrounding area.

#### J. *Housing*.

1. *Existing Conditions*. (a) Briefly state the adequacy of existing housing. (b) Give the percent of Indian homes with electricity and telephones. (c) Briefly describe the availability of water and sanitary facilities. (d) Provide the same information for non-Indians of surrounding areas.
2. *Housing Authority*. Has the tribe established a housing authority?
3. What are current plans for (a) new homes, and (b) repair of homes?

#### K. *Relocation*.

1. *Employment Assistance*. List the number of units and people assisted in placement in direct employment through the employment assistance programs.
2. *Returnees*. Estimate by percentage those who have returned from relocation and the major reason for returning.

#### L. *Readiness of Indians to Manage Their Own Affairs*.

1. *Problem Areas*. Evaluate the capacity of the members of this particular tribe to manage their own affairs. Discuss any major problem areas.
2. *Cultural Isolation*. This entails an evaluation of participation by Indians on or off the reservation in what may be described as distinctly Indian culture (including language use, religious or secular ceremonies, social mores relating to an older Indian culture, etc.) The proportion of Indians (irregardless of degree of blood) contained in the "core" of cultural Indians constitutes a good measure of the degree of acculturation experiences by the tribe.
3. *Non-Indian Community*. Evaluate the relationship of this tribe or reservation to the non-Indian community,

i.e., local, county and State. This includes not only attitudes but abilities of these governmental units to carry any economic services necessary for future development.

4. *Bureau Appropriations.* Provide breakdown of appropriations, by activity, for three fiscal years: (a) Actual expenditures last fiscal year; (b) Funds programmed current fiscal year (or expended where applicable); (c) Funds programmed next fiscal year.

M. *Other Government Programs.*

1. List all other Government programs in operation on the reservation or assisting the reservation population.
2. Briefly describe each program, the number of participants, etc.

### PART III

## FEDERAL GOVERNMENT INDIAN PROGRAMS, ALL AGENCIES\*

This part would be based on a form annual report for all agencies, bureaus, and departments, in the Federal Government responsible for any aspect of Indian programs. The reports would contain—as indicated in the outline below—specific information on the program and expenditures. Should the *Program Information Act* (H.R. 3860, Representative Roth) become law, Section 11 would prohibit all other compendiums of program information “in order to make the catalog the exclusive source of such program information both for the public and for the program officers.” In developing a proposed catalog of Indian program information, every possible attempt could be made to incorporate the findings and recommendations of the Roth Study in determining the information to be included and the format as well. This could be expected to result in an efficiently organized and extremely useful compilation with a minimum of unnecessary duplication of effort. If H.R. 3860 is enacted, this part would simply be an extract of all Indian programs from the proposed *Catalog of Federal Assistance Programs*.

A. *Identification of Organization.*

1. Full legal name of program.
2. List each administrative level between the program and the highest agency or department.
3. Enabling legislation.

B. *Funding.*

1. Actual expenditures for the past fiscal year.
2. Appropriations for the present fiscal year.

C. *Purposes.*

1. Briefly outline the programs.

\*The idea for this part came from the Roth Study entitled *Listing of Operating Federal Assistance Programs as Compiled During the Roth Study* by the Honorable William V. Roth (Congressional Record, June 25, 1968, pp. H5441-5585; and House Document 399, 90th Congress, 2d session). This catalog has been an extremely useful reference tool and the writer has benefited not only from the information contained but the quick reference organization and indexing of the report itself.

2. Are there any plans for expanding or reducing the programs?
  3. What has been the reaction of the Indians or Tribes?
  4. Are there any other Government programs closely related to this one?
  5. What are the eligibility requirements for participation in the program?
- D. *Offices.*
1. List headquarters office, contact officer, and telephone number.
  2. List all field offices, contact officers, and telephone numbers.
- E. *Personnel.*
1. How many employees were there on the last day of the preceding fiscal year?
  2. Of this number how many were full time and how many part-time?
  3. What were the total man-years expended in the previous fiscal year?
  4. What was the total administrative overhead of supplying, equipping, and servicing those man-years?
- F. *Publications.*
1. List all reports published during the past fiscal year by author, title, and pagination.
  2. Provide a brief summary for each publication.

## PART IV

## STATISTICAL COMPILATION ON INDIANS AND INDIAN RESOURCES

- A. *Population.*
1. Total Indian population in the United States (Bureau of the Census).
  2. Reservation population (Bureau of Indian Affairs).
    - a. Living on Reservations.
    - b. Living on trust lands (not on Reservations).
    - c. Living near Reservations.
  3. Service population.
    - a. Total "service" population and definition of same (Bureau of Indian Affairs).
    - b. Total "service" population and definition of same (Division of Indian Health, Public Health Service).
- B. *Health.*
1. Infant death rate compared to non-Indian.
  2. Life expectancy for Indians as compared to non-Indians.
  3. General statement on the Indian's health today in comparison with the non-Indian.
  4. Programs.
    - a. How many hospitals there are (location, number of beds, personnel service population, etc.).
    - b. How many health centers (location, personnel, service population, etc.).

- c. How many health stations (location, personnel, service population, etc.).
- d. How many beds are available in community hospitals built through Public Law 85-152 (name of hospital and location).

**C. Employment and Unemployment.**

Total population.

1. Between the ages of 18 and 55 able to work.
  - a. On the reservation, male, female.
  - b. Near the reservation, male, female.
2. Working full time.
  - a. On the reservation, male, female.
  - b. Near the reservation, male, female.
3. Working part time.
  - a. On the reservation, male, female.
  - b. Near the reservation, male, female.
4. Between the ages of 18 and 55, physically able and wanting to work, now unemployed.
  - a. Comparison with non-Indian labor force in area.

**D. Education.**

1. *Level.* Average educational level for the following age groups in terms of the highest grade completed:

	Male	Female
18-25 years, inclusive.....	.....	.....
26-35 years.....	.....	.....
36 years and over.....	.....	.....

2. *School Age Population.* Number of resident tribal members in the following age groups:

	Male	Female
1-5 years, inclusive.....	.....	.....
6-12 years.....	.....	.....
13-18 years.....	.....	.....
19-21 years.....	.....	.....

3. *School Facilities.* On the reservation.

System	Number	Capacity	Enrollment	
			Elementary	Secondary
Public.....	.....	.....	.....	.....
BIA.....	.....	.....	.....	.....
Mission.....	.....	.....	.....	.....
Other.....	.....	.....	.....	.....

**E. Land.**

1. Total acreage of tribal land.
2. Total acreage of tribal *fee* land.
3. Total acreage of tribal *trust* land.
4. Total acreage of individual trust land.
5. Total acreage of individual trust land in heirship status.

- a. Number of tracts.
- b. Number with 2-10 owners.
- c. Number with more than 10 owners.
- 6. Total acreage of Federal lands on Indian reservations.
- F. *Law and Order.*
  - 1. Number of reservations under State law.
  - 2. Number of reservations having:
    - a. Traditional courts.
    - b. Courts of Indian Offenses.

## PART V.

## STATE AGENCIES AND PRIVATE ORGANIZATIONS IN THE FIELD OF INDIAN AFFAIRS

A. *State Agencies.*

NOTE.—General statement on each state agency, operation, staff, budget, programs, publications, etc.

B. *Private Organizations.*

NOTE.—General statement on each private organization, officers, operation, budget, publications, programs, etc.

## PART VI

## PUBLICATIONS AND REPORTS IN THE FIELD OF INDIAN AFFAIRS

NOTE.—Those published on a continuing basis by all levels of Government concerned with the Indian problem, the private organization publications, tribal newspapers, etc. The intent would be to annotate each publication indicating content and providing thereby a comprehensive list of publications containing current information from all over the United States.

## PART VII

## INDEX

A "handbook" as outlined above might well become a prime mover in the field of Indian affairs by providing a concentration of available information and by revealing the many deficiencies in our knowledge of the American Indian today. In addition, the inclusion of all programs—whether Federal, State, county or private—would, for the first time in the history of the subject, create a complete picture of the problem area and those organizations active in the field. Another positive aspect is that—with continued up-dating—the Federal Government would have a handy yardstick available to measure progress in terms of education, income, employment, and other factors.

In the author's opinion all the good intentions of the various governmental authorities—Congressional, Executive and State—are weakened by the fact that the problem itself has not been clearly delineated. An opportunity to determine rates of improvement—if

any—in the American Indian's economic condition is a necessary foundation to any programs designed to solve the "Indian problem." The picture of the American Indian today is hazy and confusing and the statistical information available fails to clarify that picture. A central collection and publication point for the basic statistics necessary to adequate consideration of the subject matter and the Indian peoples concerned would, in the writer's opinion, result in more advantageous use of the monies appropriated and the creation of a specific yardstick with which to measure Indian progress.

The goal of the Federal Government, State governments, and private organizations active in the field of Indian affairs is to improve the economic conditions on Indian Reservations, and in that manner raise the Indian's standard of living to that of the non-Indian in this country. The attainment of the goal will require a vast improvement in our knowledge of Indians—and of ourselves.]

## TITLE IV—INDIAN EDUCATION

### SHORT TITLE

Sec. 401. This title may be cited as the "Indian Education Act."

### PART A—REVISION OF IMPACTED AREAS PROGRAM AS IT RELATES TO INDIAN CHILDREN

#### AMENDMENTS TO PUBLIC LAW 874, EIGHTY-FIRST CONGRESS

SEC. 411. (a) The Act of September 30, 1950 (Public Law 874, Eighty-first Congress), is amended by redesignating title III as title IV, by redesignating sections 301 through 303 and references thereto as sections 401 through 403, respectively, and by adding after title II the following new title:

64 Stat. 1100.  
20 USC 236.  
79 Stat. 35.  
20 USC 242.

### "TITLE III—FINANCIAL ASSISTANCE TO LOCAL EDUCATIONAL AGENCIES FOR THE EDUCATION OF INDIAN CHILDREN

#### "SHORT TITLE

"Sec. 301. This title may be cited as the 'Indian Elementary and Secondary School Assistance Act'.

## "DECLARATION OF POLICY

"Sec. 302. (a) In recognition of the special educational needs of Indian students in the United States, Congress hereby declares it to be the policy of the United States to provide financial assistance to local educational agencies to develop and carry out elementary and secondary school programs specially designed to meet these special educational needs.

"(b) The Commissioner shall, in order to effectuate the policy set forth in subsection (a), carry out a program of making grants to local educational agencies which are entitled to payments under this title and which have submitted, and had approved, applications therefor, in accordance with the provisions of this title.

## "GRANTS TO LOCAL EDUCATIONAL AGENCIES

"Sec. 303. (a) (1) For the purpose of computing the amount to which a local educational agency is entitled under this title for any fiscal year ending prior to July 1, 1975, the Commissioner shall determine the number of Indian children who were enrolled in the schools of a local educational agency, and for whom such agency provided free public education, during such fiscal year.

"(2) (A) The amount of the grant to which a local educational agency is entitled under this title for any fiscal year shall be an amount equal to (i) the average per pupil expenditure for such agency (as determined under subparagraph (C)) multiplied by (ii) the sum of the number of children determined under paragraph (1).

"(B) A local educational agency shall not be entitled to receive a grant under this title for any fiscal year unless the number of children under this subsection, with respect to such agency, is at least ten or constitutes at least 50 per centum of its total enrollment. The requirements of this subparagraph shall not apply to any such agencies serving Indian children in Alaska, California, and Oklahoma or located on, or in proximity to, an Indian reservation.

"(C) For the purposes of this subsection, the average per pupil expenditure for a local educational agency shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all of the local educational agencies in the State in which such agency is located, plus any direct current expenditures by such State for the operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children who were in average daily enrollment for whom such agencies provided free public education during such preceding fiscal year.

"(b) In addition to the sums appropriated for any fiscal year for grants to local educational agencies under this title, there is hereby authorized to be appropriated for any fiscal year an amount not in excess of 5 per centum of the amount appropriated for payments on the basis of entitlements computed under subsection (a) for that fiscal year, for the purpose of enabling the Commissioner to provide financial assistance to schools on or near reservations which are not local educational agencies or have not been local educational agencies for more than three years, in accordance with the appropriate provisions of this title.

## "USES OF FEDERAL FUNDS

"Sec. 304. Grants under this title may be used, in accordance with applications approved under section 305, for—

"(1) planning for and taking other steps leading to the development of programs specifically designed to meet the special educa-

Entitlement  
computation.

Average per  
pupil expend-  
iture.

Non-local edu-  
cational agen-  
cies.

tional needs of Indian children, including pilot projects designed to test the effectiveness of plans so developed; and

"(2) the establishment, maintenance, and operation of programs, including, in accordance with special regulations of the Commissioner, minor remodeling of classroom or other space used for such programs and acquisition of necessary equipment, specially designed to meet the special educational needs of Indian children.

"APPLICATIONS FOR GRANTS; CONDITIONS FOR APPROVAL

"Sec. 305. (a) A grant under this title, except as provided in section 303 (b), may be made only to a local educational agency or agencies, and only upon application to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. Such application shall—

"(1) provide that the activities and services for which assistance under this title is sought will be administered by or under the supervision of the applicant;

"(2) set forth a program for carrying out the purposes of section 304, and provide for such methods of administration as are necessary for the proper and efficient operation of the program;

"(3) in the case of an application for payments for planning, provide that (A) the planning was or will be directly related to programs or projects to be carried out under this title and has resulted, or is reasonably likely to result, in a program or project which will be carried out under this title, and (B) the planning funds are needed because of the innovative nature of the program or project or because the local educational agency lacks the resources necessary to plan adequately for programs and projects to be carried out under this title;

"(4) provide that effective procedures, including provisions for appropriate objective measurement of educational achievement will be adopted for evaluating at least annually the effectiveness of the programs and projects in meeting the special educational needs of Indian students;

"(5) set forth policies and procedures which assure that Federal funds made available under this title for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the education of Indian children and in no case supplant such funds;

"(6) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the applicant under this title; and

"(7) provide for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title and to determine the extent to which funds provided under this title have been effective in improving the educational opportunities of Indian students in the area served, and for keeping such record and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

Reports.

"(b) An application by a local educational agency or agencies for a grant under this title may be approved only if it is consistent with the applicable provisions of this title and—

"(1) meets the requirements set forth in subsection (a);

"(2) provides that the program or project for which application is made—

"(A) will utilize the best available talents and resources (including persons from the Indian community) and will substantially increase the educational opportunities of Indian children in the area to be served by the applicant; and

"(B) has been developed—

"(i) in open consultation with parents of Indian children, teachers, and, where applicable, secondary school students, including public hearings at which such persons have had a full opportunity to understand the program for which assistance is being sought and to offer recommendations thereon, and

"(ii) with the participation and approval of a committee composed of, and selected by, parents of children participating in the program for which assistance is sought, teachers, and, where applicable, secondary school students of which at least half the members shall be such parents;

"(C) sets forth such policies and procedures as will insure that the program for which assistance is sought will be operated and evaluated in consultation with, and the involvement of, parents of the children and representatives of the area to be served, including the committee established for the purposes of clause (2) (B) (ii).

"(c) Amendments of applications shall, except as the Commissioner may otherwise provide by or pursuant to regulations, be subject to approval in the same manner as original applications.

Application  
amendments.

#### "PAYMENTS

"Sec. 306. (a) The Commissioner shall, subject to the provisions of section 307, from time to time pay to each local educational agency which has had an application approved under section 305, an amount equal to the amount expended by such agency in carrying out activities under such application.

Limitations.

"(b) (1) No payments shall be made under this title for any fiscal year to any local educational agency in a State which has taken into consideration payments under this title in determining the eligibility of such local educational agency in that State for State aid, or the amount of that aid, with respect to the free public education of children during that year or the preceding fiscal year.

"(2) No payments shall be made under this title to any local educational agency for any fiscal year unless the State educational agency finds that the combined fiscal effort (as determined in accordance with regulations of the Commissioner) of that agency and the State with respect to the provision of free public education by that agency for the preceding fiscal year was not less than such combined fiscal effort for that purpose for the second preceding fiscal year.

#### "ADJUSTMENTS WHERE NECESSITATED BY APPROPRIATIONS

"Sec. 307. (a) If the sums appropriated for any fiscal year for making payments under this title are not sufficient to pay in full the total amounts which all local educational agencies are eligible to receive under this title for that fiscal year, the maximum amounts which all such agencies are eligible to receive under this title for such fiscal year shall be ratably reduced. In case additional funds become available for making such payments for any fiscal year, during which the

first sentence of this subsection is applicable, such reduced amounts shall be increased on the same basis as they were reduced.

"(b) In the case of any fiscal year in which the maximum amounts for which local educational agencies are eligible have been reduced under the first sentence of subsection (a), and in which additional funds have not been made available to pay in full the total of such maximum amounts under the second sentence of such subsection, the Commissioner shall fix dates prior to which each local educational agency shall report to him on the amount of funds available to it, under the terms of section 306(a) and subsection (a) of this section, which it estimates, in accordance with regulations of the Commissioner, that it will expend under approved applications. The amounts so available to any local educational agency, or any amount which would be available to any other local education agency if it were to submit an approvable application therefor, which the Commissioner determines will not be used for the period of its availability, shall be available for allocation to those local educational agencies, in the manner provided in the second sentence of subsection (a), which the Commissioner determines will need additional funds to carry out approved applications, except that no local educational agency shall receive an amount under this sentence which, when added to the amount available to it under subsection (a), exceeds its entitlement under section 303."

(b)(1) The third sentence of section 103(a)(1)(A) of title I of the Elementary and Secondary Education Act of 1965 is amended to read as follows: "In addition, he shall allot from such amount to the Secretary of the Interior—

80 Stat. 1191;  
81 Stat. 787;  
84 Stat. 121.  
20 USC 241c.

"(i) the amount necessary to make payments pursuant to subparagraph (B); and

"(ii) in the case of fiscal years ending prior to July 1, 1973, the amount necessary to make payments pursuant to subparagraph (C)."

(2)(A) Section 103(a)(1) of such title I is amended by adding at the end thereof the following new subparagraph:

"(C) The maximum amount allotted for payments to the Secretary of the Interior under clause (ii) in the third sentence of subparagraph (A) for any fiscal year shall be the amount necessary to meet the special educational needs of educationally deprived Indian children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior, as determined pursuant to criteria established by the Commissioner. Such payments shall be made pursuant to an agreement between the Commissioner and the Secretary containing such assurances and terms as the Commissioner determines will best achieve the purposes of this part. Such agreement shall contain (1) an assurance that payments made pursuant to this subparagraph will be used solely for programs and projects approved by the Secretary of the Interior which meet the applicable requirements of section 141(a) and that the Department of the Interior will comply in all other respects with the requirements of this title, and (2) provision for carrying out the applicable provisions of sections 141(a) and 142(a)(3)."

Supra.

79 Stat. 30;  
81 Stat. 787;  
84 Stat. 126.  
20 USC 241c.

(B) The fourth sentence of section 103(a)(1)(A) of such title I is amended by striking out "and the terms upon which payment shall be made to the Department of the Interior."

(3) The amendments made by this subsection shall be effective on and after July 1, 1972.

(c)(1) Subsection (a) of section 5 of Public Law 874, 81st Congress, as amended, is amended by inserting "(1)" after "(a)" and by inserting at the end thereof the following new paragraph (2):

64 Stat. 1106.  
20 USC 240.



20 USC 238.

"(2) (A) Applications for payment on the basis of children determined under section 3(a) or 3(b) who reside, or reside with a parent employed, on Indian lands shall set forth adequate assurance that Indian children will participate on an equitable basis in the school program of the local educational agency.

"(B) For the purposes of this paragraph, Indian lands means that property included within the definition of Federal property under clause (A) of section 403(1)."

Arts, p. 334.

Arts, p. 326.

64 Stat. 1100;

79 Stat. 27;

81 Stat. 811.

20 USC 23c.

"Indian lands."

"(2) (A) The Commissioner shall exercise his authority under section 425 of the General Education Provisions Act, to encourage local parental participation with respect to financial assistance under title I of Public Law 874, 81st Congress, based upon children who reside on, or reside with a parent employed on, Indian lands.

(B) For the purposes of this paragraph, the term "Indian lands" means that property included within the definition of Federal property under clause (A) of section 403(1) of Public Law 874, 81st Congress.

#### PART B—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

##### AMENDMENT TO TITLE VIII OF THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

SEC. 421. (a) Title VIII of the Elementary and Secondary Education Act of 1965 is amended by adding to the end thereof the following new section:

##### "IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN

"SEC. 810. (a) The Commissioner shall carry out a program of making grants for the improvement of educational opportunities for Indian children—

"(1) to support planning, pilot, and demonstration projects, in accordance with subsection (b), which are designed to test and demonstrate the effectiveness of programs for improving educational opportunities for Indian children;

"(2) to assist in the establishment and operation of programs, in accordance with subsection (c), which are designed to stimulate (A) the provision of educational services not available to Indian children in sufficient quantity or quality, and (B) the development and establishment of exemplary educational programs to serve as models for regular school programs in which Indian children are educated;

"(3) to assist in the establishment and operation of preservice and inservice training programs, in accordance with subsection (d), for persons serving Indian children as educational personnel; and

"(4) to encourage the dissemination of information and materials relating to, and the evaluation of the effectiveness of, education programs which may offer educational opportunities to Indian children.

In the case of activities of the type described in clause (3) preference shall be given to the training of Indians.

"(b) The Commissioner is authorized to make grants to State and local educational agencies, federally supported elementary and secondary schools for Indian children and to Indian tribes, organizations, and institutions to support planning, pilot, and demonstration projects

79 Stat. 55;

80 Stat. 1204;

81 Stat. 816;

84 Stat. 153.

20 USC 861.

Inservice programs, Indians, preference.

which are designed to plan for, and test and demonstrate the effectiveness of, programs for improving educational opportunities for Indian children, including—

“(1) innovative programs related to the educational needs of educationally deprived children;

“(2) bilingual and bicultural education programs and projects;

“(3) special health and nutrition services, and other related activities, which meet the special health, social, and psychological problems of Indian children; and

“(4) coordinating the operation of other federally assisted programs which may be used to assist in meeting the needs of such children.

“(c) The Commissioner is also authorized to make grants to State and local educational agencies and to tribal and other Indian community organizations to assist and stimulate them in developing and establishing educational services and programs specifically designed to improve educational opportunities for Indian children. Grants may be used—

Educational enrichment programs and services.

“(1) to provide educational services not available to such children in sufficient quantity or quality, including—

“(A) remedial and compensatory instruction, school health, physical education, psychological, and other services designed to assist and encourage Indian children to enter, remain in, or reenter elementary or secondary school;

“(B) comprehensive academic and vocational instruction;

“(C) instructional materials (such as library books, textbooks, and other printed or published or audiovisual materials) and equipment;

“(D) comprehensive guidance, counseling, and testing services;

“(E) special education programs for handicapped;

“(F) preschool programs;

“(G) bilingual and bicultural education programs; and

“(H) other services which meet the purposes of this subsection; and

“(2) for the establishment and operation of exemplary and innovative educational programs and centers, involving new educational approaches, methods, and techniques designed to enrich programs of elementary and secondary education for Indian children.

“(d) The Commissioner is also authorized to make grants to institutions of higher education and to State and local educational agencies, in combination with institutions of higher education, for carrying out programs and projects—

Education personnel.

“(1) to prepare persons to serve Indian children as teachers, teacher aides, social workers, and ancillary educational personnel; and

“(2) to improve the qualifications of such persons who are serving Indian children in such capacities.

Grants for the purposes of this subsection may be used for the establishment of fellowship programs leading to an advanced degree, for institutes and, as part of a continuing program, for seminars, symposia, workshops, and conferences. In carrying out the programs authorized by this subsection, preference shall be given to the training of Indians.

“(e) The Commissioner is also authorized to make grants to and contracts with, public agencies, and institutions and Indian tribes, institutions, and organizations for—

Information dissemination.

"(1) the dissemination of information concerning education programs, services, and resources available to Indian children, including evaluations thereof; and

Program evaluation.

"(2) the evaluation of the effectiveness of federally assisted programs in which Indian children may participate in achieving the purposes of such programs with respect to such children.

Grants, application.

"(f) Applications for a grant under this section shall be submitted at such time, in such manner, and shall contain such information, and shall be consistent with such criteria, as may be established as requirements in regulations promulgated by the Commissioner. Such applications shall—

"(1) set forth a statement describing the activities for which assistance is sought;

"(2) in the case of an application for the purposes of subsection (c), subject to such criteria as the Commissioner shall prescribe, provide for the use of funds available under this section, and for the coordination of other resources available to the applicant, in order to insure that, within the scope of the purpose of the project, there will be a comprehensive program to achieve the purposes of this section;

"(3) in the case of an application for the purposes of subsection (c), make adequate provision for the training of the personnel participating in the project; and

"(4) provide for an evaluation of the effectiveness of the project in achieving its purposes and those of this section.

Parental participation.

The Commissioner shall not approve an application for a grant under subsection (b) or (c) unless he is satisfied that such application, and any documents submitted with respect thereto, show that there has been adequate participation by the parents of the children to be served and tribal communities in the planning and development of the project, and that there will be such a participation in the operation and evaluation of the project. In approving applications under this section, the Commissioner shall give priority to applications from Indian educational agencies, organizations, and institutions.

Appropriation.

"(g) For the purpose of making grants under this section there are hereby authorized to be appropriated \$25,000,000 for the fiscal year ending June 30, 1973, and \$35,000,000 for each of the two succeeding fiscal years."

84 Stat. 130.  
20 USC 822.

(b)(1)(A) The third sentence of section 202(a)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out "July 1, 1972," and inserting in lieu thereof "July 1, 1973."

84 Stat. 131.  
20 USC 842.

(B) The third sentence of section 302(a)(1) of the Elementary and Secondary Education Act of 1965 is amended by striking out "July 1, 1972," and inserting in lieu thereof "July 1, 1973."

84 Stat. 178.  
20 USC 1412.

(C) Clause (B) of section 812(a)(1) of Public Law 91-230 is amended by striking out "July 1, 1972," and inserting in lieu thereof "July 1, 1973."

20 USC 821.  
841.  
20 USC 1411.

(2) For the purposes of titles II and III of the Elementary and Secondary Education Act of 1965 and part B of title VI of Public Law 91-230, the Secretary of the Interior shall have the same duties and responsibilities with respect to funds paid to him under such titles, as he would have if the Department of the Interior were a State educational agency having responsibility for the administration of a State plan under such titles.

PART C—SPECIAL PROGRAMS RELATING TO ADULT EDUCATION FOR INDIANS

AMENDMENT TO THE ADULT EDUCATION ACT

SEC. 431. Title III of the Elementary and Secondary Education Amendments of 1966 (the Adult Education Act) is amended by redesignating sections 314 and 315, and all references thereto, as sections 315 and 316, respectively, and by adding after section 313 the following new section:

84 Stat. 159.  
20 USC 1201  
note.

"IMPROVEMENT OF EDUCATIONAL OPPORTUNITIES FOR ADULT INDIANS

"SEC. 314. (a) The Commissioner shall carry out a program of making grants to State and local educational agencies, and to Indian tribes, institutions, and organizations, to support planning, pilot, and demonstration projects which are designed to plan for, and test and demonstrate the effectiveness of, programs for providing adult education for Indians—

"(1) to support planning, pilot, and demonstration projects which are designed to test and demonstrate the effectiveness of programs for improving employment and educational opportunities for adult Indians;

"(2) to assist in the establishment and operation of programs which are designed to stimulate (A) the provision of basic literacy opportunities to all nonliterate Indian adults, and (B) the provision of opportunities to all Indian adults to qualify for a high school equivalency certificate in the shortest period of time feasible;

"(3) to support a major research and development program to develop more innovative and effective techniques for achieving the literacy and high school equivalency goals;

"(4) to provide for basic surveys and evaluations thereof to define accurately the extent of the problems of illiteracy and lack of high school completion on Indian reservations;

"(5) to encourage the dissemination of information and materials relating to, and the evaluation of the effectiveness of, education programs which may offer educational opportunities to Indian adults.

"(b) The Commissioner is also authorized to make grants to, and contracts with, public agencies, and institutions, and Indian tribes, institutions, and organizations for—

"(1) the dissemination of information concerning educational programs, services, and resources available to Indian adults, including evaluations thereof; and

"(2) the evaluation of the effectiveness of federally assisted programs in which Indian adults may participate in achieving the purposes of such programs with respect to such adults.

"(c) Applications for a grant under this section shall be submitted at such time, in such manner, and contain such information, and shall be consistent with such criteria, as may be established as requirements in regulations promulgated by the Commissioner. Such applications shall—

"(1) set forth a statement describing the activities for which assistance is sought;

"(2) provide for an evaluation of the effectiveness of the project in achieving its purposes and those of this section.

Tribal participation; Indians, priority.

The Commissioner shall not approve an application for a grant under subsection (e) unless he is satisfied that such application, and any documents submitted with respect thereto, indicate that there has been adequate participation by the individuals to be served and tribal communities in the planning and development of the project, and that there will be such a participation in the operation and evaluation of the project. In approving applications under subsection (a), the Commissioner shall give priority to applications from Indian educational agencies, organizations, and institutions.

Appropriation.

"(d) For the purpose of making grants under this section there are hereby authorized to be appropriated \$5,000,000 for the fiscal year ending June 30, 1973, and \$8,000,000 for each of the two succeeding fiscal years."

## PART D—OFFICE OF INDIAN EDUCATION

### OFFICE OF INDIAN EDUCATION

Establishment.

SEC. 441. (a) There is hereby established, in the Office of Education, a bureau to be known as the "Office of Indian Education" which, under the direction of the Commissioner, shall have the responsibility for administering the provisions of title III of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as added by this Act, section 810 of title VIII of the Elementary and Secondary Education Act of 1965, as added by this Act, and section 314 of title III of the Elementary and Secondary Education Amendments of 1966, as added by this Act. The Office shall be headed by a Deputy Commissioner of Indian Education, who shall be appointed by the Commissioner of Education from a list of nominees submitted to him by the National Advisory Council on Indian Education.

Arts, p. 334.

Arts, p. 339.

Arts, p. 342.

Deputy Commissioner of Education.  
80 Stat. 4673  
81 Stat. 624.  
5 USC 5332  
note.  
84 Stat. 1955.

(b) The Deputy Commissioner of Indian Education shall be compensated at the rate prescribed for, and shall be placed in, grade 18 of the General Schedule set forth in section 5332 of title 5, United States Code, and shall perform such duties as are delegated or assigned to him by the Commissioner. The position created by this subsection shall be in addition to the number of positions placed in grade 18 of such General Schedule under section 5108 of title 5, United States Code.

### NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION

National Council, establishment.

SEC. 442. (a) There is hereby established the National Advisory Council on Indian Education (referred to in this title as the "National Council"), which shall consist of fifteen members who are Indians and Alaska Natives appointed by the President of the United States. Such appointments shall be made by the President from lists of nominees furnished, from time to time, by Indian tribes and organizations, and shall represent diverse geographic areas of the country.

(b) The National Council shall—

(1) advise the Commissioner of Education with respect to the administration (including the development of regulations and of administrative practices and policies) of any program in which Indian children or adults participate from which they can benefit, including title III of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as added by this Act, and section 810, title VIII of the Elementary and Secondary Education Act of 1965, as added by this Act and with respect to adequate funding thereof;

(2) review applications for assistance under title III of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as added by this Act, section 810 of title VIII of the Elementary and Secondary Education Act of 1965, as added by this Act, and section 314 of the Adult Education Act, as added by this Act, and make recommendations to the Commissioner with respect to their approval;

Ante, p. 334.

Ante, p. 339.

Ante, p. 342.

(3) evaluate program and projects carried out under any program of the Department of Health, Education, and Welfare in which Indian children or adults can participate or from which they can benefit, and disseminate the results of such evaluations;

(4) provide technical assistance to local educational agencies and to Indian educational agencies, institutions, and organizations to assist them in improving the education of Indian children;

(5) assist the Commissioner in developing criteria and regulations for the administration and evaluation of grants made under section 303(b) of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress); and

Ante, p. 335.

(6) to submit to the Congress not later than March 31 of each year a report on its activities, which shall include any recommendations it may deem necessary for the improvement of Federal education programs in which Indian children and adults participate, or from which they can benefit, which report shall include statement of the National Council's recommendations to the Commissioner with respect to the funding of any such programs.

Annual report to Congress.

(c) With respect to functions of the National Council stated in clauses (2), (3), and (4) of subsection (b), the National Council is authorized to contract with any public or private nonprofit agency, institution, or organization for assistance in carrying out such functions.

Contract authority.

(d) From the sums appropriated pursuant to section 400(c) of the General Education Provisions Act which are available for the purposes of section 411 of such Act and for part D of such Act, the Commissioner shall make available such sums as may be necessary to enable the National Council to carry out its functions under this section.

Ante, p. 326.

## PART E—MISCELLANEOUS PROVISIONS

### AMENDMENT TO TITLE V OF HIGHER EDUCATION ACT OF 1965

SEC. 451. (a) Section 503(a) of the Higher Education Act of 1965 is amended by inserting after "and higher education," the following: "including the need to provide such programs and education to Indians."

81 Stat. 83.  
20 USC 1091b.

(b) Part D of title V of the Higher Education Act of 1965 is amended by adding after section 531 the following new section:

81 Stat. 91;  
82 Stat. 1040;  
Ante, p. 285.  
20 USC 1119.

#### "TEACHERS FOR INDIAN CHILDREN

"SEC. 532. Of the sums made available for the purposes of this part, not less than 5 per centum shall be used for grants to, and contracts with, institutions of higher education and other public and private nonprofit agencies and organizations for the purpose of preparing persons to serve as teachers of children living on reservations serviced by elementary and secondary schools for Indian children operated or supported by the Department of the Interior, including public and private schools operated by Indian tribes and by nonprofit institutions and organizations of Indian tribes. In carrying out the provisions of this section preference shall be given to the training of Indians."

Indians,  
preference.

## AMENDMENT TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Sec. 452. Section 706(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"Sec. 706. (a) For the purpose of carrying out programs pursuant to this title for individuals on or from reservations serviced by elementary and secondary schools operated on or near such reservations for Indian children, a nonprofit institution or organization of the Indian tribe concerned which operates any such school and which is approved by the Commissioner for the purpose of this section, may be considered to be a local educational agency, as such term is used in this title."

## DEFINITION

Sec. 453. For the purposes of this title, the term "Indian" means any individual who (1) is a member of a tribe, band, or other organized group of Indians, including those tribes, bands, or groups terminated since 1940 and those recognized now or in the future by the State in which they reside, or who is a descendant, in the first or second degree, of any such member, or (2) is considered by the Secretary of the Interior to be an Indian for any purpose, or (3) is an Eskimo or Aleut or other Alaska Native, or (4) is determined to be an Indian under regulations promulgated by the Commissioner, after consultation with the National Advisory Council on Indian Education, which regulations shall further define the term "Indian".

"Indian."



# REPORT TO THE CONGRESS

## Opportunity To Improve Indian Education In Schools Operated By The Bureau Of Indian Affairs

B-167468

Department of the Interior

**BY THE COMPTROLLER GENERAL  
OF THE UNITED STATES**

APRIL 27, 1972

*Available Separately as  
ED 064 006*

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COMPTROLLER GENERAL OF THE UNITED STATES  
WASHINGTON, D.C. 20548

B-161468

To the President of the Senate and the  
Speaker of the House of Representatives

This is our report on the Department of the Interior's opportunity to improve Indian education in schools operated by the Bureau of Indian Affairs.

Our review was made pursuant to the Budget and Accounting Act, 1921 (31 U.S.C. 53), and the Accounting and Auditing Act of 1950 (31 U.S.C. 67).

Copies of this report are being sent to the Director, Office of Management and Budget; the Secretary of the Interior; and the Executive Director, National Council on Indian Opportunity.

*Thomas P. Blasts*

Comptroller General  
of the United States

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C o n t e n t s

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DIGEST

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- II Principal officials of the Department of the Interior responsible for administration of activities discussed in this report

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ABBREVIATIONS

- BIA Bureau of Indian Affairs  
GAO General Accounting Office

D I G E S T

WHY THE REVIEW WAS MADE

American Indians and Alaska Natives are considered to be among this country's most disadvantaged citizens, whether the scale of measurement is employment, income, housing, health, or education. It generally is recognized by Indian leaders and Government officials that education is a key element in the ultimate solution of the problems that these disadvantaged citizens face.

In recent years both the President and the Congress have focused considerable attention on the continuing problems which have beset Indian education. Senate Report 91-501, entitled "Indian Education: A National Tragedy--A National Challenge," outlined a number of serious inadequacies in the Bureau of Indian Affairs' (BIA) education program and recommended that the Federal Government set specific goals for rapid attainment of equal educational opportunity for Indian children, including parity of achievement level of Indian high school students with national norms.

During the 5-year period ended June 30, 1971, BIA expended about \$500 million to operate Federal schools and dormitories having a total annual enrollment of about 50,000 Indian children. Although complete and accurate data was not available, BIA estimated, on the basis of limited data available in 1968, that Indians graduating from BIA high schools generally had only about a ninth-grade education as measured by standardized academic-achievement tests.

The General Accounting Office (GAO) made this review to evaluate the management methods used by BIA in meeting the goals set for education of Indian children in BIA-operated schools.

FINDINGS AND CONCLUSIONS

The major goal of BIA's education program is to close the education gap between Indians and other Americans by raising the academic-achievement level of Indian students up to the national average by 1976. It appears that relatively little progress has been made toward achieving this goal.  
(See p. 9.)

In fact BIA's education programs have not been designed to achieve this goal. Officials at five of 12 schools and at one of three area offices visited told GAO that they were not even aware of the goal. Officials at the remaining schools and area offices stated that they had not made a specific effort to design their programs to reach this goal and had not received any guidelines or instructions concerning it from the BIA central office. (See p. 11.)

Certain factors which adversely affected students' ability to achieve at the national average were not fully dealt with in the established school programs. For example.

- Inability to communicate effectively in the English language generally was recognized as a primary restraint to normal educational progress. Standardized achievement tests indicated that almost all students in the schools GAO visited had communication skills deficiencies. GAO noted, however, that the schools generally did not have adequate programs to deal with this problem. (See pp. 12 and 13.)
- BIA officials estimated that the number of Indian children in their schools needing special education for physical, sensory, mental, or emotional handicaps was at least double that normally found in public schools and might be as high as 50 percent of total enrollment in boarding schools off the reservations. Six of the 12 schools visited by GAO, however, had not established special education programs, and some of the special education programs which had been established at several other schools were not adequate. (See pp. 15 and 16.)
- BIA's guidance programs generally have emphasized dormitory administration in boarding schools and have not provided Indian students with a broad range of professional counseling services, including academic counseling. The counselors' activities were concerned primarily with social and personal problems of the students. (See pp. 16 to 18.)
- Of the 12 schools visited, 10 did not have adequate provisions for obtaining substitute teachers to assume responsibility for classes when regular teachers were absent. (See p. 19.)

BIA did not have an effective management information system which would provide education program officials with data necessary for identifying educational needs of Indian children, designing programs and activities for accomplishing educational goals, allocating resources to these programs, and evaluating the costs and benefits in relation to the educational goals. (See pp. 20 to 24.)

#### RECOMMENDATIONS OR SUGGESTIONS

The Department of the Interior should require the Commissioner of Indian Affairs to:

- Clearly apprise all operating levels of the goal of reaching a level of academic achievement for Indian students equal to the national average and the date by which it is to be accomplished.
- Identify and assign Priorities for dealing with all critical factors known to impede progress toward accomplishment of that goal.
- Develop a comprehensive educational program which is designed specifically to overcome the factors which impede progress in meeting the goal and which is flexible enough to meet the needs of students in all BIA schools.
- Establish periodic milestones, such as the amount of improvement in the academic-achievement level necessary at the end of each successive year, to accomplish the established goal.
- Periodically evaluate program results on the basis of these predetermined milestones to allow timely redirections of effort as may be necessary.
- Develop a management information system providing:
  1. Meaningful and comprehensive information on the academic aptitude and achievement levels of students in the BIA school system.
  2. Program-oriented financial management reports geared toward the management needs of BIA education program officials. (See pp. 26 and 27.)

#### AGENCY ACTIONS AND UNRESOLVED ISSUES

The Department of the Interior stated that it was in general accord with GAO's findings and that GAO's conclusions and recommendations would constructively support BIA's efforts to improve its education program.

The Department stated that it would be normal to expect that from 5 to 10 years would be required to statistically prove any increased effectiveness through student test results. The Department noted that GAO had not given due cognizance to departmental and congressional commitments and efforts to improve educational opportunity for the American Indian.

GAO agrees that it would have been desirable to obtain student academic-achievement data covering several years. Such data was not available, however, and, by necessity, GAO's evaluation of progress achieved by BIA was limited to available data.

The Department's comments on GAO's recommendations are discussed below.

- A task force was established in March 1971 to review the goals and objectives of BIA's education program and the necessary organizational changes to achieve them. The Department did not indicate, however,

what action would be taken to apprise all operating levels of the goal of reaching a level of academic achievement equal to the national average and the date by which it was to be accomplished.

- The Department outlined a number of steps to be implemented in fiscal year 1973 for identifying and assigning priorities for dealing with all critical factors known to impede progress toward accomplishment of its goal.
- Concerning GAO's recommendation for development of a comprehensive education program that would meet the needs of all students in BIA schools, the Department stated that actions were being taken to upgrade the ability of school personnel to deal with the special nature of the students served. GAO believes that, although these actions should help to improve BIA's education program, action also must be taken to ensure that the special needs of all students are identified and met.
- Regarding GAO's recommendations for establishment of milestones and for periodic evaluation of program results, the Department stated that these exercises were impractical since the BIA goal must be tempered by the reality of Indian self-determination, the special nature of the students served, and the availability of funds. GAO believes that effective management requires the development of an appropriate strategy for meeting established goals and the periodic evaluation of progress toward meeting these goals.
- Concerning GAO's recommendation for development of an education management information system, the Department outlined various activities which would be undertaken to design and implement such a system. GAO believes that effective use of information provided by the system should assist BIA in managing its schools. (See pp. 29 to 31.)

#### MATTERS FOR CONSIDERATION BY THE CONGRESS

In view of the concern which has been expressed by the President and by members of the Congress regarding the quality of Indian education, the Congress may wish to consider enacting legislation requiring BIA to furnish certain specific information as suggested in this report, which the Congress could use to evaluate the progress being made in improving Indian education. (See pp. 27 and 28.)

## CHAPTER 1

### INTRODUCTION

American Indians and Alaska Natives (hereinafter referred to as Indians) are considered to be among this country's most disadvantaged citizens, whether the scale of measurement is employment, income, housing, health, or education. It generally is recognized by various Indian leaders and Government officials that education is one of the key elements in the ultimate solution of the complex problems faced by these disadvantaged citizens.

In recent years both the President and the Congress have focused considerable attention on the continuing problems which have beset Indian education. In a July 1970 message to the Congress, the President stated that one of the saddest aspects of Indian life was the low quality of Indian education.

In November 1969, the Special Subcommittee on Indian Education, Senate Committee on Labor and Public Welfare, concluded a 2-year investigation by issuing Senate Report 91-501, entitled "Indian Education: A National Tragedy-- A National Challenge." The Subcommittee outlined in its report a number of serious inadequacies in the education programs of the Bureau of Indian Affairs and concluded that "The present organization and administration of the BIA school system could hardly be worse."

The Subcommittee recommended that the Federal Government commit itself to providing Indians with an excellent education, including maximum Indian participation in, and control of, Indian education programs. In addition, the Subcommittee recommended that the Federal Government set specific goals for rapid attainment of equal educational opportunity for Indian children, including parity of achievement level of Indian high school students with national norms.

Because of the national interest in Indian education which had been expressed by the President and the Congress, the General Accounting Office undertook a review of the

management of the BIA school system. Our review was concerned primarily with evaluating management methods used by BIA to meet the goals set for education of Indian children in BIA-operated schools.

### OVERALL PERSPECTIVE

Each administration since 1960 has announced a policy calling for full participation by Indians in American life and a standard of living and an education equal to the national average.

BIA established certain educational goals in 1963, which were directed specifically toward closing the education gap between Indians and non-Indians by 1970. Except for a change in the target date, these goals have continued into the 1970's. The goals outlined in BIA's fiscal years 1971 and 1972 Program Memorandums,<sup>1</sup> dated June 1969 and May 1970, respectively, are that (1) 90 percent of all Indian youth graduate from high school, (2) by 1976 the achievement level of Indian students at least equal that for non-Indian youth, (3) 50 percent of the graduates enter college, and (4) the remaining 50 percent be either employed or enrolled in technical training.

The BIA goal of raising the academic-achievement level of Indian students at least up to that attained by non-Indian students appears to be consistent with the educational goals of the Indians themselves. For example, a private firm conducting a study of Indian education in 1969 reported that Indian students and parents, school administrators, teachers, and educational consultants were in substantial agreement that the goal of Indian education should be equal opportunity for Indian and non-Indian Americans. The study report further defined this goal as academic achievement for Indian high school and college graduates equal to that of non-Indians.

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<sup>1</sup> BIA program memorandums are documents which present statements of major program issues requiring decisions in the current budget cycle and which have implications in terms of either present or future costs or the direction of a program or group of programs.

This goal was articulated by an Indian school board member during an April 1969 education conference at the Fort Apache Reservation, Arizona, as follows:

"Our ultimate goal should be to educate our children so that their qualifications for any open position will be on an equal par with, if not better than, the non-Indians. This is the goal we should strive for."

A study of Indian education conducted by a former BIA Deputy Assistant Commissioner for Education under a grant by the Office of Education, Department of Health, Education, and Welfare, focused on the 1960's and the accomplishments during that decade. That study indicated that BIA had made progress in increasing the percentage of Indian children enrolled in school and in increasing the number of Indian high school graduates. In its 1972 Program Memorandum, however, BIA estimated that the academic-achievement level of Indian children graduating from BIA high schools was 3.3 years below the national average. We could not readily ascertain the reliability of this estimate because BIA does not accumulate achievement test data from its schools.

#### BACKGROUND

During fiscal year 1971 about 200,000 Indian children were enrolled in elementary and secondary schools. Those schools included Federal, public, private, and mission facilities. About 50,000 of these students were enrolled in 200 BIA-operated schools. Also BIA operated 19 dormitories for about 4,000 Indian children attending public schools and provided funding for five schools operated by Indian school boards under contract with BIA. In addition, BIA operated two postsecondary schools having a total enrollment of about 1,300 students.

The program for the education of Indian students in these federally operated or federally funded schools is administered by BIA's central office in Washington, D.C., and its 11 area and 76 agency offices.

During fiscal year 1971 BIA's appropriation for educational assistance, facilities, and services totaled

\$146.2 million, of which \$118.6 million was expended in the operation of the Federal facilities discussed above, including the five schools operated by Indian school boards. The remaining \$27.6 million was expended for assistance to pupils in non-Federal schools, adult education and community development. Also in fiscal year 1971 BIA expended \$13 million received through other Federal programs, such as the program funded by the Elementary and Secondary Education Act of 1965 (20 U.S.C. 241a) administered by the Office of Education. These funds were for special education programs, such as remedial reading.

During the 5-year period ended June 30, 1971, BIA expended about \$500 million, including about \$50 million received through other Federal programs, to operate Federal schools and dormitories having a total average annual enrollment of about 50,000 students.

## CHAPTER 2

### OPPORTUNITIES FOR IMPROVING INDIAN EDUCATION

The major goal of BIA's education programs is to close the education gap between Indians and non-Indians by raising the academic-achievement level of Indian students up to the national average by 1976. It appears, however, that BIA has made relatively little progress toward attaining this goal, largely because BIA has not adequately communicated this goal to its area offices and schools and has not developed a specific plan for identifying and overcoming obstacles to, or for measuring progress toward, the accomplishment of this goal.

Our review of BIA records showed that they did not provide sufficient information to determine the actual progress that had been made toward raising the academic-achievement level of Indian children. As discussed in more detail on page 20, the formulation of academic achievement-testing programs was left to the discretion of the education officials at each of BIA's 11 area offices and the established testing programs differed from area to area. Also individual schools within the areas often did not follow the established programs. Further the results of tests that were administered at the schools were not compiled and evaluated on a national basis at the BIA central office. As a result the central office did not have the comprehensive academic-achievement data needed for comparing progress in attaining the goal of the education program on a school-to-school and year-to-year basis.

Academic-achievement data that was available at the 12 schools we visited showed relatively little evidence of progress from year to year. For example, the following table shows the gap between the national average and the average achievement level of Indian students at three elementary schools in the Phoenix Area, as measured by California

Achievement Tests<sup>1</sup> administered in the spring of 1970 and again in the spring of 1971.

Year in which tested	Achievement gap							
	Grade							
	1	2	3	4	5	6	7	8

(years below national average)

1970	0.7	0.8	1.4	1.2	1.3	1.6	1.3	1.9
1971	0.9	1.4	0.5	1.5	1.4	1.8	1.7	2.0

As shown above the gap between the national average and the average achievement level of Indian students shows a reduction in only the third grade.

The results of California Achievement Tests administered to students at three off-reservation secondary boarding schools located in the Navajo, Phoenix, and Juneau Areas also disclosed that there had been little evidence of progress, as shown below.

Year in which tested	Achievement gap											
	High school A				High school B				High school C			
	Grade				Grade				Grade			
	9	10	11	12	9	10	11	12	9	10	11	12

(Years below national average)

1970	3.3	3.8	4.6	5.3	1.8	2.5	2.7	3.6	0.6	1.2	1.1	1.6
1971	3.5	3.7	4.5	5.3	2.9	2.8	3.4	4.4	0.7	1.3	1.9	2.1

We discussed the above academic-achievement data with various education consultants, all of whom agreed that it showed that there had been little evidence of progress.

<sup>1</sup>The California Achievement Test is one of a number of standardized tests used by educators in elementary and secondary schools to measure the academic-achievement levels of their students. Other standardized achievement tests used in BIA schools we visited included the Metropolitan Achievement Test and the Stanford Achievement Test.

NEED TO ORGANIZE PROGRAMS AROUND  
ESTABLISHED GOALS FOR INDIAN EDUCATION

We found that BIA had not developed a specific plan to accomplish its goal of raising the academic-achievement level of Indian students up to the national average. Although the goal had been established and included in BIA's annual program memorandums, BIA did not plan and organize its education programs to achieve it.

Officials at BIA's central office and at the three area offices and 12 schools visited agreed that the education programs were not designed to reach the goal of raising the achievement level up to the national average by 1976. In fact officials at five schools and at one area office told us that they were not even aware of this goal. Officials at the seven other schools and two area offices told us that they had heard of the goal. They said, however, that they had not made a specific effort to design their programs to reach this goal because they had not been officially notified of it and had not received any guidelines or instructions from the central office concerning it.

The educational goals set forth in BIA's Manual, which was furnished to the schools and area offices, dated back to 1951 and were very general. These dealt primarily with such matters as physical, mental and moral development; citizenship; and health habits. The goals did not include closing the academic-achievement gap.

School officials cited a number of matters which had an adverse effect on the quality of education provided to children in BIA schools. These matters included the need for compensatory training in English communication skills, special education programs, professional counseling services, and substitute teachers. These matters, which are discussed below, are not intended to represent all the factors which have an impact on the quality of Indian education; instead, they are intended to illustrate that BIA has not organized its education program to accomplish its goal.

Need for training to compensate for  
English communication handicaps

The importance of basic communications skills is stressed in the publication, "Education: An Answer to Poverty," which was developed jointly by the Office of Education and the Office of Economic Opportunity and which points out that:

"\*\*\* reading and the development of language skills are the chief foundations of knowledge. Without them, all later schooling is built as though on quicksand and soon collapses."

Officials at the 12 schools we visited told us that the inability of Indian students to communicate effectively in English was a primary restraint to their achieving at the national average.

At one of the schools we visited, it had been determined that Apache was the predominant language in the students' homes; a survey of 32 homes had revealed only one case in which English was spoken in the home. The problem was complicated further by the students' isolation from any culture other than their own. Thus it was difficult for them to visualize a need for learning English. The survey showed that the students lived 43 miles from the nearest non-Indian community, that about 50 percent had no adequate means of transportation, that fewer than 20 percent had television, that an equally small percentage had radios, that only 4 percent had telephones, and that there was no local newspaper. The entire student body (pre-first through eighth grade) at this school was deficient in English communication skills.

Although the standardized achievement tests at the 12 schools we visited indicated that about 95 percent of the students were deficient in English communication skills, only one of these schools had established what the school principal considered to be an adequate compensatory training program to overcome the students' deficiencies.

Nine other schools had established compensatory communication training programs. These programs were often

referred to as reading laboratories and involved the use of various types of special audio-visual equipment, as illustrated by the photographs on page 14. These programs, however, usually were funded through Office of Education grants under the Elementary and Secondary Education Act of 1965, which are restricted by law to a limited number of students. For example, only about 120 students were enrolled in one high school's remedial reading program. Of the 425 students tested at that school, 409 had reading scores below the national average, including 382 who were 1 year or more below the average. This remedial reading program was designed, however, to bring students up to only the sixth-grade level. As a result many students were trying to cope with regular high school subjects, such as history and science, although their ability to read was substantially below the high school level.

The principal at the school which had established what he considered to be an adequate compensatory English communications training program stated that the program was designed specifically around the students' needs as identified by the teachers and through analysis of standardized achievement test results. Each student spent one half of each day in English language instruction. In conjunction with this, all other courses were designed to reinforce the students' skill in English communication.

The principal said that he believed that the program provided students with a firm base in English communication skills without compromising other course work necessary for their development. Although the program was only in its first year of operation, the principal was of the view that students could raise their overall achievement level up to the national average within 5 years of entering the program.



*Students working with controlled-reading machines in a reading laboratory funded by an Office of Education grant.*

## Need for special education Programs

Officials at the schools we visited told us that special education programs were needed at their schools for certain students with physical, sensory, mental, or emotional handicaps. Little or no data, however, was available concerning the extent of these handicaps and the specific types of special education needed.

One BIA official estimated that the number of Indian children in BIA schools needing special education was at least double that normally found in public schools. Another BIA official estimated that as many as 50 percent of the students enrolled in BIA off-reservation boarding schools needed some form of special education due to poor early childhood health care, malnutrition, and social conditions on the reservation.

Of the 12 schools visited, six had not established any special education programs. Officials at several of the schools which did have special education programs told us that the programs were not adequate. For example, one of the established programs could handle only 18 of about 75 students who had been identified by teachers as needing special education. The special education teacher said that undoubtedly all students needing special education had not been identified.

Information obtained at one off-reservation secondary boarding school which did not have a special education program indicated that a large number of handicapped students at the school needed special education. We noted that one of the criteria under which students could be enrolled at this school was unusual social behavior too difficult to be solved at home or through existing community facilities. A survey by a psychologist showed that more than one half of the students had been enrolled on that basis. Randomly selected standardized test results at this school showed that students' academic-achievement scores generally were substantially below the national average in all subject areas tested, although their intelligence scores ranged from "above normal" to no lower than "dull normal."

The Chief of the Division of Special Education, California Department of Education, told us that, on the basis of the above information, it appeared that a number of students at this school might be educationally handicapped--students who were not mentally retarded but who were hindered in academic achievement by learning or behavioral disorders caused by emotional disturbances--and therefore might be in need of special education. He added that, in California public schools, such educationally handicapped students were handled generally by special full- or part-time classes or through individual tutoring.

Need for professional counseling services  
in BIA schools

Although 11 of the 12 schools we visited had counselors, the counselors' efforts were concerned primarily with social and personal problems of the students.

BIA officials told us that historically their guidance programs were directed toward dormitory administration in boarding schools rather than providing a broad range of professional counseling services.

According to the American Personnel and Guidance Association, a national association of professional guidance and counseling personnel, some of the major functions of professional counselors in elementary and secondary schools include:

- Planning and developing the guidance program.
- Counseling individuals and small groups.
- Appraising students, including accumulating and interpreting such information as standardized test results and academic records, and identifying students having special abilities and/or needs.
- Assisting students in relating their interests, aptitudes, and abilities to current and future educational and occupational opportunities and requirements.

- Consulting with school administrators and members of the faculty relative to the curriculum which will meet the abilities, interests, and needs of the students.
- Placing students in appropriate school subjects and courses of study.
- Referring students to other pupil-personnel-services specialists.
- Meeting with students' parents.

We found, however, that (1) at 10 of the 12 schools visited by us, the counselors did not make use of the results of standardized achievement tests to identify student and curriculum needs, (2) at nine schools they did not participate in the placement of students in courses of study, and (3) at eight schools they were not involved in developing the curriculum.

Some of the above-mentioned functions of counselors were being performed in varying degrees by other school personnel. For example, at one off-reservation boarding school, the placement of students in courses of study was done by the academic department head on the basis of the State-approved curriculum for public schools. He told us that such tools as standardized academic aptitude and achievement test results should be analyzed and used for placing students in classes on the basis of their individual strengths, weaknesses, and education needs but that he did not have the time to make such analyses because of other administrative responsibilities. Academic counseling was being performed by classroom teachers in some instances, but most of these teachers said that they did not have the time, training, or experience necessary to do the job effectively.

The accumulation and interpretation of standardized test results is one of the major functions of a counselor. Officials of the American Personnel and Guidance Association and of the Office of Education, told us that, ideally, professional counselors also should administer these tests because they have been specifically trained in this area. Although testing generally was being done at the 12 schools

we visited, the student's regular teachers, rather than counselors, administered the tests at eight of the schools and counselors were involved only to a limited degree in administering the test at a ninth school.

According to the American Personnel and Guidance Association, a counselor's student-appraisal function includes coordinating the accumulation, organization, and maintenance of files of pupil data, including standardized test results, academic and biographical records, personal data forms, and rating scales. We found, however, that counselors generally did not maintain such data. At one school having 800 students, the counselors developed files for only 11 students.

A BIA official told us that some efforts recently had been made to get counselors more involved in the broad range of professional counseling services but that these efforts were still in the early stage of development. For instance, in an experimental program which had been implemented at nine schools in the Navajo Area, the counselors no longer supervise dormitory operations but are responsible only for providing counseling services.

For BIA to provide the full range of professional counseling services to Indian children, the current qualification standards for counselors may have to be upgraded. BIA's academic standard to qualify for a position as a guidance counselor requires:

- Completion of a 4-year course of study leading to a bachelor's degree in any major.
- Completion of 24 semester hours in professional education, including 12 semester hours in guidance and psychology subjects directly related to education (not necessarily graduate work).

This academic standard is significantly below the academic standard established by the American Personnel and Guidance Association which recommends completion of a 2-year graduate program in the field of counselor education. According to a 1965 publication of the Office of Education, of 55 States and outlying areas, such as the Canal Zone and Guam, 46 required master's degrees, or other specified

amounts of graduate-level education, in the field of counseling for permanent certification as a school counselor and two required additional graduate-level education in the field of counseling beyond a master's degree. According to Office of Education officials, most States generally required 1 year of graduate-level education in the specific field of counseling and the trend was toward a 2-year graduate program.

Of the 78 counselors at the schools we visited, only 15 had master's degrees in the field of counseling and five had bachelor's degrees in counseling. The remaining 58 had degrees in such fields as education or social studies.

#### Need to obtain substitute teachers

Although officials at the 12 schools we visited told us that it was important to have substitute teachers to assume responsibility for classes when regular teachers were absent, only two of the schools had made what school officials considered to be adequate provisions for obtaining substitute teachers. At the 10 other schools, either no provision had been made for substitutes or the number of substitutes on call was insufficient, generally, according to the officials at these schools, because of personnel ceilings or lack of funds.

We reviewed leave records and other data at several schools to ascertain the extent of the need for substitute teachers. At two schools which had no substitute teachers, we found that, for 39 and 58 days, respectively, a regular teacher was absent for at least one half a day during the 180-day school year. These schools attempted to fill the vacancies with supervisory personnel or teacher-aides.

At another school four high school class periods had been without a teacher for about 2 months; students were used as monitors to keep order in these classes because the school's only substitute teacher was filling in for another teacher who was on extended sick leave.

At another school which had no substitute teachers, school officials said that an average of two teachers a day were absent and that the students were sent back to the dormitory when teachers were absent.

NEED TO IMPROVE  
BIA'S MANAGEMENT INFORMATION SYSTEM

An effective management information system would seem essential in developing, implementing, and evaluating an educational program. Such a system could provide education program officials with the data they need for identifying the educational needs of students, both individually and collectively; for designing programs and activities for accomplishing the desired educational goals; for budgeting and allocating resources to support these programs; and for evaluating the costs and benefits of these programs in relation to the planned educational goals. BIA officials generally agreed that they did not have an effective management information system for providing such data.

Need for academic aptitude  
and achievement data

Central office education officials stated that the results of standardized academic aptitude and achievement tests not only would be useful at the school level in identifying students' needs and measuring their progress but also would be needed by them in formulating and evaluating the results of programs designed to accomplish the goal of raising the academic-achievement level of Indian students to the national average.

BIA records did not contain sufficient information for determining the actual progress that had been made toward the accomplishment of this goal, nor did BIA have an overall student-testing program for obtaining such information. Education officials at each area office decided on the testing program to be followed by schools under their jurisdiction; however, test results were not compiled and evaluated at the central office. Outlined below is a brief comparison of the testing program followed in the three areas we visited.

Academic-achievement testing	Area		
	Juneau	Phoenix	Navajo
Grade levels to be tested each year	All grades	All Grades	2d, 4th, 6th, and 8th grades
Time of year students are to be tested	Fall	Spring	Approximately midyear
Type of achievement tests that is to be used	Metropolitan for elementary grades and California-for secondary grades	Either Metropolitan or California	Stanford
Is it required that results be submitted to the area office?	Yes	Yes	Yes

**Academic-aptitude testing**

Is aptitude testing required?	No	Yes (7th grade only)	No
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In a number of cases the established area testing program was not followed. For example, the Phoenix Area Office directed that academic-achievement tests be administered each spring to all students, that either the Metropolitan Achievement Test or the California Achievement Test be acceptable as long as one was used consistently, and that results be submitted to the area office. However:

- One school did not administer the spring academic-achievement tests for 3 years.
- Another school changed from the California Achievement Test to the Metropolitan Achievement Test and back to the California Achievement Test during a period of 4 years, which made it difficult to compare results from year to year.
- Area office education officials did not use test results for program planning and evaluation purposes.

The testing program established by the Juneau Area Office required that in the fall the Metropolitan Achievement Test be administered to students in kindergarten through

the eighth grade and that the California Achievement Test be administered to students in the ninth through the 12th grades. At one school, however:

- Kindergarten and first-grade students were not tested.
- The Metropolitan Achievement Test, rather than the California Achievement Test, was administered to the ninth-grade students.
- Students in the 10th through the 12th grades were not tested.

Although test results have not been compiled and evaluated at the central office, the value of a testing program has been recognized. Education officials at the central office advised us that they were in the process of developing a BIA-wide testing program.

#### Need for program-oriented financial management reports

The operating cost of the BIA school system for fiscal year 1971 was approximately \$118.6 million. We found, however, that central office education program officials did not know by whom or for what purposes these funds had been used.

Central office education program officials did not know how much of the \$118.6 million in operating costs had been incurred by each of BIA's 200 schools, 76 agency offices, and 11 area offices; nor did they receive any financial management reports which would readily provide this data. We found that they had not received financial management reports which would show how much of the operating cost had been incurred for such education activities as administration, curriculum development, instruction, pupil-personnel services, support services, and dormitory operations.

We were able to identify only one report which contained data on BIA program costs. This monthly "Report on Operating Budget" details both the programmed and the actual obligations and costs charged against the 24 BIA

programs. Education is the largest of these programs and accounts for about 50 percent of BIA's operating budget. The Deputy Director of Management Services confirmed that this was the only report which showed BIA's program costs.

Our examination of the "Report on Operating Budget" for the year ended June 30, 1971, which consisted of 3,000 pages of computer tabulations, showed that the \$118.6 million in operating costs was itemized by detailed costs on the basis of location codes. The education program costs were not totaled for each school, agency office, and area office, nor were costs summarized by the various education activities discussed above.

According to central office education program officials, they receive only that part of the "Report on Operating Budget" which shows the education program costs incurred by the central office.

One official commented that, even if the entire cost report were received, it could not be effectively used for program-management purposes because it was too voluminous and the data was not summarized into a program-oriented format. The BIA Director of Education Programs said that the limited financial management data made available to him was not adequate for such purposes as determining and evaluating the costs for each pupil of the various education activities or making cost-benefit analyses of education programs in BIA schools. He said that such information was essential for effective management of the BIA school system.

Our observations concerning the need for program-oriented financial management reports are similar to those reported in May 1971 by a special management assistance survey team, which was organized by the Office of Management and Budget at the request of the Secretary of the Interior. In reference to the various financial reports produced by the Indian Affairs Data Center, the survey team stated that:

"\*\*\* We found that operating officials at Central Office made very little use of these reports because they were too voluminous and because the officials were not familiar with the computer

language. No 'flash' or summary reports were prepared for use by the executive staff."

The survey team stated also that:

~~"We~~ We cannot over-emphasize the need for effective communication between the Division of Financial Management and its customers at all levels to bring about an effective reporting system."

We believe that, to effectively manage a program of the size and complexity of the BIA school system, the Director of Education Programs should receive program-oriented financial management reports which show for what purpose and by whom the financial resources are being used.

CONCLUSIONS AND RECOMMENDATIONSCONCLUSIONS

Improving the educational achievement level of Indian students appears to be one of the most important keys to overcoming the problems the Indians face. Information available at the schools we visited revealed relatively little evidence of progress.

Although BIA had established a goal of eliminating the disparity between educational achievement attained by Indian children and their non-Indian peers by 1976, it did not adequately communicate this goal to the operating levels nor did it develop and implement a specific plan of action by which it intended to raise Indian students' academic-achievement level. Certain constraints to improving academic achievement, such as English communication handicaps, were evident; yet established school programs did not deal with them completely and in some cases did not deal with them at all.

Considering the magnitude of the goal that was established by BIA and the obvious complexity of the problem, it appears that it is essential to have a well organized and managed program specifically designed to accomplish that goal. We believe that such a program should be formulated through a systematic analysis of (1) the program's goal and (2) the critical factors contributing to, or impeding effectiveness in, achieving that goal.

In view of the limited progress made to date in raising the academic-achievement level of Indian children to the national average, it may be necessary for BIA to evaluate the reasonableness of the 1976 target date. We believe, however, that, regardless of the target date which might be established, BIA will not achieve its goal unless the fundamental concepts of a sound management system are implemented.

We believe also that BIA should develop an effective management information system to assist the program manager in assessing the specific educational needs of the students,

in identifying the major problems that must be dealt with, in devising the specific strategy for overcoming these problems, in implementing an education program responsive to the students' needs, in measuring progress toward stated goals, and in assessing the effectiveness of each responsible level within the BIA school system in achieving the established educational goals. The system should provide for comprehensive and consistent data on the students' academic aptitude and achievement levels and program-oriented financial management reports.

RECOMMENDATIONS TO THE  
SECRETARY OF THE INTERIOR

We recommend that the Department of the Interior require the Commissioner of Indian Affairs to:

- Clearly apprise all operating levels of the goal of reaching a level of academic achievement for Indian students equal to the national average and the date by which it is to be accomplished.
- Identify and assign priorities for dealing with all critical factors known to impede progress toward accomplishment of that goal.
- Develop a comprehensive educational program which is designed specifically to overcome the factors which impede progress in meeting the goal and which is flexible enough to meet the needs of students in all BIA-operated schools.
- Establish periodic milestones, such as the amount of improvement in the academic-achievement level necessary at the end of each successive year, to accomplish the established goal.
- Periodically evaluate program results on the basis of these predetermined milestones to allow redirections of effort as may be necessary.
- Develop a management information system providing:

1. Meaningful and comprehensive information on the academic aptitude and achievement levels of students in the BIA school system.
2. Program-oriented financial management reports geared toward the management needs of BIA education program officials.

#### MATTERS FOR CONSIDERATION BY THE CONGRESS

The Special Subcommittee on Indian Education, Senate Committee on Labor and Public Welfare, noted at the conclusion of its field investigation in 1969 that:

"One of the most serious problems encountered was the lack of meaningful information and statistics that could be provided by the BIA, the Agency of the Federal Government directly responsible for Federal Indian programs. Time after time the staff was faced with inadequate, incomplete or nonexistent information important to the conduct of such a study. One can only wonder how an agency with such a responsibility for so long a time can possibly determine the effectiveness of their own programs without having available--and without making the effort to compile it--basic information necessary to evaluation."

The Subcommittee stated in its report that the lack of reliable data meant that the Congress could not carry out its legislative oversight function and that monies could not be appropriated wisely nor could effective and responsible legislation be developed.

As discussed in chapter 2 of this report, the situation has not changed significantly since 1969. BIA still has not developed and implemented an information system which would provide the data needed for effective administration and management of the BIA school system.

In view of the concern which has been expressed by the President and by members of the Congress regarding the quality of Indian education, the Congress may wish to consider enacting legislation requiring BIA to furnish certain

specific information which the Congress could use to evaluate the progress being made in improving Indian education. Such information could include:

- A statement of BIA's educational goals and the criteria with which BIA plans to measure progress toward these goals.
- A comprehensive plan to accomplish these goals. Such a plan should identify the critical tasks that need to be performed to reach the established goals; should assign priorities; and should include estimates of the cost for required staffing, equipment, and facilities.
- An annual report comparing actual program results with the predetermined milestones on a BIA-wide basis, as well as summary statistical data on the results achieved at each BIA-operated school. Such a report should identify progress in critical areas, such as English communication skills, and should compare progress in these areas to overall student progress. The reasons for, and the proposed solutions to, any significant shortcomings also should be explained in the report.

AGENCY COMMENTS AND GAO EVALUATION

The Department of the Interior, in commenting on a draft of this report in a letter dated March 16, 1972 (see app. I), stated that the Department was generally in accord with the report findings and that it expected that the conclusions and recommendations would constructively support BIA's efforts to improve its education program.

The Department stated also that when making

\*\*\* an evaluation of the program it would be impossible for a correct analogy to be concluded on the results of tests conducted the previous year against future program plans."

The Department stated further that programs could not be conclusively evaluated within such an immediate time frame and that it would be normal to expect that, in a program of the magnitude of BIA's educational endeavor, from 5 to 10 years would be required to statistically prove any increased effectiveness through student test results. The Department noted that we had not given due cognizance to departmental and congressional commitments and efforts to improve educational opportunity for the American Indian.

We recognize the problems associated with using the results of tests conducted the previous year in evaluating the effectiveness of BIA's current and future programs. As discussed in chapter 2, BIA does not have an adequate system, however, for measuring the progress of students and for evaluating the effectiveness of its educational program in meeting its established goals. We agree that it would have been desirable to obtain student academic-achievement data covering several years. Such data was not available, however, and, by necessity, our evaluation of progress in meeting BIA's education goals was limited to the data which was available in the schools we visited. Therefore we had no meaningful basis for giving recognition to the various commitments and efforts to improve educational opportunity for Indians, including the quality of that education. One of the

key issues discussed in this report is the need for a management information system which, we believe, is essential for evaluating the effectiveness of BIA's education program.

The Department stated that it would respond directly to the Subcommittee on Indian Affairs, Senate Committee on Interior and Insular Affairs, concerning the matters discussed in chapter 2. The Department's comments on our recommendations to the Secretary of the Interior are discussed below.

The Department did not indicate what action would be taken to apprise all operating levels of the goal of reaching a level of academic achievement equal to the national average and the date by which it was to be accomplished. The Department stated that a task force had been established in March 1971 to review the goals and objectives of BIA's education program and the necessary organizational changes to achieve them.

The Department outlined a number of steps to be implemented in fiscal year 1973 for assigning priorities for dealing with all critical factors known to impede progress toward accomplishment of its goal. We believe that effective implementation of these steps will assist BIA in strengthening its education program.

The Department's reply was not fully responsive to our recommendation that BIA develop a comprehensive education program specifically designed to meet the needs of all students in BIA schools. The Department stated that Indian students attending BIA schools were geographically isolated, had atypical social conditions in their homes, or had emotional or economic problems which could not be handled in a traditional school setting. The Department also noted that first attention must be given to compensatory activities which would enable the child to function in a school environment, and that emphasis on the special needs of the students must continue as a prime goal, together with efforts directed toward academic achievement.

One of the key issues in this report is that, although BIA has known for years that most Indian children in BIA schools require some form of special or compensatory

education, its education program has not been designed to fully meet these needs. BIA has not established a systematic means of determining the special and compensatory needs of its students.

The Department stated that specific actions were being taken to upgrade the ability of school personnel to deal with the special nature of the students served. These actions should help to improve the quality of BIA's education program, provided that appropriate action is taken by BIA to ensure that the special needs of all students are identified and met.

Concerning our recommendations for establishing periodic milestones--such as the amount of improvement in the academic-achievement level necessary at the end of each successive year to accomplish the established goal--and for making periodic evaluations of results, the Department stated that these exercises were impractical since the BIA goal must be tempered by the reality of Indian self-determination, the special nature of the students served, and the availability of funds.

We disagree that it is impractical to establish milestones and evaluate program results, particularly in an education program. We believe that, regardless of the goal or goals established for Indian education, effective management requires the development of an appropriate strategy for meeting established goals and the periodic evaluation of progress toward meeting these goals.

Concerning our recommendation for development of an education management information system, the Department stated that BIA would work with all levels of school management to design and implement a system which would incorporate existing data and interrelate it with data collected about pupils, property, program, and community and that the output from the information system would be custom designed to meet the requirements of all users of BIA educational information. We believe that effective use of information to be provided by the proposed system should assist BIA in managing its schools.

SCOPE OF REVIEW

Our review was directed toward evaluating the effectiveness of the management methods followed by BIA in its efforts to improve the quality of Indian education and to raise the academic-achievement level of Indian children up to the national average by a specified date.

The work was done primarily at BIA's central office in Washington, D.C.; at BIA's Navajo, Phoenix, and Juneau Area Offices located in Window Rock and Phoenix, Arizona, and Juneau, Alaska, respectively; and at 12 BIA schools under the jurisdiction of these area offices. Although BIA has a total of 11 area offices, the three included in our review were responsible for schools having about 64 percent of the total BIA school enrollment. The 12 schools visited accounted for about 17 percent of the total BIA school enrollment and included four off-reservation secondary boarding schools, one on-reservation secondary boarding school, four on-reservation elementary boarding schools, two on-reservation elementary day schools, and one combined elementary and secondary day school.

We reviewed the applicable policies, regulations, procedures, and practices pertaining to administration of BIA's school system at the central office, area and agency offices, and school levels. We examined pertinent records, reports, and documents and interviewed BIA officials, tribal leaders, school administrators, teachers, and counselors concerning the problems and issues of Indian education. We examined also a number of studies and research projects dealing with Indian education.

Those issues in this report which are of an educational nature were discussed with professional educators at BIA, the Office of Education, the American Personnel and Guidance Association, Northern Arizona University's College of Education, and the Office of the Los Angeles County Superintendent of Schools.



# United States Department of the Interior

APPENDIX I

OFFICE OF THE SECRETARY  
WASHINGTON, D.C. 20240

MAR 16 1972

Mr. Max Hirschhorn  
Associate Director  
Civil Division  
U.S. General Accounting Office  
Washington, D.C. 20548

Dear Mr. Hirschhorn:

The Department of the Interior has reviewed with interest your draft report, "Opportunity to Improve Indian Education in Schools Operated by the Bureau of Indian Affairs, Department of the Interior," and are generally in accord with its findings. We expect that its conclusions and recommendations will constructively support the Bureau's efforts to improve its education program. We concur that the draft report reflects the program levels as of the date the material was initially collected, July 1971. When taking an evaluation of the program it would be impossible for a correct analogy to be concluded on the results of tests conducted the previous year against future program plans. Our concern is that the programs cannot be conclusively evaluated within such an immediate timeframe. It would be normal to expect that in a program of the magnitude of the Bureau's educational endeavor that from five to ten years would be required to statistically prove any increased effectiveness through student test results. We believe the GAO has not given due cognizance to the Departmental and Congressional commitments and efforts to continue to improve the educational opportunity for the American Indian.

#### Recommendations or suggestions

1. "The Commissioner of Indian Affairs should clearly apprise all operating levels of the goal of reaching a level of academic achievement for Indians equal to the national average and the date by which it is to be accomplished."

In March 1971 a task force was established to review the goals and objectives of the Bureau's Indian Education Programs and the necessary organizational changes to achieve them. The funding necessary to carry out these specific programs is planned for FY 1973. The goal for academic achievements for Indian students was developed in 1963. The goal of bringing Indian high school graduates to a level equal to the National average by 1976 is probably too optimistic but remains our commitment.

2. "Identify and assign priorities to all critical factors which are known to impede progress toward accomplishment of that goal."

As part of our major Program thrust in the projected plans for FY 1973, we have identified and assigned priorities as follows:

- a. To measure growth of pupils individually and in groups;

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- b. To compare growth of individuals and groups with other reference groups;
- c. To obtain clues for curriculum adaptation and improvement;
- d. To help students plan for education and vocational goals;
- e. To assist in grouping, scheduling, and programming;
- f. To help educators plan for individual or group needs; and
- g. To diagnose difficulties so remedial work can be planned.

Although the above priorities have been identified and assigned, we would caution against absolute reliance on the results, since recent information indicates that many of the measurement instruments currently available are culturally biased and do not reflect accurately student development and achievement.

3. "Develop a comprehensive educational program which is specifically designed to overcome the factors which impede progress in meeting the goal, and which is flexible enough to meet the needs of students in all of BIA's schools."

The enrollment pattern of Bureau-operated schools is of a special nature. About three-fourths of the Indian students living on reservations attend public schools. The Bureau-operated schools serve the one-quarter who are the most geographically isolated or have atypical social conditions in the home or have emotional or economic problems which cannot be handled in a traditional school setting. First attention, then, must be given to compensatory activities which will enable the child to function in a school environment. This emphasis on the special needs of the students must continue as a prime goal, together with efforts directed toward academic achievement.

In this regard, specific actions are now being taken which will effect an overall upgrading of the ability of school personnel to deal with the special nature of the students served. Upgrading of academic achievement may be expected.

4. "Establish periodic milestones, such as the amount of improvement in academic achievement level necessary at the end of each successive year of the program to accomplish the established goal."

We feel that at this juncture in a changing educational program emphasis this goal must be tempered by the reality of Indian self-determination, the special nature of the students served, as well as the availability of funds all of which greatly complicate the situation and make this exercise impractical.

5. "Periodically evaluate program results based on these predetermined milestones to allow timely redirections of effort as may be necessary."

See above.

6. "Develop a management information system providing (a) meaningful and comprehensive information on the academic aptitude and achievement level of students in the BIA school system. (b) Program-oriented financial management reports, geared toward the management needs of BIA education program officials.

Our approach for developing an educational management information system for the Bureau of Indian Affairs is, working with all levels of school management, to design and implement a system which will take advantage of the data existing as a result of the present operating procedures for schools, and interrelate these files with data collected about pupils, property, program, and community. The "output" from such an information system will be custom designed to meet the requirements of all users of BIA educational information.

Specifically, it is anticipated that the following activities will be undertaken:

a. Financial Management System--The Office of Education Programs has requested a restructure of assigned cost feature account codes. The necessary software changes should be completed during FY 1972.

b. Pupil Accounting System--Permanent student records should be completed on every BIA student and on file in the Data Center. Pilot work on this project will be completed before the end of the 1973 Fiscal Year and student data should be available to users on a predetermined and scheduled basis.

c. Staff or Personnel System--Much work has already been done in this area. By FY 1974 the few additional items required by Education about teachers should be completed.

d. Curriculum or Program Information--This is the common denominator or the linkage which will eventually pull all files together for the Educational Information System. The key to the establishment of this file is the development and acceptance of standard terms and definitions about curriculum and Program. Once the terms have been defined, the other files should be updated with specific assignments of courses by teachers and specific courses completed by students.

e. During the 1974 Fiscal Year there will be an increasing need for IADC services in the area of test scoring and analysis. The measurement of student achievement has been described as a priority program need for years. A special task force report will describe the services required.

APPENDIX I

Due to the limited time allowed in reviewing the draft report and the discussion evolving with the members of the Senate Subcommittee on Indian Affairs of the Committee on Interior and Insular Affairs during the hearing on the Comprehensive Indian Education Act of 1972 regarding your draft report, we will respond directly to the Subcommittee concerning the specifics in your Chapter 2.

Secretary Loesch in testifying during those hearings stated: "Much has been written and said of the educational deficits of Indian Americans. Less has been written or said, however, about the rather substantial progress which has taken place during the past ten to twenty years."

"It seems possible that the dismal picture which has been put forward has reached a point of being counterproductive so far as the morale of the Indian Peoples is concerned. This is also true of the morale of the many dedicated people serving them in schools of all types."

We suggest that in developing the final report that adequate note be made of the positive elements of the Bureau's Indian Education programs be included to place the problems in context.

Sincerely yours,



Director of Survey and Review

PRINCIPAL OFFICIALS OF  
THE DEPARTMENT OF THE INTERIOR  
RESPONSIBLE FOR ADMINISTRATION OF ACTIVITIES  
DISCUSSED IN THIS REPORT

	<u>Tenure of office</u>	
	<u>From</u>	<u>To</u>
<b>SECRETARY OF THE INTERIOR:</b>		
Rogers C. B. Morton	Jan. 1971	Present
Fred J. Russell (acting)	Nov. 1970	Dec. 1970
Walter J. Hickel	Jan. 1969	Nov. 1970
Stewart L. Udall	Jan. 1961	Jan. 1969
<b>ASSISTANT SECRETARY FOR PUBLIC LAND MANAGEMENT:</b>		
Harrison Loesch	Apr. 1969	Present
Vacant	Jan. 1969	Apr. 1969
Harry R. Anderson	July 1965	Jan. 1969
<b>DEPUTY ASSISTANT SECRETARY FOR INDIAN AFFAIRS:</b>		
William L. Rogers	Jan. 1971	Present
<b>COMMISSIONER OF INDIAN AFFAIRS:</b>		
Louis R. Bruce	Aug. 1969	Present
T. W. Taylor (acting)	June 1969	Aug. 1969
Robert L. Bennett	Apr. 1966	May 1969
Philleo Nash	Sept. 1961	Mar. 1966

# President Nixon Sets New Indian Policies and Goals



The President's Message to the Congress of the United States on the American Indians.

July 8, 1970

Paul Bernalt (left) and Juan De Jesus Romero of the Taci Pueblo watch as President Richard M. Nixon sign into law H. R. 471 on December 15, 1970, returning to the pueblo about 28,000 acres of land and Blue Lake as proposed in this Message. (Photo: Bureau of Indian Affairs, U.S. Department of the Interior).

## A New Era for the American Indians

The first Americans - the Indians - are the most deprived and most isolated minority group in our nation. On virtually every scale of measurement - employment, income, education, health - the condition of the Indian people ranks at the bottom.

This condition is the heritage of centuries of injustice. From the time of their first contact with European settlers, the American Indians have been oppressed and brutalized, deprived of their ancestral lands and denied the opportunity to control their own destiny. Even the Federal programs which are intended to meet their needs have frequently proven to be ineffective and demanding.

But the story of the Indian in America is something more than the record of the white man's frequent aggression, broken agreements, intermittent remorse and prolonged failure. It is a record also of endurance, of survival, of adaptation and creativity in the face of overwhelming obstacles. It is a record of enormous contributions to this country - to its art and culture, to its strength and spirit, to its sense of history and its sense of purpose.

It is long past time that the Indian policies of the Federal government began to recognize and build upon the capacities and insights of the Indian people. Both as a matter of justice and as a matter of enlightened social policy, we must begin to act on the basis of what the Indians themselves have long been telling us. The time has come to break decisively with the past and to create the conditions for a new era in which the Indian future is determined by Indian acts and Indian decisions.

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## Self-Determination Without Termination

The first and most basic question that must be answered with respect to Indian policy concerns the historic and legal relationship between the Federal government and Indian communities. In the past, this relationship has oscillated between two equally harsh and unacceptable extremes.

On the one hand, it has--at various times during previous Administrations been the stated policy objective of both the Executive and Legislative branches of the Federal government eventually to terminate the trusteeship relationship between the Federal government and the Indian people. As recently as August of 1953, in House Concurrent Resolution 108, the Congress declared that termination was the long-range goal of its Indian policies. This would mean that Indian tribes would eventually lose any special standing they had under Federal law; the tax exempt status of their lands would be discontinued; Federal responsibility for their economic and social well-being would be repudiated; and the tribes themselves would be effectively dismantled. Tribal property would be divided among individual members who would then be assimilated into the society at large.

This policy of forced termination is wrong, in my judgment, for a number of reasons. First, the premises on which it rests are wrong. Termination implies that the Federal government has taken on a trusteeship responsibility for Indian communities as an act of generosity toward a disadvantaged people and that it can therefore discontinue this responsibility on a unilateral basis whenever it sees fit. But the unique status of Indian tribes does not rest on any premise such as this. The special relationship between Indians and the Federal government is the result instead of solemn obligations which have been entered into by the United States Government. Down through the years, through written treaties and through formal and informal agreements, our government has made specific commitments to the Indian people. For their part, the Indians have often surrendered claims to vast tracts of land and have accepted life on government reservations. In exchange, the government has agreed to provide community services such as health, education and public safety, services which would presumably allow Indian communities to enjoy a standard of living comparable to that of other Americans.

This goal, of course, has never been achieved. But the special relationship between the Indian tribes and the Federal government which arises from these agreements continues to carry immense moral and legal force. To terminate this relationship would be no more appropriate than to terminate the citizenship rights of any other American.

The second reason for rejecting forced termination is that the practical results have been clearly harmful in the few instances in which termination actually has been tried. The removal of Federal trusteeship responsibility has produced considerable disorientation among the affected Indians and has left them unable to relate to a myriad of Federal, State and local assistance efforts. Their economic and social condition has often been worse after termination than it was before.

The third argument I would make against forced termination concerns the effect it has had upon the overwhelming majority of tribes which still enjoy a special relationship with the Federal government. The very threat that this relationship may someday be ended has created a great deal of apprehension among Indian groups and this apprehension, in turn, has had a blighting effect on tribal progress. Any step that might result in greater social, economic or political autonomy is regarded with suspicion by many Indians who fear that it will only bring them closer to the day when the Federal government will disavow its responsibility and cut them adrift.

In short, the fear of one extreme policy, forced termination, has often worked to produce the opposite extreme: excessive dependence on the Federal government. In many cases this dependence is so great that the Indian community is almost entirely run by outsiders who are responsible and responsive to Federal officials in Washington, D.C., rather than to the communities they are supposed to be serving. This is the second of the two harsh approaches which have long plagued our Indian policies. Of the Department of the Interior's programs directly serving Indians, for example, only 1.5 percent are presently under Indian control. Only 2.4 percent of HEW's Indian health programs are run by Indians. The result is a burgeoning Federal bureaucracy, programs which are far less effective than they ought to be, and an erosion of Indian initiative and morale.

I believe that both of these policy extremes are wrong. Federal termination errs in one direction. Federal paternalism errs in the other. Only by clearly rejecting both of these extremes can we achieve a policy which truly serves the best interests of the Indian people. Self-determination among the Indian people can and must be encouraged without the threat of eventual termination. In my view, in fact, that is the only way that self-determination can effectively be fostered.

This, then, must be the goal of any new national policy toward the Indian people: to strengthen the Indian's sense of autonomy without threatening his sense of community. We must assure the Indian that he

can assume control of his own life without being separated involuntarily from the tribal group. And we must make it clear that Indians can become independent of Federal control without being cut off from Federal concern and Federal support. My specific recommendations to the Congress are designed to carry out this policy.

### Repeal Termination Law

Because termination is morally and legally unacceptable, because it produces bad practical results, and because the mere threat of termination tends to discourage greater self-sufficiency among Indian groups, I am asking the Congress to pass a new Concurrent Resolution which would expressly renounce, repudiate and repeal the termination policy as expressed in House Concurrent Resolution 108 of the 83rd Congress. This resolution would explicitly affirm the integrity and right to continued existence of all Indian tribes and Alaska native governments, recognizing that cultural pluralism is a source of national strength. It would assure these groups that the United States Government would continue to carry out its treaty and trusteeship obligations to them as long as the groups themselves believed that such a policy was necessary or desirable. It would guarantee that whenever Indian groups decided to assume control or responsibility for Government service programs, they could do so and still receive adequate Federal financial support. In short, such a resolution would reaffirm for the Legislative branch—as I hereby affirm for the Executive branch—that the historic relationship between the Federal government and the Indian communities cannot be abridged without the consent of the Indians.

### Indians Direct Programs

Even as we reject the goal of forced termination, so must we reject the suffocating pattern of paternalism. But how can we best do this? In the past, we have often assumed, that because the government is obliged to provide certain services for Indians, it therefore must administer those same services. And to get rid of Federal administration, by the same token, often meant getting rid of the whole Federal program. But there is no necessary reason for this assumption. Federal support programs for non-Indian communities—hospitals and schools are two ready examples—are ordinarily administered by local authorities. There is no reason why Indian communities should be deprived of the privilege of self-determination merely because they receive monetary support from the Federal Government. Nor should they lose Federal money because they reject Federal control.

For years we have talked about encouraging Indians to exercise greater self-determination, but our progress has never been commensurate with our promises. Part of the reason for this situation has been the threat of termination. But another reason is the fact that when a decision is made as to whether a Federal program will be turned over to Indian administration, it is the Federal authorities and not the Indian people who finally make that decision.

This situation should be reversed. In my judgment, it should be up to the Indian tribe to determine whether it is willing and able to assume administrative responsibility for a service program which is presently administered by a Federal agency. To this end, I am proposing legislation which would empower a tribe or a group of tribes or any other Indian community to take over the control or operation of Federally-funded and administered programs in the Department of the Interior and the Department of Health, Education and Welfare, whenever the tribal council or comparable community governing group voted to do so.

Under this legislation, it would not be necessary for the Federal agency administering the program to approve the transfer of responsibility. It is my hope and expectation that most such transfers of power would still take place consensually as a result of negotiations between the local community and the Federal government. But in those cases in which an impasse arises between the two parties, the final determination should rest with the Indian community.

Under the proposed legislation, Indian control of Indian programs would always be a wholly voluntary matter. It would be possible for an Indian group to select that program or that specified portion of a program that it wants to run without assuming responsibility for other components. The "right of retrocession" would also be guaranteed; this means that if the local community elected to administer a program and then later decided to give it back to the Federal government, it would always be able to do so.

Appropriate technical assistance to help local organizations successfully operate these programs would be provided by the Federal government. No tribe would risk economic disadvantage from managing its own programs; under the proposed legislation, locally-administered programs would be funded on equal terms with similar services still administered by Federal authorities. The legislation I propose would include appropriate protections against any action which endangered the rights, the health, the safety or the welfare of individuals. It would also contain accountability procedures to guard against gross negligence or mismanagement of Federal funds.

This legislation would apply only to services which go directly from the Federal government to the Indian community. Those services which are channeled through State or local governments could still be turned over to Indian control by mutual consent. To run the activities for which they have assumed control, the Indian groups could employ local people or outside experts. If they chose to hire Federal employees who had formerly administered these projects, those employees would still enjoy the privileges of Federal employee benefit programs—under special legislation which will also be submitted to the Congress.

Legislation which guarantees the right of Indians to contract for the control or operation of Federal programs would directly channel more money into Indian communities, since Indians themselves would be administering programs and drawing salaries which now often go to non-Indian administrators. The potential for Indian control is significant, for we are talking about programs which annually spend over \$400 million in Federal funds. A policy which encourages Indian administration of these programs will help build greater pride and resourcefulness within the Indian community. At the same time, programs which are managed and operated by Indians are likely to be more effective in meeting Indian needs.

I speak with added confidence about these anticipated results because of the favorable experience of programs which have already been turned over to Indian control. Under the auspices of the Office of Economic Opportunity, Indian communities now run more than 60 community action agencies which are located on Federal reservations. OEO is planning to spend some \$57 million in Fiscal Year 1971 through Indian-controlled grantees. For over four years, many OEO-funded programs have operated under the control of local Indian organizations and the results have been most heartening.

Two Indian tribes—the Salt River Tribe and the Zuni Tribe—have recently extended this principle of local control to virtually all of the programs which the Bureau of Indian Affairs has traditionally administered for them. Many Federal officials, including the Agency Superintendent, have been replaced by elected tribal officers or tribal employees. The time has now come to build on these experiences and to extend local Indian control at a rate and to the degree that the Indians themselves establish.

### Restore Blue Lake to Taos Pueblo

No government policy toward Indians can be fully effective unless there is a relationship of trust and confidence between the Federal government and the Indian people. Such a relationship cannot be completed

overnight; it is inevitably the product of a long series of words and actions. But we can contribute significantly to such a relationship by responding to just grievances which are especially important to the Indian people.

One such grievance concerns the sacred Indian lands at and near Blue Lake in New Mexico. From the fourteenth century, the Taos Pueblo Indians used these areas for religious and tribal purposes. In 1906, however, the United States Government appropriated these lands for the creation of a national forest. According to a recent determination of the Indian Claims Commission, the government "took said lands from petitioner with out compensation."

For 64 years, the Taos Pueblo has been trying to regain possession of this sacred lake and watershed area in order to preserve it in its natural condition and limit its non-Indian use. The Taos Indians consider such action essential to the protection and expression of their religious faith.

The restoration of the Blue Lake lands to the Taos Pueblo Indians is an issue of unique and critical importance to Indians throughout the country. I therefore take this opportunity wholeheartedly to endorse legislation which would restore 48,000 acres of sacred land to the Taos Pueblo people, with the statutory promise that they would be able to use these lands for traditional purposes and that except for such uses the lands would remain forever wild.

With the addition of some perfecting amendments, legislation now pending in the Congress would properly achieve this goal. That legislation (H.R. 471) should promptly be amended and enacted. Such action would stand as an important symbol of this government's responsiveness to the just grievances of the American Indians.

### Local School Control

One of the saddest aspects of Indian life in the United States is the low quality of Indian education. Drop-out rates for Indians are twice the national average and the average educational level for all Indians under Federal supervision is less than six school years. Again, at least a part of the problem stems from the fact that the Federal government is trying to do for Indians what many Indians could do better for themselves.

The Federal government now has responsibility for some 221,000 Indian children of school age. While over 50,000 of these children attend schools which are operated directly by the Bureau of Indian Affairs, only 750 Indian children are enrolled in schools where the responsibility for education has been contracted by the BIA to Indian school boards. Fortunately, this condition

is beginning to change. The Ramah Navajo Community of New Mexico and the Rough Rock and Black Water Schools in Arizona are notable examples of schools which have recently been brought under local Indian control. Several other communities are now negotiating for similar arrangements.

Consistent with our policy that the Indian community should have the right to take over the control and operation of federally funded programs, we believe every Indian community wishing to do so should be able to control its own Indian schools. This control would be exercised by school boards selected by Indians and functioning much like other school boards throughout the nation. To assure that this goal is achieved, I am asking the Vice President, acting in his role as Chairman of the National Council on Indian Opportunity, to establish a Special Education Subcommittee of that Council. The members of that Subcommittee should be Indian educators who are selected by the Council's Indian members. The Subcommittee will provide technical assistance to Indian communities wishing to establish school boards, will conduct a nationwide review of the educational status of all Indian school children in whatever schools they may be attending, and will evaluate and report annually on the status of Indian education, including the extent of local control. This Subcommittee will act as a transitional mechanism; its objective should not be self-perpetuation but the actual transfer of Indian education to Indian communities.

We must also take specific action to benefit Indian children in public schools. Some 141,000 Indian children presently attend general public schools near their homes. Fifty-two thousand of these are absorbed by local school districts without special Federal aid. But 89,000 Indian children attend public schools in such

high concentrations that the State or local school districts involved are eligible for special Federal assistance under the Johnson-O'Malley Act. In Fiscal Year 1971, the Johnson-O'Malley program will be funded at a level of some \$20 million.

This Johnson-O'Malley money is designed to help Indian students, but since funds go directly to the school districts, the Indians have little if any influence over the way in which the money is spent. I therefore propose that the Congress amend the Johnson-O'Malley Act so as to authorize the Secretary of the Interior to channel funds under this act directly to Indian tribes and communities. Such a provision would give Indians the ability to help shape the schools which their children attend and, in some instances, to set up new school systems of their own. At the same time, I am directing the Secretary of the Interior to make every effort to

ensure that Johnson-O'Malley funds which are presently directed to public school districts are actually spent to improve the education of Indian children in these districts.

## Economic Development Legislation

Economic deprivation is among the most serious of Indian problems. Unemployment among Indians is ten times the national average; the unemployment rate runs as high as 80 percent on some of the poorest reservations. Eighty percent of reservation Indians have an income which falls below the poverty line; the average annual income for such families is only \$1,500. As I said in September of 1968, it is critically important that the Federal government support and encourage efforts which help Indians develop their own economic infrastructure. To that end, I am proposing the "Indian Financing Act of 1970."

This act would do two things:

1. It would broaden the existing Revolving Loan Fund, which loans money for Indian economic development projects. I am asking that the authorization for this fund be increased from approximately \$25 million to \$75 million.

2. It would provide additional incentives in the form of loan guarantees, loan insurance and interest subsidies to encourage private lenders to loan more money for Indian economic projects. An aggregate amount of \$200 million would be authorized for loan guarantee and loan insurance purposes.

I also urge that legislation be enacted which would permit any tribe which chooses to do so to enter into leases of its land for up to 99 years. Indian people now own over 30 million acres of land that is held in trust by the Federal government. In order to compete in attracting investment capital for commercial, industrial and recreational development of these lands, it is essential that the tribes be able to offer long-term leases. Long-term leasing is preferable to selling such property since it enables tribes to preserve the trust ownership of their reservation homelands. But existing law limits the length of time for which many tribes can enter into such leases. Moreover, when long-term leasing is allowed, it has been granted by Congress on a case-by-case basis, a policy which again reflects a deep-rooted pattern of paternalism. The twenty reservations which have already been given authority for long-term leasing have realized important benefits from that privilege and this opportunity should now be extended to all Indian tribes.

Economic planning is another area where our efforts can be significantly improved. The comprehensive economic development plans that have been created by

both the Pima-Maricopa and the Zuni Tribes provide outstanding examples of interagency cooperation in fostering Indian economic growth. The Zuni Plan, for example, extends for at least five years and involves a total of \$55 million from the Departments of Interior, Housing and Urban Development, and Health, Education and Welfare and from the Office of Economic Opportunity and the Economic Development Administration. I am directing the Secretary of the Interior to play an active role in coordinating additional projects of this kind.

### More Money for Indian Health

Despite significant improvements in the past decade and a half, the health of Indian people still lags 20 to 25 years behind that of the general population. The average age at death among Indians is 44 years, about one-third less than the national average. Infant mortality is nearly 50% higher for Indians and Alaska natives than for the population at large; the tuberculosis rate is eight times as high and the suicide rate is twice that of the general population. Many infectious diseases such as trachoma and dysentery that have all but disappeared among other Americans continue to afflict the Indian people.

This Administration is determined that the health status of the first Americans will be improved. In order to initiate expanded efforts in this area, I will request the allocation of an additional \$10 million for Indian health programs for the current fiscal year. This strengthened Federal effort will enable us to address ourselves more effectively to those health problems which are particularly important to the Indian community. We understand, for example, that areas of greatest concern to Indians include the prevention and control of alcoholism, the promotion of mental health and the control of middle-ear disease. We hope that the ravages of middle-ear disease - a particularly acute disease among Indians - can be brought under control within five years.

These and other Indian health programs will be most effective if more Indians are involved in running them. Yet - almost unbelievably - we are presently able to identify in this country only 30 physicians and fewer than 400 nurses of Indian descent. To meet this situation, we will expand our efforts to train Indians for health careers.

### Helping Urban Indians

Our new census will probably show that a larger proportion of America's Indians are living off the reservation than ever before in our history. Some authorities even estimate that more Indians are living in

cities and towns than are remaining on the reservation. Of those American Indians who are now dwelling in urban areas, approximately three-fourths are living in poverty.

The Bureau of Indian Affairs is organized to serve the 462,000 reservation Indians. The BIA's responsibility does not extend to Indians who have left the reservation, but this point is not always clearly understood. As a result of this misconception, Indians living in urban areas have often lost out on the opportunity to participate in other programs designed for disadvantaged groups. As a first step toward helping the urban Indians, I am instructing appropriate officials to do all they can to ensure that this misunderstanding is corrected.

But misunderstandings are not the most important problem confronting urban Indians. The biggest barrier faced by those Federal, State and local programs which are trying to serve urban Indians is the difficulty of locating and identifying them. Lost in the anonymity of the city, often cut off from family and friends, many urban Indians are slow to establish new community ties. Many drift from neighborhood to neighborhood; many shuttle back and forth between reservations and urban areas. Language and cultural differences compound these problems. As a result, Federal, State and local programs which are designed to help such persons often miss this most deprived and least understood segment of the urban poverty population.

This Administration is already taking steps which will help remedy this situation. In a joint effort, the Office of Economic Opportunity and the Department of Health, Education and Welfare will expand support to a total of seven urban Indian centers in major cities which will act as links between existing Federal, State and local service programs and the urban Indians. The Departments of Labor, Housing and Urban Development and Commerce have pledged to cooperate with such experimental urban centers and the Bureau of Indian Affairs has expressed its willingness to contract with these centers for the performance of relocation services which assist reservation Indians in their transition to urban employment.

These efforts represent an important beginning in recognizing and alleviating the severe problems faced by urban Indians. We hope to learn a great deal from these projects and to expand our efforts as rapidly as possible. I am directing the Office of Economic Opportunity to lead those efforts.

### Indian Trust Counsel Authority

The United States Government acts as a legal trustee for the land and water rights of American Indians. These rights are often of critical economic importance to the

Indian people; frequently they are also the subject of extensive legal dispute. In many of these legal confrontations, the Federal government is faced with an inherent conflict of interest. The Secretary of the Interior and the Attorney General must at the same time advance both the national interest in the use of land and water rights and the private interests of Indians in land which the government holds as trustee.

Every trustee has a legal obligation to advance the interests of the beneficiaries of the trust without reservation and with the highest degree of diligence and skill. Under present conditions, it is often difficult for the Department of the Interior and the Department of Justice to fulfill this obligation. No self-respecting law firm would ever allow itself to represent two opposing clients in one dispute; yet the Federal government has frequently found itself in precisely that position. There is considerable evidence that the Indians are the losers when such situations arise. More than that, the credibility of the Federal government is damaged whenever it appears that such a conflict of interest exists.

In order to correct this situation, I am calling on the Congress to establish an Indian Trust Counsel Authority to assure independent legal representation for the Indians' natural resource rights. This Authority would be governed by a three-man board of directors, appointed by the President with the advice and consent of the Senate. At least two of the board members would be Indian. The chief legal officer of the Authority would be designated as the Indian Trust Counsel.

The Indian Trust Counsel Authority would be independent of the Departments of the Interior and Justice and would be expressly empowered to bring suit in the name of the United States in its trustee capacity. The United States would waive its sovereign immunity from suit in connection with litigation involving the Authority.

#### Assistant Secretary for Indian and Territorial Affairs

To help guide the implementation of a new national policy concerning American Indians, I am recommending to the Congress the establishment of a new position in the Department of the Interior - Assistant Secretary for Indian and Territorial Affairs. At present, the Commissioner of Indian Affairs reports to the Secretary of the Interior through the Assistant Secretary for Public Land Management - an officer who has many responsibilities in the natural resources area which compete with his concern for Indians. A new Assistant Secretary for Indian and Territorial Affairs would have only one concern - the Indian and territorial peoples, their land, and their progress and well-being. Secretary Hickey and I

both believe this new position represents an elevation of Indian affairs to their proper role within the Department of the Interior and we urge Congress to act favorably on this proposal.

#### CONTINUING PROGRAMS

Many of the new programs which are outlined in this message have grown of this Administration's experience with other Indian projects that have been initiated or expanded during the last 17 months.

The Office of Economic Opportunity has been particularly active in the development of new and experimental efforts. OEO's Fiscal Year 1971 budget request for Indian-related activities is up 18 percent from 1969 spending. In the last year alone - to mention just two examples - OEO doubled its funds for Indian economic development and tripled its expenditures for alcoholism and recovery programs. In areas such as housing and home improvement, health care, emergency food, legal services and education, OEO programs have been significantly expanded. As I said in my recent speech on the economy, I hope that the Congress will support this valuable work by appropriating the full amount requested for the Economic Opportunity Act.

The Bureau of Indian Affairs has already begun to implement our policy of contracting with local Indians for the operation of government programs. As I have noted, the Salt River Tribe and the Zuni Tribe have taken over the bulk of Federal services; other projects ranging from job training centers to high school counseling programs have been contracted out to Indian groups on an individual basis in many areas of the country.

Economic development has also been stepped up: Of 195 commercial and industrial enterprises which have been established in Indian areas with BIA assistance, 71 have come into operation within the last two years. These enterprises provide jobs for more than 6,000 Indians and are expected to employ substantially more when full capacity is reached. A number of these businesses are now owned by Indians and many others are managed by them. To further increase individual Indian ownership, the BIA has this month initiated the Indian Business Development Fund which provides equity capital to Indians who go into business in reservation areas.

Since late 1967, the Economic Development Administration has approved approximately \$80 million in projects on Indian reservations, including nearly \$60 million in Public works projects. The impact of such activities can be tremendous; on the Gila River Reservation in Arizona, for example, economic development projects over the last three years have helped to lower

the unemployment rate from 56 to 18 percent, increase the median family income by 150 percent and cut the welfare rate by 50 percent.

There has been additional progress on many other fronts since January of 1969. New "Indian Desks" have been created in each of the human resource departments of the Federal government to help coordinate and accelerate Indian programs. We have supported an increase in funding of \$4 million for the Navajo Irrigation Project. Housing efforts have picked up substantially; a new Indian Police Academy has been set up; Indian education efforts have been expanded - including an increase of \$848,000 in scholarships for Indian college students and the establishment of the Navajo Community College, the first college in America planned, developed and operated by and for Indians. Altogether, obligatory authority for Indian programs run by the Federal Government has increased from a little over \$598 million in Fiscal Year 1970 to almost \$626 million in Fiscal Year 1971.

Finally, I would mention the impact on the Indian population of the series of welfare reform proposals I have sent to the Congress. Because of the high rate of unemployment and underemployment among Indians, there is probably no other group in the country that would be helped as directly and as substantially by programs such as the new Family Assistance Plan and the proposed Family Health Insurance Plan. It is estimated, for example, that more than half of all Indian families would be eligible for Family Assistance benefits and the enactment of this legislation is therefore of critical importance to the American Indian.

This Administration has broken a good deal of new ground with respect to Indian problems in the last 17 months. We have learned many things and as a result we have been able to formulate a new approach to Indian affairs. Throughout this entire process, we have regularly consulted the opinions of the Indian people and their views have played a major role in the formulation of Federal policy.

As we move ahead in this important work, it is essential that the Indian people continue to lead the way by participating in policy development to the greatest possible degree. In order to facilitate such participation, I am asking the Indian members of the National Council on Indian Opportunity to sponsor field hearings

throughout the nation in order to establish continuing dialogue between the Executive branch of government and the Indian population of our country. I have asked the Vice President to see that the first round of field hearings are completed before October.

The recommendations of this Administration represent an historic step forward in Indian policy. We are proposing to break sharply with past approaches to Indian problems. In place of a long series of piecemeal reforms, we suggest a new and coherent strategy. In place of policies which simply call for more spending, we suggest policies which call for wiser spending. In place of policies which oscillate between the deadly extremes of forced termination and constant paternalism, we suggest a policy in which the Federal government and the Indian community play complementary roles.

But most importantly, we have turned from the question of whether the Federal government has a responsibility to Indians to the question of how that responsibility can best be fulfilled. We have concluded that the Indians will get better programs and that public monies will be more effectively expended if the people who are most affected by these programs are responsible for operating them.

The Indians of America need Federal assistance - this much has long been clear. What has not always been clear, however, is that the Federal government needs Indian energies and Indian leadership if its assistance is to be effective in improving the conditions of Indian life. It is a new and balanced relationship between the United States government and the first Americans that is at the heart of our approach to Indian problems. And that is why we now approach these problems with new confidence that they will successfully be overcome.

RICHARD NIXON

THE WHITE HOUSE,

July 8, 1970.

UNITED STATES DEPARTMENT OF THE INTERIOR  
Rogers C. B. Morton, Secretary  
BUREAU OF INDIAN AFFAIRS/Louis R. Bruce, Commissioner

## THE AMERICAN INDIAN

For Indian people the policy of this Administration will continue to be one of advancing their opportunities for self-determination, without termination of the special Federal relationship with recognized Indian tribes.

Just as it is essential to put more decision-making in the hands of State and local governments, I continue to believe that Indian tribal governments should assume greater responsibility for programs of the Bureau of Indian Affairs and the Department of Health, Education, and Welfare which operate on their reservations. As I first proposed in 1970, I recommend that the Congress enact the necessary legislation to facilitate this take-over of responsibility. Also, I recommend that the 1953 termination resolution be repealed. Meanwhile the new statutory provisions for Indian tribal governments under General Revenue Sharing will assist responsible tribal governments in allocating extra resources with greater flexibility.

I shall also propose new legislation to foster local Indian self-determination by developing an Interior Department program of bloc grants to Federally recognized tribes as a replacement for a number of existing economic and resource development programs. The primary purpose of these grants would be to provide tribal governments with funds which they could use at their own discretion to promote development of their reservations.

Indian tribal organizations and Indians seeking to enter business need easier access to loan and credit

opportunities: I proposed in 1970 and will again propose legislation to accomplish this objective.

Because Indian rights to natural resources need better protection, I am again urging the Congress to create an Indian Trust Counsel Authority to guarantee protection.

In the two and one half years that Indians have been waiting for the Congress to enact the major legislation I have proposed, we have moved ahead administratively whenever possible. We have restored 21,000 acres of wrongfully acquired Government land to the Yakima Tribe. We have filed a precedent-setting suit in the Supreme Court to protect Indian water rights in Pyramid Lake. My fiscal year 1974 budget proposes total Federal outlays of \$1.45 billion for Indian affairs, an increase of more than 15 percent over 1973.

To accelerate organizational reform, I have directed the Secretary of the Interior to transfer day to day operational activities of the Bureau of Indian Affairs out of Washington to its field offices. And I am again asking the Congress to create a new Assistant Secretary position within the Interior Department to deal with Indian matters.

RICHARD NIXON

THE WHITE HOUSE,

March 1, 1973

# Books that Give Background In Indian Affairs

(Copies may be obtained from most large libraries  
or borrowed through inter-library loan.)

- A History of the Indians of the United States* by Angie Debo. A book which confines itself to the history of Indians in what is now the United States, beginning with the Indians in their homeland and progressing through the twists and turns of Federal Indian policy to the present. Factual and informative, with a comprehensive bibliography. Well indexed. Norman: University of Oklahoma Press, 1970.
- The Indian Heritage of America* by Alvin M. Josephy, Jr. A factual history of the Indians of North, South, and Central America through the previous Administration. Josephy is also the author of a report to the White House in which he advocates putting the Bureau of Indian Affairs directly under the President. New York: Bantam Books and Alfred A. Knopf, 1968.
- Red Man's America: A History of Indians in the United States* by Ruth Underhill. This book describes the cultures of the large Indian groupings including the five civilized tribes, woodlands Indians, Southwest corn growers, buffalo hunters, potlatch givers. One chapter is on the measures taken by the Government on the Indians' behalf. Miss Underhill is a former Bureau employee. Chicago: University of Chicago Press, 1953.
- The Indian: America's Unfinished Business: Report of the Commission on the Rights, Liberties, and Responsibilities of the American Indian* by William A. Brophy and Sophie D. Abele. This book brings the dilemma of the modern Indian into sharp focus, and is the first comprehensive investigation of the condition of the American Indian since the publication of the Meriam Survey Report in 1928. Norman: University of Oklahoma Press, 1969.
- The Problems of Indian Administration* by Lewis Meriam. Although this book is now out-of-print, it is the definitive investigation of Indian matters made by a special staff of the Institute for Government Research. It includes an examination of all facets of Indian life of the 1920's and is a study that modern work in the field can build upon. Baltimore: Johns Hopkins Press, 1928.
- The American Heritage Book of Indians by American Heritage Publishing Co.* Describes the pre-history and the cultural history of the American Indian people. It emphasizes Indian past and touches only lightly upon the modern Indians. New York: Simon & Schuster, 1961.
- Indians of the Americas* by John Collier. This Commissioner of Indian Affairs who served longer than any other describes the evolution of today's Indian tribes from pre-history to the New Deal period, when he was in the forefront of Indian politics. He sees the controlling factor of Indian life at the time the book was published as the triumph of group activity. New York: W. W. Norton, 1947.

## From the Indian Point of View

- Custer Died for Your Sins: An Indian Manifesto* by Vine Deloria, Jr. The author, with wit and insight, presents in a provocative manner the grievances of today's Indians. He also gives a picture of reservation life as he relates how the white man has molded and shaped it. Toronto, Ontario: McMillan, 1969.
- House Made of Dawn* by N. Scott Momaday. A Pulitzer Prize winning novel that describes the trauma on Indian faces when he leaves reservation life. New York: Harper & Row, 1968.
- The New Indians* by Sam Steiner. The first full-scale report of the ethnically "Red Power" movement...a revolt against the white man's culture and its debasement of the tribal way. New York: Harper & Row, 1968.
- Red Power: The American Indians' Fight for Freedom* by Alvin M. Josephy. "The aim of red, or Indian power—the right of Indians to be free of colonialist rule and to run their own affairs, with security for their lands and rights—is the major theme of contemporary Indian affairs and of this book" says the author in the first paragraph. The book contains excerpts from speeches, articles, and the like. New York: American Heritage Press, 1971.
- American Indians and Federal Aid* by Alan L. Sorkin. The author undertakes to evaluate the effectiveness of various programs provided by the federal government to aid Indians living on reservations. Washington, D.C.: Brookings, 1971.

### For the Serious Student

- Hagen, W. T. AMERICAN INDIANS. University of Chicago Press, Chicago, 1962.
- Hodge, Frederick W. HANDBOOK OF AMERICAN INDIANS NORTH OF MEXICO. Government Printing Office, 2 vols. (out of print). Reprinted by Pageant Books, Inc., New York, 1959 (An encyclopedia on the North American Indians).
- Kinney, J. P. A CONTINENT LOST A CIVILIZATION WON. Johns Hopkins Press, Baltimore, 1937.
- Murdock, George Peter ETHNOGRAPHIC BIBLIOGRAPHY OF NORTH AMERICA. 3rd edition. New Haven. Human Relations Area Files, 1960.
- Prucha, F. P. AMERICAN INDIAN POLICY IN THE FORMATIVE YEARS. Harvard University Press, Cambridge, 1962.
- Schmeckebier, Lawrence F. THE OFFICE OF INDIAN AFFAIRS. Johns Hopkins Press, Baltimore, 1927.
- Spicer, Edward H. CYCLES CONQUEST: THE IMPACT OF SPAIN, MEXICO AND THE UNITED STATES ON THE INDIANS OF THE SOUTHWEST, 1533-1960. University of Arizona Press, Tucson, 1962.
- Spicer, Edward H. HUMAN PROBLEMS IN TECHNICAL CHANGES. Russell Sage Foundation, New York, 1952.
- Swanton, John R. THE INDIAN TRIBES OF NORTH AMERICA. Smithsonian Institution, Bureau of American Ethnology. Bulletin 145, Government Printing Office, Washington, D.C., 1952.
- Taylor, Theodore W. THE STATES AND THEIR INDIAN CITIZENS. Government Printing Office, Washington, D.C., 1972.
- Tyler, Prof. S. Lyman INDIAN AFFAIRS: A STUDY OF THE CHANGE IN POLICY OF THE U.S. TOWARD INDIANS. Brigham Young University, Provo, Utah, Vol. 1, 1964.
- Tyler, Prof. S. Lyman INDIAN AFFAIRS: A WORK PAPER ON TERMINATION WITH AN ATTEMPT TO SHOW ITS ANTECEDENTS. Brigham Young University, Provo, Utah, Vol. II, 1964.
- U.S. Department of the Interior, Office of the Solicitor FEDERAL INDIAN LAW. Government Printing Office, Washington, D.C., 1958.
- Wisler, Clark INDIANS OF THE UNITED STATES: FOUR CENTURIES OF THEIR HISTORY AND CULTURE. Doubleday, Doran & Co., Garden City, New York, 1946.

## Want More Information?

The following list of publications, published by the Bureau of Indian Affairs, can be purchased from the Superintendent of Documents, U.S. Government Printing Office.

**INDIANS, ESKIMOS AND ALEUTS OF ALASKA; INDIANS OF ARIZONA; INDIANS OF CALIFORNIA; INDIANS OF THE DAKOTAS; INDIANS OF THE GULF COAST; INDIANS OF MONTANA AND WYOMING; INDIANS OF NEW MEXICO; INDIANS OF NORTH CAROLINA; INDIANS OF THE NORTHWEST; INDIANS OF OKLAHOMA; INDIANS OF THE CENTRAL PLAINS; INDIANS OF THE GREAT LAKES; INDIANS OF THE LOWER PLATEAU; and INDIANS OF THE EASTERN SEABOARD** - This is a series of booklets describing the culture and history of tribes whose past is linked with various State and regions of the country. These include facts about Indian life today and Federal programs that serve reservation dwellers. 15 cents each, with the exception of **INDIANS OF THE GULF COAST; INDIANS OF NEW MEXICO; INDIANS OF NORTH CAROLINA; and INDIANS OF THE GREAT LAKES;** which are 20 cents each.

**ANSWERS TO YOUR QUESTIONS ABOUT AMERICAN INDIANS** - Answers to questions most frequently asked by the general public regarding economic status, education, health, land, citizenship and other subjects concerning American Indians; selected reading lists; arts and crafts sources. 35 cents.

**INDIAN LAND AREAS, General** - A multi-color map that indicates the location and size of Federal Indian Reservations and the location of State Reservations, Indian groups without trust land, and federally terminated tribes and groups. In addition it has on it tourist complexes both existing and planned on Indian Reservations, Inter-state Highways, National Forests, National Parks or Monuments, and National Wildlife Refuges. 35 cents.

**INDIAN LAND AREAS, Industrial** - A color map that indicates the location and size of Federal Indian Reservations and industrial parks and airstrips or airports upon them. In addition, Inter-state Highways are on the map. 35 cents.

**AMERICAN INDIANS AND THEIR FEDERAL RELATIONSHIP** - A listing of all Indian tribes, bands or groups for which the Bureau of Indian Affairs has definite responsibility. Also listed are those tribes that have been terminated from Bureau services in recent years, those recognized only for the disposition of money awarded by the Indian Claims Commission or because they have claims pending, and certain other categories. This listing is keyed to **INDIAN LAND AREAS - General**. 30 cents.

**INDIAN AND ESKIMO CHILDREN** - A collection of captioned photographs designed to explain today's Indian and Eskimo children to non-Indian youngsters; preschool and lower elementary school level. 50 cents.

**FAMOUS INDIANS: A COLLECTION OF SHORT BIOGRAPHIES** - Illustrated vignettes for a representative sampling of 20 well-known Indian leaders. Definitive bibliographies are included for more advanced students. 35 cents.

**AMERICAN INDIAN CALENDAR** - Lists outstanding events that regularly take place on Indian reservations through the year. Listed are ceremonials, celebrations, and exhibitions of Indian arts and crafts, where visitors may observe artists at work and purchase their products. 25 cents.

The Bureau of Indian Affairs does not handle the sale of these publications. Checks, money orders, or Superintendent of Documents coupons should be sent with orders for these items to:

Superintendent of Documents  
U.S. Government Printing Office  
Washington, D.C. 20402

A discount of 25 percent is allowed on quantity orders of 100 or more, if mailed to one address. Orders for these, including the appropriate charges, should be sent directly to that office.

UNITED STATES DEPARTMENT OF THE INTERIOR  
Rogers C. B. Morton, Secretary  
BUREAU OF INDIAN AFFAIRS

# Secretary of the Interior Morton Reports on Indian Matters

Menlo Park, Calif.  
March — 1973

## TO THE AMERICAN PEOPLE:

There has been and is being much written about the American Indians. Much of the editorializing is out of focus. The reader is often left with the impression that the Federal Government is some kind of a monster on the war path, trying to destroy the American natives. Nothing could be farther from the truth. I am not trying to defend the past. I am the first to admit that the formulae of the past fell short of the mark and resulted in a relative holding action in the struggle for existence faced by the Indian tribes.

President Nixon recognized this early on in his first administration and on July 8, 1970 his message to the Congress on Indians articulated a new direction and a new set of policies. The major thrust of his message was toward complete self-determination as opposed to the historic doctrine of termination. Self-determination means Indian direction and management of Indian affairs. It means that the tribes themselves call the tune. But it does not mean that any tribe will be left floundering without leadership, direction or its fair share of the allocated resources. It does not mean that accountability for the use of Federal funds is foregone or forgiven. It does mean that the Indians, if and when they desire, can grow out of being a ward of the State into involvement and full participation.

The President called on the Congress to provide authority for tribal takeover of federal programs to be funded by the government through contracts with the tribes. He proposed new levels and more money for education, health services, and economic development. He proposed the return of Blue Lake. In spite of the fact that most of the legislation the President asked for remained unconsidered by the Congress much of the President's program has been implemented within existing authority.

Here are some facts that I think every American ought to have at hand before charging into the judgement seat to pass on the pros and cons of the country's relationship with and responsibility to its indigenous people.

The programs and services of the Bureau of Indian Affairs of Interior are by law directed only to federally recognized tribes. These are tribes and groups for which the government has a specific trust responsibility, the origin of which is a treaty or agreement.

Most of the federally recognized tribal people live on reservations, allotted lands or in the native villages of Alaska. It is estimated that there might be as many as 400,000 people having 25% or more Indian blood who live in the cities or away from the influence of the tribe. There are a few tribes that are not federally recognized; some of these are recognized and serviced by the states in which they are located. A few have terminated their relationship

with the government. To say the least, the total Indian Community is heterogeneous. They are located all over the country. However, all of the tribes of over 6,000 people are west of the Mississippi River.

Indians or native people who are not part of the federally recognized or state serviced systems are all full fledged citizens of the United States, as are all Indians, and eligible for all programs available to everyone else in the same socio-economic status. This Indian to government relationship is under debate. The question is should an Indian outside the federally recognized system be treated or serviced by government differently or separately from individuals of other racial origins. This is a matter of national policy and should be dealt with by the Congress.

There are 478 federally recognized tribes or groups totalling 488,000 native people. The largest is the Navajo with a population of over 125,000. Some groups consist of only a few families. The great bulk of the total falls within the 23 largest tribes and the Alaska natives.

The tribes to a degree govern themselves through a democratic system. They elect a Chairman or Chief and a Tribal Council. The Department of the Interior and the Bureau of Indian Affairs recognizes the elected tribal government. It is the policy of the Department to work with the tribal governments to prevent duplication of effort—to maximize the benefits of available programs to the members themselves.

The Department of the Interior through the BIA carries out only part of the total federal effort for Indians.

For example, the 1974 budget provides total federal funding for Indian programs of over \$1,200,000,000 of which the BIA portion is approximately \$850,000,000. This represents a massive increase of dollar effort during the Nixon years. The BIA, for example, was funded at the \$250,000,000 level when the President came to office in 1969.

Another fact is that the BIA is an Indian oriented organization. The Bureau hires and promotes on an Indian preference basis. During the last four years two-thirds of the top officials in the BIA were Indian including the Commissioner.

One-third of all the BIA employees who are so often criticized because of their numbers (17,000) are teachers in Indian schools. The BIA higher education scholarship program of 20 million dollars per year virtually guarantees an Indian boy or girl a college education if they will qualify themselves and work at it. The spectrum of vocational training has been broadened with new opportunities at all levels.

The approved budget request for fiscal 1974 by Interior for Indian training and manpower development is \$65.8 million. The total vocational and manpower training money will be about \$64½ million. If vocational training were funded at the same rate for the total American population the annual cost would be over \$28 billion.

Economic Development: this is a slow and arduous task. The investment of capital is only a small part of it. Great magazines, for example, are not just printing presses and pulp forests. They are an organized group of dedicated,

skilled people. The same is true for a successful Indian enterprise, but it doesn't come about over night.

There has been progress. We are moving ahead with more industrial jobs available every year and more new successful Indian enterprises in being. The critic jumps on the Indian unemployment figure. It is high, very high, about three times the national average. Part of this is because he is not where the work is—part of it is because he does not have the skill required—part of it is his own lack of motivation. The road of least resistance is all too often not to work or go out and seek a job. But in spite of the odds imposed by these circumstances, more money, government and private, is being invested, more jobs are available and more Indians are working for pay. In the last few years, 8,000 jobs have been opened up to Indians through BIA efforts. There are 475 new Indian owned enterprises in being. Some will fail, but most will succeed.

It is difficult to generalize when describing the characteristics of the Indian Community. There is great variance in point of view and attitude among individuals and wide differences in the styles and approach to life from tribe to tribe.

On the fringe of all of this there has grown up in the wake of the black militant movement in this country a revolutionary Indian element. Dramatic violence is their pattern. The occupation of Alcatraz, Nike sites, the federal office building in Washington, the village of Wounded Knee and others all fall into it. Their effort is symbolic, rather than sub-

stantive. They believe that the pursuit of their cause transcends their criminal methods. Their demands are vague and change from day to day. They do not represent a constituted group with whom the government can contract or can serve.

Some of their leaders are star struck with self-righteousness, some are renegades, some are youthful adventurers, some have criminal records. They come forth with great gusto when there is hell to raise, otherwise, they are loosely organized all-ping from one expensive-to-the-taxpayers event to the next under a cloak of false idealism. The bloody past is the color of their banner, publicity is the course of their future.

There is no way to relive the past. History is full of atrocities. You don't break the poverty cycle by reliving the Sioux massacre at Wounded Knee. And you gain little revenge by glorifying the fall of Custer. With former Commissioner Bruce, I have maintained a wide open policy of communication with all Indian groups, federally recognized or not. I will continue to do so. The militants know that.

It is not a problem for them to sit down with me, the Department, or Members of the Congress or officials in other agencies of the government and discuss ways and means to improve the Indian to society or Indian to government relationships. All of the so called "rights" problems which the militants dramatize fall into one of these categories.

The Courts and the Claims Commission are loaded with "rights" cases and I am sure will be for some years to

come. Some of these are very difficult. In many cases it's hard to find where the equity really is. Nobody argues that we should discontinue a vigorous pursuit of justice and settlement in the whole spectrum of water rights, boundaries, mineral rights, discrimination, and all the rest. I wish we could speed it up. The President's Trust Council proposal which the 92nd Congress ignored would help if it became law. This proposal provides for the Indians a separate legal counsel eliminating the inherent conflict of interest which now exists in the government's effort to seek remedies and to determine Indian rights.

There is one thing of which I am very sure. Nothing is gained by blackmail. You cannot run this government or find equitable solutions with a gun at your head or the head of a hostage. Any agency of government that is forced into a fast deal by revolutionary tactics, blackmail or terrorism is not worth its salt. These are criminal operations and should be dealt with accordingly.

There is no way that I or any other Secretary can undo the events of the past. If it was wrong for the European to move on to this continent and settle it by pioneerism and combat, it was wrong. But it happened and here we are. The treaties with the Indian tribes which seemed right during the conquest of the west are today the subject of much criticism.

What I have tried to do is look at the whole problem in the light of realism. Nothing will be gained by promoting a national guilt complex. What I am doing and intend to continue to do is to pursue some fundamental and

achievable goals in the area of my responsibility for Indian affairs.

The first and foremost objective is to provide a ladder of federal programs and opportunities on which the Indian can climb out of the bottom of the social barrel. The breakdown of this falls in the categories of education, health services, vocational and manpower training and economic development and public works. I am grateful to the President for his leadership in this effort. I also am confident that this Congress will be forthcoming with the perfecting legislation and appropriations for this.

Secondly, I suggest economic assistance of several kinds and the provision of skilled manpower to strengthen the tribal governments so, if they desire, they can take over all their affairs and direct government financed programs within their own communities. This will take time and for the very small groups may not be desirable. We must recognize that the success of a tribe as an entity is not measured by the quality of the federal agency on the reservations but by the capability and sense of responsibility of the elected tribal Chairmen and Council. If working with the tribes, we can do a good job in perfecting the capabilities of tribal governments, the BIA should, over the years, work itself out of business.

Thirdly, I feel strongly that we have been too slow in the development of essential public works and water systems on Indian reservations. Roads are essential. We are about 100 million dollars short of bringing the Indians' road system up to the national standard. Indian water

and irrigation systems should be moved to completion. Competition for these dollars is rough, but I am fighting for them.

My great hope for the Indian is for the feelings he has about himself. My prayer is that soon he will sit at his table and in truth be thankful for the bounties of this land—his land—our land. I want his heart to swell with pride that he is an American and that for him there is an American dream. He must be comfortable in his heritage and proud of his ancestry. He must be shameless in the spiritual pursuit of his God. He must feel free to cherish and husband what he fancies from his ancient culture; as he must feel akin to the arts and works of his time and of his contemporaries. I pray that he will feel himself part of the spirit and strength of America, not a burden to America.

It seems to me this is a prayer that can be answered—not only by the actions of a committed government and people, but more by the Indian himself climbing steadily rung by rung from a base of opportunity unmatched for any group in the society of the world.

## INDIAN — Facts and Figures

1. Federally recognized tribes and groups: 481
2. Population of Indians on or adjacent to reservations who are serviced by BIA: 488,000
3. Fiscal '78 funding for training and manpower development of Indians:  
a) BIA: \$42,427,000 (Fis-

cal '74 request: \$35,307,000)

b) Other Federal agencies: \$21,929,000

Total: \$64,356,000

4. Indian scholarship fund  
a) Fiscal '73: \$20,956,000 (fiscal '74 request: \$19,938,000)  
b) 13,500 students are benefiting from these scholarships
5. Approximately 8,000 jobs for Indians have been opened up through the efforts of BIA to place Indians in permanent positions in business and industry.
6. About 475 Indian owned enterprises have been established over the past few years.
7. 1969 BIA budget: \$249.2 million
8. There are 17 tribes and groups with a total population of 2,498 which are not recognized by the Federal Government, but are recognized and serviced by State governments.
9. There are 52 tribal entities which are not recognized by the Federal or State Governments with a total population of 63,866 (all over the country—but 38,700 are in North Carolina)
10. Under the President's revenue sharing plan \$6.2 million are going to Indian tribes or groups (this includes those recognized by the Federal Government and 10 which are recognized by State Governments — the revenue sharing plan allocates money on a county basis — i.e. if 3% of a county's Indian population lives on Indian land, the Indians will receive 3% of the funds from that county.)

## TRIBAL UNITY FOR SELF-DETERMINATION

### Progress Becomes the Trademark of the United Tribes

Prior to the year 1971 the tribal groups residing in northeast Kansas and southeast Nebraska were like many other Indian groups around the Nation. They were the targets of numerous well meant, but uncoordinated programs, and the individual Indian had no one to look to except the Bureau of Indian Affairs to determine where he blended into these programs.

With some cause based on performances of years passed, the Bureau awed the individuals, and as a result a close and personal association was out of the question. There was no one to turn to. The more active people of the tribes, realizing this, concluded that a lack of communication, a lack of coordination and misunderstanding between the people and the programs were hampering the progress of their peoples and pushing the tribes further under the boot heel of total welfare. The most precious characteristic of pride was becoming seriously eroded, and something had to be done to halt this trend. "Self-Determination" became a permanent phrase in the speeches of the Washington politicians, and as it grew the tribal leaders began to realize that it did in fact have a great deal of merit. The BIA had also, by this time, realized that the dispersion of the tribes acted as a deterrent to effective action and adopted a policy of bringing the tribes back together again. Moneys were made available for management support of each of the tribes, and this funding was a significant step in the right direction. The tribes in southeast Nebraska and northeast Kansas were comparatively small and therefore their voice in the affairs of the State, their communities and the Federal Government might be lost to the bigger, more affluent brother tribes. The tribal leaders realized that a system to utilize management support was the path to Self-Determination but went further than just this system. They determined that there is additional strength in unity, and on November 20, 1971 adopted a constitution and bylaws for an Inter-Tribal Council. While not the first among our people it must be realized that these four tribes are not wealthy, are isolated from the bulk of the Indian population, and located in an area that is disadvantaged for both Indians and white because of the decay of small cities and the

*cp. 516 blank*

shift from small to larger farms. While the articles of the constitution will not be recounted, the preamble is of such worth that it is re-printed here.

## PREAMBLE OF THE UNITED TRIBES

### BECAUSE: THERE IS STRENGTH IN UNITY,

We, The Iowa Tribe of Kansas and Nebraska, the Kickapoo Tribe of Kansas, the Prairie Band of Potawatomi of Kansas, and the Sac and Fox Tribe of Missouri of the Sac and Fox Reservation in Kansas and Nebraska, being numbered among the Native People of the United States of America and desiring to establish an organization to represent our united interest and promote our common welfare and benefit, do of our own free will in Council assembled, affirm our membership in the organization to be known from this day forward as the United Tribes of Kansas and Southeast Nebraska and proclaimed the following objectives and declare our purposes to be:

a. To promote Indian leadership in order to move forward the ultimate, desirable goal of Indian involvement and responsibility to all levels in Indian affairs;

b. To lift the bitter yoke of poverty from our people through cooperative efforts;

c. To promote better understanding between Indians and other Americans;

d. To negotiate for more effective use of existing local, State and Federal resources for programs that benefit all member tribes;

e. To provide a forum for exchange of ideas;

f. To combine our four voices so our one strong voice can be heard clearly;

g. To dedicate ourselves to improvement of health and housing;

h. To obtain for ourselves and our descendants the highest level of education;

i. To reaffirm the individual commitments of we four Tribes to the Treaties and agreements heretofore entered into with the Federal Government;

j. To preserve and maintain our heritage and culture.

The articles adopted work to fulfill each one of the Preamble's goals, and is a prime example of the American Indian's ability to draft a treaty that they mean to keep.

The Kickapoo Tribe in subsequent action decided to separate itself

from the United Tribes, and chose to "go it alone" on their path of Self-Determination. History will determine whether or not they made the right decision in this instance. The remaining tribes have kept open a place at the council tables in the event they choose to return in the future.

The offices of Government are receiving increased participation and assistance from the contracting effected by the United Tribes, with the Inter-Tribal Council guiding the direction and true needs for additional programs. A vacant building in the city of Horton, Kans., was purchased and attractively refurbished and rehabilitated, to provide office space for the various contracted programs. In addition to this convenient consolidation, the building provides a business like atmosphere for conferences, tribal meetings, and an excellent addendum to the community. Close contact by the tribal leaders to those administering the various programs is possible and the success of program planning is becoming increasingly effective. For example: The community development and health service program was contracted with the U.S. Public Health Service, Department of Indian Health June 1, 1973. At that time a director, an administrative assistant, and a program secretary were employed to plan, develop and coordinate the health programs for the United Tribes of Kansas and Southeast Nebraska. At that time, the only health program was that of community health representatives funded by Indian Health Service which hardly seemed to meet tribal health needs. Various funding sources were approached for funds for health oriented programs and to date four programs have been funded.

The first successful proposal submitted was for improvement of the Indian Health Service satellite clinic in Hiawatha, Kans.

The satellite clinic had previously been operated in an antiquated building with very inadequate facilities. Several alternate sites were investigated and an alternate site was donated by a private party and improved with funds from Indian Health Service and several private donations.

The mobile health unit, another endeavor to expand health care, was funded November 3, 1973, by the Kansas regional medical program. The unit is a 27-foot motor home completely equipped with a wide variety of health screening and educational equipment, and is staffed by two nurse practitioners who provide complete health assessment and refer all patients with disease or abnormalities to the Indian health physician for followup care.

A new Indian health clinic is being contracted with Indian Health Service through the coordinating efforts of the Emergency Employment

Act and the United Tribes. The new clinic building will be constructed in Holton, Kans. the present home of Indian Health Service, Kansas Service Unit.

On January 1, 1974, a comprehensive Indian senior citizens program was funded by the Northeast Kansas Agency on the Aging. The program provides a nutritious noon meal daily, an Indian crafts program, and a transportation service to senior citizens at each reservation area.

Also on January 1, 1974, a vocational educational needs survey proposal was funded through Powhattan School District by the Kansas State Department of Vocational Education to plan a vocational education program for the United Tribes of Kansas and Southeast Nebraska.

A program for motivating Indian students into health professions is presently being funded by the Department of Health, Education, and Welfare, but is not in operation at the present time.

In addition several other community development and health services proposals have been submitted but now definite decisions or funding date has been set. When these programs become a reality, the American Indian in this area will have an excellent system responsive to his health needs. There should be very few "loose ends" thanks to the efforts of the United Tribes directors.

Realizing that unemployment among the Indian population significantly exceeded that among the white, the United Tribes of Kansas and Southeast Nebraska organized an Indian action team training program to improve the socioeconomic conditions of all Indians residing in northeast Kansas and southeast Nebraska. A training program consisting of classroom, shop, and on-the-job instruction for a maximum of 40 tribal members in the building trades and heavy equipment operation was initiated with the hiring of three administrative staff members and four training instructors, May 1, 1973.

The first trainee reported for duty May 7, 1973, with the maximum enrollment reached on June 18, 1973. The training program to date has had a total of 63 tribal members. (13 Kickapoos, 37 Potawatomi, 6 Iowa, 1 Sac and Fox and 1 each from six other tribes). The administrative and instructional staff consists of six members of Indian descent and one non-Indian.

The training program consists of the building trades, carpentry, plumbing, electrical, masonry, painting, and heavy equipment operation.

The trainee enrollment statistics to February 1, 1974, are:

Enrollment:	
Total trainees.....	63
Total dropouts.....	13
Total trainees transferring to nontrainee employment.....	9
Total returns to higher education.....	6
Present maximum enrollment.....	35
Average monthly enrollment July 1973 to Feb. 1, 1974.....	38.4
On-the-job training projects to date:	
Home remodeling projects H.I.P. funded.....	21
Home improvement and miscellaneous Indian individual or tribal funded.....	44
Sanitation projects, U.S. Indian Health Service sponsored.....	38

The United Tribes have also entered into other contracting services, and one of these concerns vocational training: In 1970, Indian Enterprises, Inc., located in Kansas City, Mo., was organized by progressive Indian leaders of northeast Kansas and southeast Nebraska for the purpose of providing a vocational training service for all Indian people in all fields of employment: This service was contracted with several organizations (Federal, State, and private) and remained in operation for a period of approximately 3 years. Indian Enterprises, Inc., successfully completed and fulfilled the obligations of their contract and closed their office in favor of the United Tribes of Kansas and Southeast Nebraska, who took over the duties and obligations of an extended 6-month contract with the Bureau of Indian Affairs Employment Assistance Office. On January 1, 1974, after the United Tribes had successfully completed and fulfilled the obligations of this last contract this service was discontinued for lack of funding.

The pattern of better management, better coordination, better economic and health conditions, and the general welfare of the Indian people in this area—through the programs available—had been set by the United Tribes of Kansas and Southeast Nebraska. Progress may not be as rapid as all would like, but the future of the Indian people in this area has been brightened and enhanced through unity and foresight.

**KICKAPOO HEAD START, INC.**

**McLoud, Okla.**

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# Kickapoo Extra Curricula Education Program

January 30, 1974

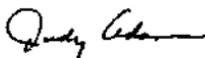
BoYce D. Timmons  
National Advisory Council on Indian Education  
106 East Constitution  
Norman, Oklahoma

Dear Mr. Timmons,

Enclosed are the evaluations and reports that you requested.

If any further information is desired, please let us know.

Sincerely,



Judy Adam  
Assistant Director

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## Indian Education Act

## Participant Evaluation

As a participant or recipient of funds under the Indian Education Act of 1972 we are asking you to supply the following information:

1. Name of your organization, school, or institution.

Kickapoo Head Start, Inc.

2. Address of your organization.

P.O. Box 389, McLoud, Oklahoma

3. Name of your project.

Kickapoo Extra Curricula Education Program

4. Location of the project.

2400 N. Main, Choctaw, Oklahoma

5. Who are the participants in your project--school children, adults and number to be benefitted.

Elementary school children (grades 1-6)

6. Amount of funds in your grant:

\$ 49,600.00

7. How has your program improved the education opportunities of Indian children or adults; how has it failed to improve Indian education?

SEE ATTACHED

8. Give a specific example of how the program has helped the Indians of your area.

SEE ATTACHED

9. Do you have any suggestions for changes or improvement in the purpose of the Indian Education Act and its implementation.

SEE ATTACHED

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Signed,

*Boyer Timmons*

Boyer D. Timmons

Member

National Advisory Council on Indian Education

106 East Constitution

Norman, Oklahoma 73069

PLEASE RETURN IMMEDIATELY

## Kickapoo Extra Curricula Education Program

7. How has your program improved the education opportunities of Indian children or adults; how has it failed to improve Indian education?

The education of the Indian children has been enhanced by the efforts of this project. The students now have the opportunity to receive additional and supplementary work on the levels which are presented in the classroom. Materials have been utilized at the center to give the students supplementary work with attempts to produce "carry-over" effect into the class room.

The children who have severe deficits as recorded on the Wide Range Achievement Test and school grading system were selected on individual merits for one-to-one work through special education methods. These two criteria for selecting students have proven substantial in reaching students and the one-to-one relationship reveals not only academic but also social and psychological adjustment deficits which may exist. The testing and grading did not show a true and accurate picture of all students. The testing was done in a group setting and many of the older students did not go into the testing situation with a favorable attitude. Many felt they did not like test and had too many in school, although it was pointed out to the group that the test was given only to give the staff an indication of their performance levels and to let us see where the students were at, so we could work with them. Thus, there were some students who were placed at a level needing academic aid when their prevalent needs were more social or psychological. These children need counseling work to improve self-confidence and to gain positive motivational strengths to confront more favorably those day to day events whether it be academic, social or emotional.

*Since the implementation of one to one teaching in the public schools, Absenteeism of these children has decreased 100% of referral students.*

## Kickapoo Extra Curricula Education Program

Group work has been found to be most effective in reaching larger numbers with limited Personnel.

Another area which is imperative to the education of the Indian children has been to repeatedly expose the children to events or happenings which they would not otherwise have the opportunity to observe. This positive exposure has helped the children receive new stimuli from environment other than familiar settings. This has helped them gain a new awareness of their world on a personal basis. It might be added that all of these extra exposure tours have been non-Indian exposure (i.e. movie, ballet, "Disney on Parade").

8. Give a specific example of how the Program has helped the Indians of Your area.

There are various examples that could be used to show the effectiveness of the program in this area but one example which appears paramount in mind is one sixth grade boy who shows a great deal of possible potential in the work on a one-to-one basis. Unfortunately, his attitude and performance both yielded unfavorable response from the faculty. Although he is capable of doing the work required, his negative attitude toward school hinders him from performing as such. Therefore, he was recommended for individual work because of his low academic grades. In the sessions he is tutored in his class work in efforts to catch him up and to maintain a performance level which will enable him to keep up with the class and through counseling it is hoped his attitude will continue to change in a positive manner to allow him to reach his fullest potential as a human being. His negative attitude toward

## Kickapoo Extra Curricula Education Program

school branched off in other areas from an inner negative source about life in general. In his family he has no role models by which to emulate by which to project positive long term goals. In following suit, he himself is not pictured as a positive role model for his younger brother and sisters. Upon several sessions with this individual it was found that he possessed a great interest in science matter and although he enjoyed reading, had little opportunity outside of school to read. He like many others, found subject matter disinteresting and unstimulating as reading materials. He was placed on a Behavior Modification program and through this technique is acquiring books for his own personal use as well as exposures to stimulating materials as made available through the Project's funds. He is now beginning to talk in the sessions of preparing for college work. He wants to learn and has the capacity to learn quickly which makes it very challenging to work with him. His interest in science has increased and he has mentioned wanting to be a scientist. His enthusiasm has had its effect upon his younger sister who is also in another remedial session as she once mentioned that she is going to make something of herself like he is. Also his influence upon the other Indian boys in his group has rubbed off and they all want to come in for individual work.

9. Do you have any suggestions for changes or improvement in the purpose of the Indian Education Act and its implementation.

The foremost suggestion for the most effective implementation of the Indian Education Act would in my opinion be a more intense pre-training of workers on all levels who are funded under this Act. Select personnel from geographic districts could compose a training group and go into the various

9. Do you have any suggestions for changes or improvement in the purpose of the Indian Education Act and its implementation.

Total allocation should be increased to provide  
greater services. Employment of a regular  
certified Indian teacher.

Signed,

*Boyle Timmons*  
Boyle D. Timmons

Member  
National Advisory Council on Indian Education  
106 East Constitution  
Norman, Oklahoma 73060

Indian Education Act  
Participant Evaluation

As a participant or recipient of funds under the Indian Education Act of 1972 we are asking you to supply the following information:

1. Name of your organization, school, or institution.  
Glades County School Board
2. Address of your organization.  
P.O. Box 458, Moore Haven, Florida 38471
3. Name of your project.  
Indian Elementary and Secondary Verbal Communication Cultural Project
4. Location of the project.  
Moore Haven High School, Moore Haven, Florida.
5. Who are the participants in your project--school children, adults and number to be benefitted.  
Grades 7 - 12. 81 students in all.
6. Amount of funds in your grant.  
\$6,172.18
7. How has your Program improved the education opportunities of Indian children or adults; how has it failed to improve Indian education?  
Verbal and non-verbal communication skills have been improved greatly. Through special programs, cultural habits have changed.
8. Give a specific example of how the Program has helped the Indians of your area.  
Test results. Feeling of being a part of the total program.

p. 568 blank

**GLADES COUNTY SCHOOL BOARD**

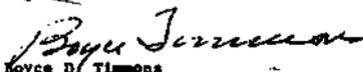
**Moore Haven, Fla.**

9. Do you have any suggestions for changes or improvement in the purpose of the Indian Education Act and its implementation.

Better coordination between those agencies  
submitting proposals.

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Signed,



Boyce D. Timmons

Member

National Advisory Council on Indian Education

106 East Constitution

Norman, Oklahoma 73069

Indian Education Act  
Participant Evaluation

As a participant or recipient of funds under the Indian Education Act of 1972 we are asking you to supply the following information:

1. Name of your organization, school, or institution.  
Watonga Public Schools
2. Address of your organization.  
Box 310. Watonga, Oklahoma
3. Name of your Project.  
Attendance Counselor
4. Location of the project.  
Junior High School
5. Who are the participants in your Project--school children, adults and number to be benefited.  
140 School children
6. Amount of funds in your grant.  
\$8,200.
7. How has your program improved the education opportunities of Indian children or adults; how has it failed to improve Indian education?  
Reduced absenteeism by 50%
8. Give a specific example of how the program has helped the Indians of your state.  
Our records indicate Indian students are doing better in school, grade point wise, than last year.

p. 564 blank

**WATONGA PUBLIC SCHOOLS**

**Watonga, Okla.**

9. Do you have any suggestions for changes or improvement in the purpose of the Indian Education Act and its implementation.

I don't think that Title IV funds should be allocated on the basis of the strongest tribal organization but on the basis of need. It is difficult for Eastern Indians to prove how much Indian he is when he has been forgotten for so many years. <sup>Signed,</sup> Yes, those are the ones that need it the most and sometimes others have him under their thumb and he is afraid to admit how Indian he is. His way of life (hunting and fishing) proves what he is. i.e. Indian. Only an Indian has this way of life.

*Loyce D. Timmons*  
Loyce D. Timmons  
Member  
National Advisory Council on Indian Education  
106 East Constitution  
Norman, Oklahoma 73069

*Respectfully Submitted by  
Mr. W.A. Timmons  
Project Director.*

*I have been afraid to voice the  
oldest truth of Indians. The  
Apalachian and other remnants of  
the sudden demise of  
Florida.*

Indian Education Act  
Participant Evaluation

As a participant or recipient of funds under the Indian Education Act of 1972 we are asking you to supply the following information:

1. Name of your organization, school, or institution.  
East-point Community Action Committee Inc.
2. Address of your organization.  
Star Route, Carrabelle, Fla. 32322
3. Name of your project.  
Indigenous Community Education Program
4. Location of the project.  
Eastpoint, Florida
5. Who are the participants in your project--school children, adults and number to be benefitted.  
school children and adults 2000 persons
6. Amount of funds in your grant.  
\$60,000
7. How has your program improved the education opportunities of Indian children or adults; how has it failed to improve Indian education?

Our program has widened the economic base (fishing) by developing handicrafts and it has aided the fishermen by the installation of marine motor mechanics and other skills, welding and carpentry which he uses in connection with the fishing industry.

8. Give a specific example of how the program has helped the Indians of your area.

The women have been able to sell their handicrafts learned with Title IV funds to supplement income when they couldnt oyster. We have also instituted health teaching to young people under the grant and auxiliary skills for the men. This wouldnt have been possible without Title IV funds

*p. 560 blank*

**EAST POINT COMMUNITY ACTION  
COMMITTEE, INC.**

**Carrabelle, Fla.**

*p. 558 blank*

9. Do you have any suggestions for changes or improvement in the purpose of the Indian Education Act and its implementation.

NOTICE OF APPLICATION REQUESTS SHOULD BE MUCH SOONER

THAN IT HAS BEEN SOME MONEY MIGHT BE SET ASIDE TO FUND

EXEMPLARY PROGRAMS ON A COMPETITIVE BASIS.

Signed,



Boyce D. Timmons

Member

National Advisory Council on Indian Education

106 East Constitution

Norman, Oklahoma 73069

## Indian Education Act

## Participant Evaluation

As a participant or recipient of funds under the Indian Education Act of 1972 we are asking you to supply the following information:

1. Name of your organization, school, or institution.  
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
2. Address of your organization.  
1320 SW 4 STREET, FORT LAUDERDALE, FLORIDA 33310
3. Name of your project. IMPROVING THE EDUCATIONAL OPPORTUNITIES OF AMERICAN INDIAN YOUNGSTERS IN THE BROWARD COUNTY PUBLIC SCHOOL SYSTEM.
4. Location of the project.  
BROWARD COUNTY PUBLIC SCHOOLS
5. Who are the participants in your project--school children, adults and number to be benefited.  
SCHOOL CHILDREN - 150 INDIAN STUDENT AND ALL OTHER STUDENTS IN THE SCHOOL SYSTEM (130,000 approximately)
6. Amount of funds in your State.  
\$8,672.31
7. How has your program improved the education opportunities of Indian children or adults; how has it failed to improve Indian education?  
EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN ARE IMPROVED BY INCREASING AWARENESS OF AMERICAN INDIAN CULTURE, ESPECIALLY SEMINOLE.
8. Give a specific example of how the program has helped the Indians of your area.  
INVOLVING SEMINOLE PARENTS IN ASSESSING EDUCATIONAL NEEDS OF THEIR CHILDREN.

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA



William C. Draper  
Superintendent of Schools

Lylo B. Anderson, Chairman

John B. Trice, Vice Chairman  
Part Landonville

Milton Goodfellow  
Hollywood

Robert C. Fuller  
Pompano Beach

H. Don Moore  
Dade

February 7, 1974

Mr. Fred Smith, President  
Seminole Tribe of Florida, Inc.  
6073 Stirling Road  
Hollywood, Florida 33024

Dear Mr. Smith:

Enclosed is the completed evaluation form, as per your request. As you know, we have employed a media specialist to develop programs dealing with awareness of American Indian culture, especially Seminole.

We look forward to presenting some fine Indian culture programs in our schools, and to continuing our joint efforts to meet the educational needs of Indian youngsters.

Sincerely,

William C. Draper  
Superintendent of Schools

MCD:TW:brb

Attachment

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**THE SCHOOL BOARD OF BROWARD COUNTY**

**Fort Lauderdale, Fla.**

*p. 552 blank*

9. Do you have any suggestions for changes or improvement in the purpose of the Indian Education Act and its implementation.

None at present. The Act is providing for the opportunity to establish the programs that have been requested by the school officials and the Parent Council. In the operation of the program should any required changes develop, we shall be submitting these suggested changes to your office for consideration.

Signed,



Boyce D. Timmons  
Member  
National Advisory Council on Indian Education  
106 East Constitution  
Norman, Oklahoma 73069

PLEASE RETURN IMMEDIATELY

Indian Education Act  
Participant Evaluation

As a participant or recipient of funds under the Indian Education Act of 1972 we are asking you to supply the following information:

- Name of your organization, school, or institution.  
Inter-Tribal Council, Inc.
- Address of your organization.  
211 1/2 rd Avenue NW, P.O. Box 762, Miami, Oklahoma 74356.
- Name of your project.  
Indian Education Act
- Location of the project.  
Three Counties, Craig, Delaware, Ottawa
- Who are the participants in your project--school children, adults and number to be benefited.  
School Children = grades 1-12
- Amount of funds in your State.  
\$50,000.00
- How has your program improved the education opportunities of Indian children or adults; how has it failed to improve Indian education?  
Approximately 2,595 Indian students not previously served by a school counselor have a professional counselor available. Approximately 2,608 elementary students being serviced by three (3) counselors were assisted by three (3) additional counselors. Approximately 2,478 high school students being serviced by 12 counselors were assisted by three (3) additional counselors.
- Give a specific example of how the program has helped the Indians of your area.  
Twenty-three elementary and high school students were given individual intelligence tests to place them in a classroom environment whereby the students will have a better opportunity to achieve.



## INTER-TRIBAL COUNCIL, INC.

P. O. BOX 762  
MIAMI, OKLAHOMA 74354

February 1, 1974

SERVING EIGHT TRIBES:  
EASTERN SHAWNEE  
SENeca / CAVANA  
WYANDOT  
QUAPAW  
OTTAWA  
PEORIA  
MIAMI  
MODOC

Mr. Boyce D. Timmons  
National Advisory Council on  
Indian Education  
106 East Constitution  
Norman, Oklahoma 73069

Dear Boyce:

I am forwarding the attached completed form supplying the information that you requested.

As you know, we have a program proposal in for funding under Part B & C of PL 92-318 utilizing FY 74 money. Again, I would like to say that this proposal has been thoroughly coordinated not only with the Parent Council and members of the Inter-Tribal Council, but with the Superintendents or their representative of all the school districts in the seven county area of Northeast Oklahoma. These meetings were conducted over a period of two weeks and conducted in such a manner so that the County Superintendent of each of these counties coordinated the meeting for us.

We certainly appreciate your service on this Board; and because of your many years of service to the Indian people over the State of Oklahoma, I should like to add my personal thanks. Your involvement in this project, I know, has created problems for you but keep in mind that your service is of great benefit to those Indian students who need the assistance provided by your service and interest.

This Inter-Tribal Council of Northeast Oklahoma appreciates the opportunity of sponsoring a project such as the one we have. If this project can be expanded as requested, we feel that great inroads toward the future will be made.

Sincerely yours,

  
Jake L. Whitecrow  
Program Director

JLM/eh

Encl.

UNITED WE STAND - DIVIDED WE FALL

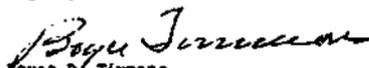
**INTER-TRIBAL COUNCIL, INC.**

**Miami, Okla.**

9. Do you have any suggestions for changes or improvement in the purpose of the Indian Education Act and its implementation

All education programs should be guaranteed funding for a certain number of years in order to accomplish long range goals. It takes more than one or two years to achieve any significant and lasting improvement whether it be academically or behaviorially.

Signed,



Boyce D. Timmons  
Member

National Advisory Council on Indian Education  
106 East Constitution  
Norman, Oklahoma 73069

PLEASE RETURN IMMEDIATELY

Indian Education Act  
Participant Evaluation

As a participant or recipient of funds under the Indian Education Act of 1972 we are asking you to supply the following information:

1. Name of your organization, school, or institution.

Tulsa Public Schools

2. Address of your organization.

Irving Elementary School  
18 North Maybelle, Room 11

3. Name of your Project.

Indian Pupil Education

4. Location of the Project.

Tulsa School District #1

5. Who are the Participants in your project--school children, adults and number to be benefited.

All school children attending Tulsa Public Schools.  
Oct. 1, 1973, HAW report shows 2,797 Indian students  
attending Tulsa schools. 4.1% of total enrollment.

6. Amount of funds in your Grant.

\$122,000

7. How has your program improved the education opportunities of Indian children or adults; how has it failed to improve Indian education?

A. Provided individualized assistance to Indian students in 20 elementary schools who are low in reading; math.

B. Six Indian counselors are working full time with Indian students who are having adjustment, behavior or attendance problems.

C. Home visitation and counseling with families of each child referred.

- B. Give a specific example of how the program has helped the Indians of your area.

D. Clothing and medical services are provided for children whose families have serious hardships. In many instances this has improved attendance.

E. Since our program is a part of the school system we are a liaison ~~between~~ the Indian community and the system. The services our program provides is a positive effort in developing a better working relationship between the Indian community and school system. The program has also identified needs of Indian students and made teachers and administrator more aware of these needs.

*p. 544 blank*

**TULSA PUBLIC SCHOOLS  
IRVING ELEMENTARY SCHOOL**

**Tulsa, Okla.**

9. Do you have any suggestions for changes or improvement in the purpose of the Indian Education Act and its implementation.

\* More clear cut guidelines under Title IV, Part A (Uses and Purposes) for information of parents to meet needs of students. Part A is not necessarily limited to tutoring and counseling as they are made to believe by some school officials.

Signed,

*Froye Timmons*

Froye D. Timmons

Member

National Advisory Council on Indian Education

106 East Constitution

Norman, Oklahoma 73069

\* Some School Officials are using Part A to thwart part B's efforts to reach the student in the schools (ie) using Title IV Part A, for tutelage and Johnson O'Malley for Counselors, misinforming parents regarding part B, in general some are non-cooperative for reasons only they can see. But we are trying very hard to combine our efforts with school officials (regardless of their attitudes) to make school a more pleasant learning environment for the Indian Student.

Thank you.

*Froye Curtis*  
Director CIP-Ed  
Froye

Indian Education Act  
Participant Evaluation

As a participant or recipient of funds under the Indian Education Act of 1972 we are asking you to supply the following information:

1. Name of your organization, school, or institution.  
Cheyenne & Arapaho Education Program
2. Address of your organization. (405) 772-6211  
113 N. Broadway, Weatherford, Oklahoma 73096
3. Name of your Project. A dropout prevention and education assistance program for Cheyenne & Arapaho Indian students in 7 counties of Western Oklahoma.
4. Location of the project. Seven counties of Western Oklahoma: Blaine, Custer, Roger Mills, Canadian, Dewey, Kingfisher and Beckham.
5. Who are the participants in your project--school children, adults and number to be benefited.  
1,287 students, 644 parents  
26 college upper classmen (tutors)
6. Amount of funds in your grant.  
\$100,000.
7. How has your program improved the education opportunities of Indian children or adults; how has it failed to improve Indian education? Providing tutoring services and Indian counselors, making school officials more aware of the Indian situation, workshops on Title IV opportunities for Parts A & B, for all.
8. Give a specific example of how the program has helped the Indians of your area.  
Making them aware of changes and policies of school systems, and the importance of regular (daily) attendance. To take advantage of educational opportunities available in preparation for college or training following high school.

**CHEYENNE AND ARAPAHO EDUCATION  
PROGRAM**

**Weatherford, Okla.**

# Kickapoo Extra Curricula Education Program

## WEEKLY ACTIVITY REPORT

January 21-25, 1974

Students are becoming use to scheduling of periods. Work is more concentrated with individual needs. I feel there is a definite "gap" between home and efforts at center and school remedial work. There is a need to communicate with Parents to receive not only feedback but to support encouragement from parents to children concerning project goals.

Older students have expressed their desires for "group" work. I would like to begin group work with five or less when the remedial work and students becomes more established. Some students tested out well above their grade group level and some only minimally below their grade levels. Group work on basic fundamentals should help both groups of students.

*Mary Mike*  
Mary Mike  
Educational Psychology Specialist

# Kickapoo Extra Curricula Education Program

## WEEKLY ACTIVITY REPORT

January 14-18, 1974

Since there were some absenteeism in the first week meeting and screening children, it continued in some degree this week. For the most part, programs were outlined and prepared to meet the needs of each individual child. This involves working with 6 Grade levels. Two students have very limited foundations and work in pre-school areas were outlined including knowledge of alphabet and numbers. It is the feeling of this staff worker that both of these children have learning disabilities and recommend they be tested. The Webster Reading Clinic Program Instruction and Behavior Modification Technique have been incorporated to keep interest and specific levels reached. The Webster Program is adaptable for the (11) upper grade students (grades 4-6). Other home made instruction programs have been utilized for the 1-3 grades levels students, along with Behavior Modification techniques.

Have had favorable response with Behavior Modification.

*Mika*  
Mary Mika  
Educational Psychology Specialist

# Kickapoo Extra Curricula Education Program

## WEEKLY ACTIVITY REPORT

January 7-11, 1974

Children who were listed as needing remedial help were called in and the scheduling allowed for one hour with each child. As each child prepared to come for remedial help, the teachers introduced themselves and gave a brief background of the child and areas which they felt they needed the most help in. Teacher's response to individual aide was very favorable.

During this week, each child was observed and notes were made as to their present ability levels in Reading, Math, and Spelling. Since this information was limited before working with the children, no specific programs were begun at this time.

Also noted during this week was the behavior of the children, their dress and grooming as compared to other Native American children and non-Indian classmates. The attitude toward school and their teacher or classmates were brought out in brief "talk" sessions with each child, while establishing rapport. It was especially stressed that they were not being graded and what they told me would be in complete confidence. At the same time it was stressed that they were in need of help and that it would take their co-operation to make the project work and in this way they would be helping us. Each was given the option of not coming if they did not want to come or to come if they wanted. Response was unanimous to come to the sessions. In fact, other Native American children wanted to come, too.

Future plans include expanding allotted time to have group sessions and to include all Native American children wanting to come.

*Mary Wika*  
Mary Wika

Educational Psychology Specialist

# Kickapoo Extra-Curricula Education Program

## WEEKLY ACTIVITY REPORT

January 2-5, 1974

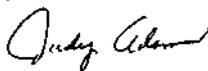
Mutual contact with schools to establish schedules. Principals were very responsive to this project. Class rooms there were available for one to one work basis. No contacts were made with teachers at this time. Names were referred as those needing most help.

*Mary Mika*  
Mary Mika  
Educational Psychology Specialist

# Kickapoo Extra Curricula Education Program

## County Health Nurses.

Beginning this January 2nd, we have been providing individual aid for the slower learners during the day at their elementary schools in a private room provided by each public school.

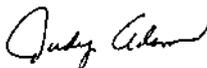


Judy Adam  
Assistant Director

## Kickapoo Extra Curricula Education Program

County Health Nurses.

Beginning this January 2nd, we have been providing individual aid for the slower learners during the day at their elementary schools in a private room provided by each public school.



Judy Adam  
Assistant Director

# Kickapoo Extra Curricula Education Program

January 30, 1974

By the end of October, we had located our office and moved in it at 2400 North Main in Choctaw, Oklahoma. We had to pay a three months lease in advance.

During the month of October, we also visited several schools that used the open room classroom method. We are using this method for our classes.

We also made numerous home visits explaining our program to the parents and had them to sign papers giving us permission to take their children on some field trips.

Saturday, October 20, I went to a meeting in Tulsa at the Tulsa Youth Council for a Title IV Workshop. Mr. Reuben A. Snake, from the Indian Education Training, Inc., gave a speech and answered questions.

By the first of November, we had hired all of our staff for our program.

We had a meeting with the social worker that is in charge of this area. She was very helpful in giving us some information that we can use to help our students. She is also arranging a health program that will be presented to our students in one of our class meetings.

## Kickapoo Extra Curricula Education Program

funded districts and hold week long seminar workshops and then throughout the year, in-service training sessions to receive and gather feedback from the Project centers. Also Periodic visits from the National Indian Education Association representatives in each state should be made. Thus giving deeper involvement of the National Indian Education local members into the overall objectives of the Indian Education Act.

Recruitment of Indian Educators and Indian workers should be more intense. There should be some way in which state laws could accept the experience of future Indian teachers or individuals with strong desires of working among the Indian Population to receive the credit through the higher institutions and receive practice teaching in these funded centers. This would allow more individual work with Indian children without additional funding. It would also encourage potential Indian teachers to work among the Indian Population. Recruitment of the staff should be more widely advertised through National Indian Education groups not only state wide, but cross country. This would afford personnel wishing a wider experience to relocate to other states for experience in working among several Indian populations. An "exchange" program might be beneficial to our people through enlightenment of services available in Geographic locations.

It would be beneficial to have another meeting with the Directors of all the other projects and assess items needing clarification which have arisen since the initiation of these programs.