



## Montana Advisory Council on Indian Education

October 7, 2020

### Agenda

Mission: To provide for more effective and meaningful participation by Indian people in planning, implementation, and administration of relevant educational services and programs under the authority of local school boards.

- |   |                        |
|---|------------------------|
| <b>Item 1: Call to order:</b>   | 9:00 a.m.              |
| ❖ Welcome - Jennifer Smith, Chairperson   |                        |
| ❖ Roll Call   |                        |
| ❖ Pledge of Allegiance  |                        |
| <b>Item 2: Approval of Minutes</b>  | 9:10 a.m.              |
| ❖ July 14, 2020 Minutes   |                        |
| <b>Item 3: Ex-Officio Reports (5 minutes each)</b>                                | 9:15 a.m.              |
| ❖ Superintendent of Public Instruction – Elsie Arntzen                            |                        |
| ❖ Board of Public Education – Mary Jo Bremner                                     |                        |
| ❖ Montana University System – Jeannie Origbo                                      |                        |
| ❖ Tribal Colleges – Dr Richard Little Bear  |                        |
| <b>Item 4: American Indian Education Administrative Reports (10 minutes each)</b> | 9:45 a.m.              |
| ❖ Tribal Relations and Resiliency Unit Report- Don Wetzel                         |                        |
| ❖ Indian Student Achievement Unit Report- Lona Running Wolf                       |                        |
| ❖ Indian Education for All Unit Report- Zach Hawkins                              |                        |
| Break   | 10:15 a.m.             |
| <b>Item 5: Old Business</b>   | 10:30 a.m.             |
| ❖ Strategic Planning – Todd Hanson  |                        |
| <b>Lunch</b> -----  | 12:30 p.m. – 1:00 p.m. |
| <b>Item 5: Old Business (continued)</b>   |                        |
| ❖ MACIE Recognition- Jeremy MacDonald   | 1:00 p.m.              |
| <b>Item 6: New Business</b>   | 1:30 p.m.              |
| ❖ Class 7 Certification Processes from Tribes – Pete Donovan and Mike Jetty       |                        |

**Item 7: Public comment**

2:30 p.m.

This is an opportunity for any member of the audience to bring to the attention of the Council questions or relevant comments concerning matters not on the agenda. Please note that the Council is bound by ethical practice, bylaws, and Montana statutes. The Council may not take any action on matters brought to the attention of the Council during the public comment portion of the meeting unless specific notice of that matter is included in a properly noticed agenda. Therefore, in the Open Agenda portion of the meeting, the Council will not discuss or take any action, but may refer a matter presented to a future agenda. The following criteria exist for the public comments.

- The public may not discuss items on the current agenda at this time.
- The public may only discuss matters within jurisdiction of the Council.
- No action may be taken on a matter raised during the open agenda.
- The public may not comment in a boisterous, disorderly, hostile, or aggressive manner.
- Each member of the public may address the Council once.

**Item 8: Regular Board Meetings for the next year**

2:45 p.m.

- ❖ Dates (every three months)
- ❖ Future Agenda Items

**Item 9: Adjournment**

3:00 p.m.

Times are approximate.

### Item 2 - Approval of Minutes

- ❖ Handout 2.1
  - Draft July 14, 2020 minutes



MACIE MEETING  
July 14, 2020  
Helena, Montana

Morning Session

Members Present

Yancey Beston	Montana Indian School Boards Caucus
Dawn Bishop-Moore	Indian Impact Schools of Montana
Norma Bixby	Northern Cheyenne Tribe
Mary Jo Bremner	Board of Public Education
Jason Cummins	Class 7
Iris Killeagle	Little Shell Tribe
Richard Littlebear	Tribal Colleges
Angela Mclean	Montana University System
Jeremy MacDonald	School Administrators of Montana
Lona Running Wolf	Office of Public Instruction
Voyd St. Pierre	Chippewa Cree Tribe
Jennifer Smith	Urban – Billings

Office of Public Instruction

Elsie Arntzen	Joan Franke
Todd Hanson	Zach Hawkins
Julie Murgel	Don Wetzel
Annette Young	

Guests – University of Providence

Leslie Lott
Thomas Raunig

Members Absent

Joe Arrowtop	Montana Indian Education Association
Rodney Bird	Bureau of Indian Education
Ellie Bundy	Confederated Salish and Kootenai Tribes
Harold Dusty Bull	Blackfeet Tribe
Jordann Forster	Montana Federation of Public Employees
Melissa Hammett	Urban – Missoula
Kaci Walette	Fort Peck Tribes

The Montana Advisory Council on Indian Education (MACIE) meeting was called to order at 9:34 a.m. Roll call was conducted, and the Pledge of Allegiance was said.

Review of Minutes

The minutes from the May 6, 2020, meeting were reviewed by the members.

Dawn Bishop-Moore motioned to approve the minutes as written and Norma Bixby seconded. Passed by all.

## Ex-officio Report

### ◇ Superintendent office – Elsie Arntzen

Superintendent Arntzen provided the reopening schools document with information on the four scenarios for reopening schools, which were developed after listening sessions. The state will be seeking another waiver regarding assessments for the 2020-21 school year.

There will be work done regarding providing nutrition to students while away from schools.

Jennifer Smith said schools need to be assured they will only be accountable for what they have control over.

### ◇ Board of Public Education – Mary Jo Bremner

The Board of Public Education (BPE) will have its regular meeting on July 16, which will be a full day as there are numerous items on the agenda to review and take action on. The joint meeting with the Certifications Standards and Practices Advisory Council meeting will be on July 15.

### ◇ Montana University System – Angela McLean

The ACT will be offered next year to both seniors and juniors. The Regents suspended the need for ACT or SAT for entrance to Montana University System (MUS) units for the next three semesters.

Angela said that hopefully campuses will be reopening and will be getting that information out to students.

There has been a request for proposal for seventh-year service for GEAR UP students on campus.

### ◇ Tribal Colleges – Dr. Richard Littlebear

Most of the campuses have not been open since March, with learning being conducted through Zoom and other technology platforms.

Little Big Horn College have been conducting summer classes in person but is prepared to switch to virtual learning if COVID cases persist or increase. Everyone must check in and wear masks and the strictest protocols are being enforced. Noon lunches are being provided to students. The college also provided 150 laptops to students and installed internet hotspots across the reservation.

## American Indian Education Administrative Reports

### ◇ Tribal Relations & Resilience Unit – Todd Hanson

This unit consists of Donnie Wetzel as the unit manager, Todd Hanson as SIG school board coach, and the Wraparound Project.

The unit is working with school boards, administrators, students, and the communities to build processes and frameworks that reflect the uniqueness of each community.

◇ American Indian Student Achievement Unit – Lona Running Wolf

This unit, along with the Tribal Relations and Resiliency Unit, will be conducting a research project as data has surfaced indicating the achievement gap is not being reduced and is, in fact, increasing in a small area. There will be focus groups with students, administration, boards of trustees, teachers/paraprofessionals, and parents/community members at several school districts, both on-reservation and urban with a high percentage of Native students. This is to find out what people believe the reason is for not closing the achievement gap and what needs to be done to address those issues. The districts are excited to be participating. A questionnaire will also be going out to all schools that serve American Indian students, which may be filled out by anyone.

The unit is also going to do a study of how districts are spending their achievement gap funding and will provide information on how the districts can use the money more strategically.

◇ Indian Education for All Unit – Zach Hawkins

The unit is doing a video project where elders and youth from the reservations say “We are one” in their native language. This is in response to the George Floyd and other incidents that have been happening around the country.

The unit has [lessons](#) that may be done by students without teacher preparation. There is also a place to evaluate a resource to provide feedback on how to improve the information/lesson as necessary.

The unit has planning guides and has been highlighting the Planning Guides – have highlighted *The Framework: A Practical Guide for Montana Teachers and Administrators Implementing Indian Education for All* which gives schools a roadmap for what to do.

University of Providence: Indigenous Inclusion into curriculum - Leslie Lott, Thomas Raunig, Annette Young

The University of Providence presented their curriculum for inclusion of restorative practices and Indian education content. This was developed when the elementary and health and physical education programs were brought back after being eliminated. This curriculum will cover all four years. Juniors and seniors from the old program will also be provided this training as much as possible.

The development of this curriculum was in response to feedback from students during student teaching regarding classroom management and challenges student have outside school time

and how the teachers can provide support. There has been an increase in Montana regarding restorative practices and this is a part of the culture of the college.

The college is seeking input on resources to use for integration along with interacting and hearing the voice of the Native community through speakers.

#### Language Preservation – Jason Cummins

Jason Cummins presented the updated draft statement regarding use of Native languages in schools. Jason wants to ensure schools realize they need to allow the speaking of Native languages in schools, including by students, parents, and teachers.

There was discussion of what MACIE would be requesting from the Office of Public Instruction (OPI) and BPE and how it would be implemented. Jason said he would like OPI and BPE to engage with tribal officials and provide updates to MACIE on actions taken. Norma Bixby suggested one way to have action would be for the Schools Boards Association to do a resolution through the Indian School Board Caucus. Voyd St. Pierre indicated that federal law regarding tribal consultation is an important way of getting action from schools.

Discussion regarding MACIE's goals and roles would help in this discussion along with the discussions regarding outstanding school recognition and implementation of Indian Education for All requirements for pre-service teachers.

Norma motioned that Todd Hanson do his presentation on the constitution and strategic planning before coming back to the action items. Iris Kill Eagle seconded the motion. Passed by all.

Jason Cummins motioned to adjourn for lunch and Norma Bixby seconded. Passed by all.

#### Afternoon session

##### Present

Members Dawn Bishop-Moore, Norma Bixby, Mary Jo Bremner, Jason Cummins, Iris Killeagle, Richard Littlebear, Jeremy MacDonald, Lona Running Wolf, Voyd St. Pierre, Jennifer Smith

Office of Public Instruction Joan Franke, Todd Hanson, Donald Wetzel, Annette Young

#### MACIE Board Constitution Overview and Strategic Planning

Todd Hanson did a presentation regarding the roles and responsibilities of MACIE within the scope of the Constitution and Bylaws. He provided information on what needs to be clarified to clarify the board's roles, responsibilities, and spear of influence to move issues to OPI and BPE.

Todd recommendations:

- ✓ facilitated strategic planning exercise with the council;
- ✓ establish a goal setting framework within the leadership structure to set priorities for the council in moving issues, toward initiatives and ultimately into actionable outcomes;
- ✓ align the council's governing model (constitution and by-laws) to the operational structure to ensure it guides and supports the goals, objectives, and outcomes; and
- ✓ engage the membership in an organizational visioning exercise to establish the horizon for measurable progress toward innovation, expression, and improved American Indian Student Achievement.

Norma Bixby made a motion to set up a retreat to do strategic planning and update the constitution and by-laws, Dawn Bishop-Moore seconded the motion. It was decided that Jason Cummins would do a poll as to what would be a good time. A vote was conducted and passed by all.

Jennifer Smith said meetings need good representation and commitment to be on time.

#### Indian Education for All Teacher pre-service

Several members met with Angela McLean to share with her concerns regarding training regarding Indian Education for All (IEFA) to pre-service teachers. It was suggested that maybe the instructors and professors were not adequately prepared so unable to adequately train the pre-service teachers regarding what IEFA should be. Angela said the next avenue for MACIE would be to address to Council of Deans regarding this issue.

#### Language Statement

This will be held off on until after the Constitution and By-laws are updated so the statements will follow protocol.

A non-agenda discussion happened regarding getting qualified members to the advisory council. This will be continued during the update to the Constitution.

#### Outstanding School Recommendation – Jeremy MacDonald

A committee meeting was held for recommendations for outstanding schools. A grid was done for areas that nominations could come from. Jeremy MacDonald talked about categories. Send recommendations to Jeremy so the subcommittee could discuss them. Lona Running Wolf will do a press release after decisions on awardees.

#### Public Comment

None

#### Next regular MACIE meeting

It was decided to have the next regular meeting on October 7. This is in order to be able to provide the BPE with information on what is discussed and decided at the advisory council meeting instead of having to wait two months as when have the meeting right before the BPE meeting.

Norma Bixby motioned to adjourn the meeting and Dawn Bishop-Moore seconded. Passed by all. The meeting was adjourned at 2:52 p.m.

### Item 3 - Ex-Officio Reports

- ❖ **Superintendent of Public Instruction – Sharyl Allen for Elsie Arntzen**
  - Handout 3.1
    - Superintendent’s October 2020 MACIE Report
- ❖ **Board of Public Education – Mary Jo Bremner**
- ❖ **Montana University System – Angela McLean Designee**
- ❖ **Tribal Colleges – Dr Richard Little Bear**



September 15, 2020

## Superintendent's October 2020 MACIE Report

### MACIE Renewal

At the September Board of Public Education meeting, In accordance with [MCA 2-15-122](#), Superintendent Arntzen recommended that the Board reauthorize MACIE for another two-year term through September 2020. It passed unanimously. The OPI values MACIE's partnership in serving our American Indian students

### Flexibility Requests

Approved Requests to the Governor:

- [Waiver of off-site learning restrictions](#)
- [Pupil transportation support from the Coronavirus Relief Fund](#)
- [Clarification of school mask directive](#)

Status of Requests to the Board of Public Education:

- Licensure application extension- approved
- Maintain 2019-2020 accreditation status- approved
- Opening timelines in [ARM 55 \(accred.\)](#), [57 \(lic.\)](#), [58, \(ed. prep\)](#)- pending

Approved Requests to the Federal Government:

- [Non-congregate Feeding](#) in the Child Nutrition Programs - USDA
- [Meal Service Time Flexibility](#) in the National School Lunch Program- USDA
- [Parents and Guardians to Pick Up Meals for Children](#) - USDA
- [Meal Pattern Flexibility](#) in the Child Nutrition Programs - USDA
- [Offer versus Serve Flexibility](#) for Senior High Schools in the National School Lunch Program – USDA
- [Summer Food Service Program](#) continuation through December 31<sup>st</sup> - USDA
- [Accountability and school identification requirements](#) in sections 1111(c)(4) and 1111(d)(2)(C) -(D) that are based on data from the 2019-2020 school year - ED
- [Report card provisions](#) related to assessments and accountability in section 1111(h) based on data from the 2019-2020 school year - ED
- [Fiscal Flexibility](#) waiver, which provides flexibility in the use of funds and other requirements covered under ESEA including the Title I, Parts A–D, Title II, Title III, Part A, Title IV, Parts A–B, and Title V programs – ED

### New Grants (under Holly Mook)

The Office of Public Instruction (OPI) has received a \$100,000 grant from the Montana Healthcare Foundation to support the Foundation's new initiative that will create school-based health centers in communities with high needs. The goal of the initiative is to support partnerships between schools and healthcare organizations to bring high-quality school-based services to students, families, staff, and communities in need of support. This grant will support the OPI's Montana Hope initiative in the areas of social-emotional support, mental health, and suicide prevention.

The Office of Public Instruction (OPI) has received a \$9,000,000 grant from the federal Health and Human Services Substance Abuse and Mental Health Services Administration to support the Advancing Wellness and Resiliency in Education. The Montana Project AWARE Initiative will develop state infrastructure at the OPI and Montana DPHHS' Children's Mental Health Bureau to support school districts across Montana in developing Multi-Tiered Systems of Support for mental health promotion and response.

### School Accountability

Comprehensive and Targeted Support and Improvement under ESSA are continuing but the school accountability system will look different due to COVID. The OPI is still determining whether report cards will be issued and whether standardized assessments will occur.

### Reopening Montana Schools Guidance

The OPI created the Montana Learn and Montana Flex 2020 Task Forces to draft guidance to assist schools in reopening this fall. The Reopening Montana Schools Guidance was issued on July 2<sup>nd</sup> and included recommendations in the areas of academic programming, physical health & safety, social-emotional support, school nutrition, special education, flexibility recommendations, and others. The Task Forces were made up of parents, students, teachers, school administrators, and health officials.

Addendums have been added to include the Montana University System guidance, MHSA guidance, Montana Academy of Pediatrics guidance, CDC guidance, MT-PEC guidance, and the Governor's guidance. The OPI's goal is for this guidance to serve as a single point for schools and families to access state-level guidance on reopening schools. Learn more: <http://opi.mt.gov/Re-opening-Schools>

### Monthly Zoom Meetings with Districts

The OPI is holding monthly Zoom meetings with county superintendents, district superintendents, board chairs, and education partners on the 4<sup>th</sup> Tuesday of each month at 9:30am.

### Item 4 - American Indian Education Administrative Reports

#### ❖ Tribal Relations & Resiliency Unit Report

- Handout 4.1
  - Guidance for Facilitating Local Education Agency Requests for Effective Tribal Consultation
- Systems of Care

#### ❖ Indian Student Achievement Unit Report

- Handout 4.2
  - American Indian Student Achievement Gap Report
- Handout 4.3
  - American Indian Student Achievement Gap Funding Report
- Handout 4.4
  - American Indian Student Achievement Research Project Update

#### ❖ Indian Education for All Unit Report

- Unpacking the Essential Understandings webinar series
- We Are One video project
- American Indian Heritage Day Activities
- Partnerships with Big Sky Institute and Humanities Montana



# Guidance on Facilitating Local Educational Agency Requests for Effective Tribal Consultation

Compiled and Prepared

by

Montana Office of Public Instruction (OPI)

School Improvement and Innovation Department / Tribal Relations and Resiliency Unit



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# Guidance on Facilitating Local Educational Agency Requests for Effective Tribal Consultation

## Purpose

The Tribal Relations and Resiliency Unit (TRRU) was developed to build relationships and understandings within the Office of Public Instruction (OPI) and Montana school districts to incorporate tribal voice, share resources, and build connections through consultation on matters affecting American Indian students. Consultation, as defined within the Every Student Succeeds Act (ESSA) requirements, will work to create these opportunities for school districts and tribal leaders to work collaboratively for the benefit of our youth.

We have compiled the following best practices document and recommendations with the intent of providing interagency staff responsible for managing covered federal/state programs Guidance on Facilitating Local Educational Agency (LEA) Requests for Effective Tribal Consultation.

As drafted by the US Department of Education bulletin dated September 2016, under ESSA Section 8538, consultation is intended to create opportunities for Local Educational Agencies (LEAs) and tribal leaders to work together on behalf of American Indian and Alaska Native students. The consultation process allows affected LEAs to gather input from Indian tribes and tribal organizations to encourage relationships and collaboration that is a critical part of improving academic outcomes.

## Background

The consultation requirements outlined under section 8538 of the Elementary and Secondary Education (ESEA – reauthorized as ESSA) requires affected local educational agencies (LEAs) to consult with Indian tribes, or those tribal organizations approved by the tribes located in the area served by the LEA, prior to submitting a plan or application for covered programs. This requirement is designed *“to ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students.”* The consultation must be done *“in a manner and in such time that provides the opportunity for such appropriate officials from Indian tribes or tribal organizations to meaningfully and substantively contribute to plans under covered programs”*.

An affected LEA is defined within the ESSA requirements as a school district or system that has either fifty percent (50%) or more of its student enrollment made up of AI/AN

students or received an Indian education formula grant under Title VI of the ESEA, as amended by the ESSA, in the previous fiscal year that exceeded \$40,000, and which also educate American Indian/Alaska Native (AI/AN) students. Affected LEAs who meet these criteria are required to consult with local Indian tribes or tribal organizations prior to submitting a plan or application under covered ESEA (ESSA) formula grant programs.

### Which Covered Programs Require Consultation

The following is a list of current programs which require an affected LEA to consult with Indian tribes or tribal organizations prior to submitting either a plan or application for covered programs.

- Title I, Part A (Improving Basic Programs Operated by State and Local Educational Agencies)
- Title I, Part C (Education of Migratory Children)
- Title I, Part D (Prevention and Intervention Programs for Children and Youth who are Neglected, Delinquent, or At-Risk)
- Title II, Part A (Supporting Effective Instruction)
- Title III, Part A (English Language Acquisition, Language Enhancement, and Academic Achievement Act)
- Title IV, Part A (Student Support and Academic Enrichment Grants)
- Title IV, Part B (21st Century Community Learning Centers)
- Title V, Part B, subpart 2 (Rural and Low-Income School Program)
- Title VI, Part A, subpart 1 (Indian Education Formula Grants to Local Educational Agencies)

### Scheduling and Sequencing of Tribal Consultation under ESSA Section 8538

Affected LEAs should conduct their consultation in advance of making significant decisions regarding plans or applications for covered programs, to ensure an *“opportunity for . . . appropriate officials from Indian tribes or tribal organizations to meaningfully and substantively contribute”* to an LEA’s plan (section 8538(a)).

The timeline for each consultation is dictated by requirements of the relevant formula grant program, which have different application deadlines. Given that tribes may receive multiple requests for consultation, LEAs are encouraged to consider arranging for informational meetings with Indian tribes or tribal organizations in advance of the actual, formal consultation taking place. Facilitation of these, informal information gathering sessions should be arranged with the assistance of the State EA, and, through

services provided by the Tribal Relations and Resiliency Unit working directly with the Tribal, Family, and Community Liaison.

### Meaningful Consultation

In order to ensure consultation is meaningful, a respectful relationship is essential. Education and understandings of SEAs (State Educational Agencies), LEAs and Tribal Nations can ease misconceptions and build trust. Mutually valued protocol and procedure can provide positive experiences for our students, districts, tribes, and state.

We will assist LEAs in the opportunity to receive timely input and feedback in collaboration with the tribes on plans pertaining to ESSA-covered programs. We will work with the tribal nations, or those tribal organizations approved by the tribes located in the area served by the LEA to create opportunities for input, resource sharing and support for students.

We will support LEAs on issues or questions on which the LEA seeks tribal input, or support to draft plans, in advance of the actual consultation. As LEAs are mandated to initiate consultation prior to making a final decision on significant and substantive issues related to the content of the covered program plans, we can assist LEAs in providing written responses to all tribal input received during consultation to explain how tribal input was considered and incorporated into the final application and plan.

### Required Consultation Documentation Under ESSA Section 8538

Under this section, each LEA must maintain in its records for all State-administered ESEA programs copies of documentation in the form of a current, written affirmation signed and dated by the appropriate officials of the participating tribes (or tribal organizations approved by the tribes), demonstrating the required consultation has occurred. If tribal officials do not provide such affirmation within a reasonable period, the LEA must forward to the SEA documentation confirming consultation has taken place.

### LEA Demonstration of Effective Tribal Consultation

Documentation supporting the affected LEA's assertion that effective consultation has been completed between the LEA and the tribe or tribal organization may include any of the following:

- A letter, memo, or email from the American Indian nation(s) and tribal communities or tribal organizations approved by the nations located in the area served by the LEA stating meaningful consultation occurred.

- A formal agreement or memorandum of understanding (MOU) between the entities describing their collaboration to support students who are American Indian.
- A work plan developed by the LEA and the American Indian nation(s) and tribal communities or tribal organizations approved by the nations located in the area served by the LEA to develop a formal agreement or MOU between the entities.
- ESSA LEA Plan consultation meeting minutes.

### Combining Consultation in Conjunction with Required Tribal/Parent Involvement

LEAs may coordinate or consolidate the required ESEA consultation with the parent activities required under the Indian Education formula grant program, the Impact Aid program, and the Johnson O'Malley program. An LEA may only do so, however, if the activity in question – i.e., the consultation – meets all of the requirements of each program. For example, an LEA may plan a public hearing or meeting with its local tribe regarding its education program generally in order to meet the Impact Aid requirements for Indian Policies and Procedures; that hearing with the tribe could incorporate the elements of the LEA's proposed plans under the covered programs, rather than hold a separate consultation event. The LEA can involve the local tribe or tribes in planning the best approach that satisfies the needs of the tribe(s) and the LEA in a time-effective manner, meeting the requirements of the various programs.

### Determining the Necessity of Separate or Collective Consultation

Where there are multiple tribes and a single LEA, the LEA may hold a consolidated consultation that includes all affected local tribes. Similarly, where there are multiple LEAs and one tribe, there is no federal prohibition against a joint consultation held by several LEAs. In both cases the LEA must ensure the tribe or tribes have a meaningful and timely opportunity to give input into an LEA's plans or applications.

### Agency Facilitation in Accordance with ESSA Section 8538 Requirements

To ensure all conditions outlined under ESSA Section 8538 (Tribal Consultation with LEAs) are satisfied and that the OPI, as the SEA identified within ESSA, remains in alignment with stated requirements, the Tribal Relations and Resiliency Unit encourages agency level staff and personnel to observe the following recommended protocols in advising and supporting affected LEAs with respect to the best practices to be followed.

In order to facilitate the process of tribal consultation with OPI agency staff assisting LEAs, working in conjunction with the OPI Tribal Relations and Resiliency Unit and

Director, who is primary responsibility as a liaison is to provide leadership, direction, facilitation, and coordination with key stakeholders for K-12 programs related to Indian education and American Indian student achievement, we have developed a written request (see attached format) which can be submitted to the Tribal Relations and Resiliency Unit Director for review and guidance.

Once the request has been submitted by the LEA, working with and through the SEA for review by the Tribal Relations and Resiliency Unit, the following actions will be initiated:

- Unit Director/Liaison will acknowledge receipt of the request.
- A reasonable period should be allowed following the submission of the initial request from the LEA for receipt of a response from the Unit Director.
- Unit Director/Liaison will identify the appropriate tribal staff, department, or tribal organization that is authorized to participate in the consultation process and initiate contact with the appropriate tribe or tribal organization, along with providing that contact information to the LEA.
- Unit Director/Liaison will facilitate the LEA's request for both an informal or informational conversation with the appropriate tribal staff, department, or tribal organization, along with providing additional direction on the next steps for both LEAs and tribes or tribal organizations with the intent of facilitating the formal consultation process.
- Unit Director/Liaison will work directly with both the LEA and tribe or tribal organization to complete an effective and meaningful formal consultation process to benefit students and advance relationships where needed.
- When consultation is complete, the LEA can provide confirmation through supporting documentation to the Unit Director/Liaison and tribe or tribal organization, identifying the outcomes of the consultation process including specific components of the covered program plan that reflect the recommendations provided through the tribal consultation process.

As a team within OPI, we can provide LEAs and Tribal Nations the appropriate guidance and support required by ESSA. We will build a collaborative foundation to consistently schedule consultation on an annual basis with hopes to better relationships, share resources, and support services for the betterment of the American Indian students. When schools and communities work together, students benefit.

Request to Initiate Tribal Consultation in Compliance with ESSA Section 8538

LEA \_\_\_\_\_

Name & Title \_\_\_\_\_

Affected Program(s) \_\_\_\_\_

Tribal Community or Organization(s) \_\_\_\_\_

OPI Department, Unit, or Office (SEA) \_\_\_\_\_

Date \_\_\_\_\_

Description of Consultation Sought

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\_\_\_\_\_

This request affirms that the interagency unit, department or office staff and/or personnel identified herein have assisted the affected LEA with the submission of a formal request to the Director of the OPI Tribal Relations and Resiliency Unit in compliance with the requirements for tribal consultation, as set forth under Section 8538 of the Elementary and Secondary Education Act of 1965 (ESEA) as amended by the Every Student Succeeds Act ESSA, to initiate the required consultation process between the tribe, tribal organization, and affected LEA.

Date Received: \_\_\_\_\_



## American Indian Achievement Gap Report

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## **Introduction**

### **2007 MCA 20-9-330**

In 2007, the Montana State Legislature passed Montana Code Annotated 20-9-330, appropriating \$200 per American Indian child, totaling over \$3 million dollars per year, to provide funding to school districts for the purpose of closing the educational achievement gap that exists between American Indian students and non-Indian students. According to MCA 20-9-330 (2) (a), funds are to be determined by “...using the number of American Indian students enrolled in the district based on the count of regularly enrolled students on the first Monday in October of the prior school year as reported to the office of public instruction,” and deposited into the district’s general fund.

The Montana Office of Public Instruction (OPI) prepared this report to track the American Indian achievement gap and provide data on the Montana American Indian student population.

### **Important Note on the Race/Ethnicity Data in the American Indian Achievement Gap Report:**

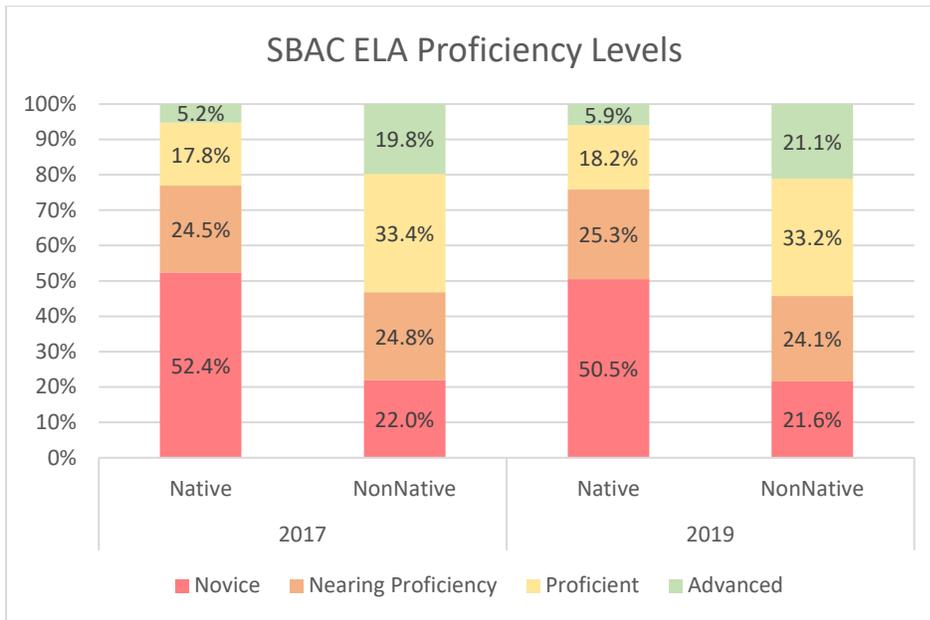
The underlying legislation authorizing the American Indian Achievement Gap Report, “American Indian Achievement Gap Payment 20-9-330, MCA,” is intended to support ALL American Indian students in Montana, including those who may identify with more than one race/ethnicity. The OPI follows a two-part race/ethnicity and multi-racial population methodology for all state and federally required reports EXCEPT for the American Indian Achievement Gap Report, therefore, students who otherwise are identified as “multi-racial” in other published data and reports are identified and accounted for as American Indian Students in this report if one of the races they identify with is American Indian. Please use caution when comparing or referencing data published in the American Indian Achievement Gap Report to other published data and reports.

### **Explanation of Data Used**

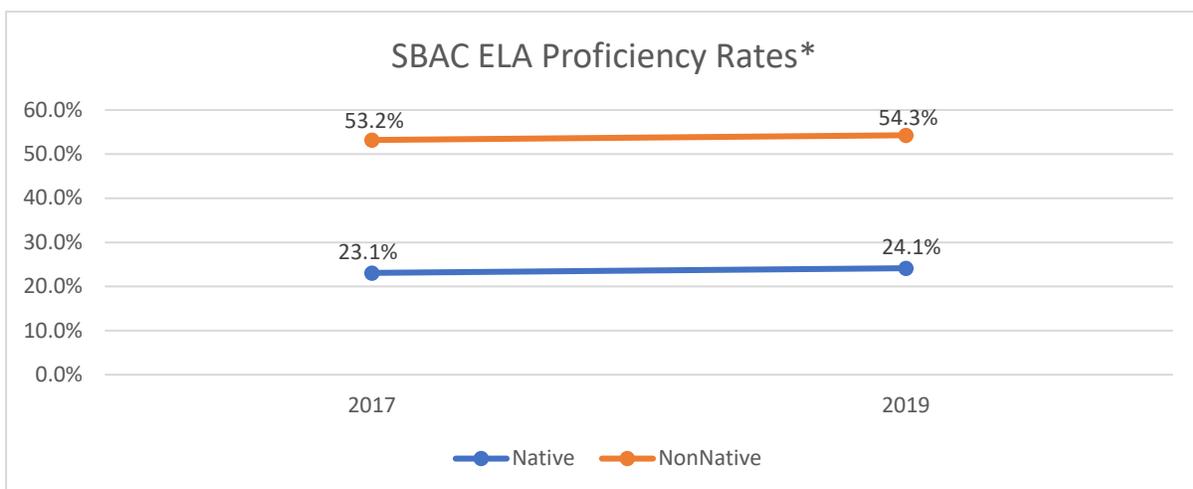
The data used in this report comes from the statewide assessments given in the 2016-17 and 2018-19 school years.

- SBAC- The Smarter Balanced assessment serves as the Math and English Language Arts (ELA) assessments for Grades 3-8.
- CRT- The Criterion Referenced Test is the science assessment for Grades 4, 8, and 10.
- ACT- The ACT is used as the statewide assessment for Grade 11 for English and Math.
- There are four proficiency levels for each test, two below obtaining proficiency in a subject - Novice and Nearing Proficiency- and two at proficient or above -Proficient and Advanced.
- Cohort Dropout Rate- High School Dropout rates are calculated by taking the number of students who dropped out in four years or less, divided by the total number of students in their anticipated graduation year.
- Cohort Graduation Rate- Graduation rates are calculated by taking the number of students who graduate (1) in four years or less with a regular high school diploma, or (2) a State-defined alternate high school diploma for students with the most significant cognitive disabilities, divided by the number of students in their expected graduation year.

## SBAC Reading

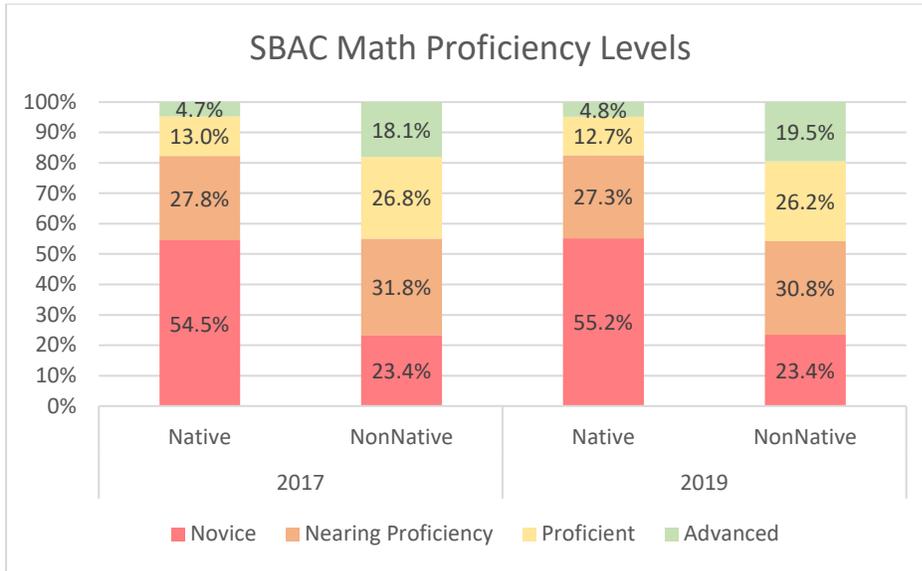


The above chart shows the percentages of students scoring in each proficiency level for the Smarter Balance ELA assessment. This data is broken out by year, comparing 2017 to 2019, and by race, comparing Native American and Non-Native American. In both years, there is a substantial gap between Native American students and the rest of the student population. Above, it is evident that for Non-Native American students, the Novice group only makes up about 22% of the population, while for the Native American students, more than half the population is scoring at the Novice level. The graph below shows the percentages of students considered proficient, and it illustrates the gap in proficiency even more clearly. The Non-Native American population had about 30% more students scoring Proficient or Advanced than the Native American population in both years, meaning the gap has not closed nor widened over the last two years.

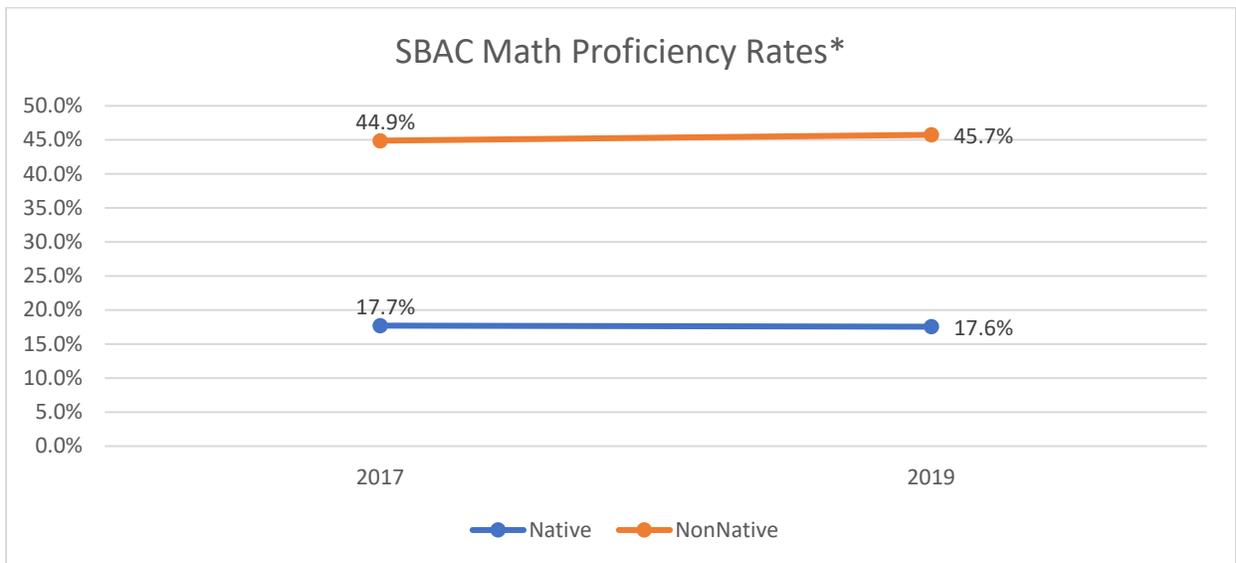


\*Percentage of students obtaining a proficiency level of proficient or advanced.

## SBAC Math

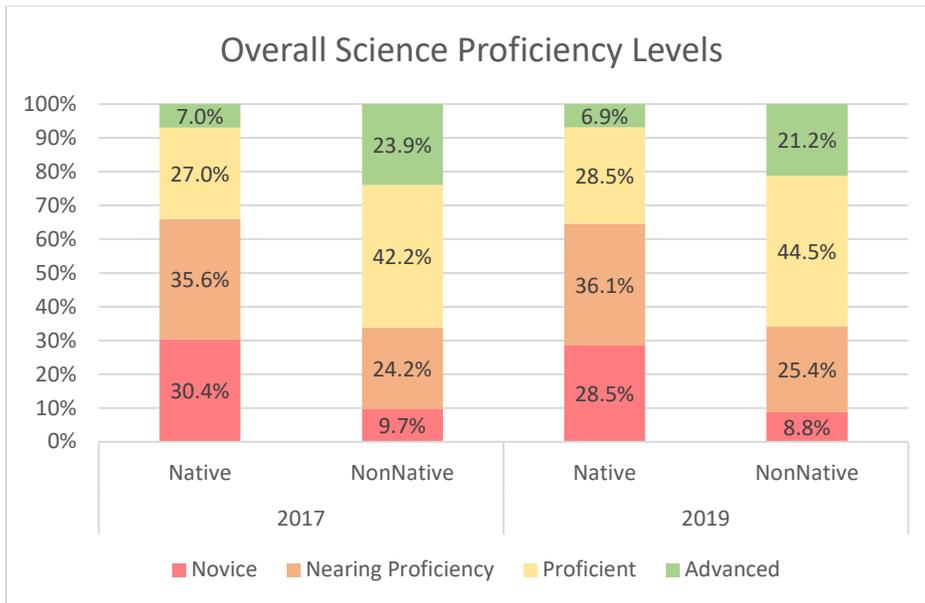


These charts show the difference in proficiency rates for the Smarter Balanced Math assessment between Native American and Non-Native American students across two years. Paralleling the data for reading, the data below shows that the rates of proficiency are much higher for Non-Native American students, at around 45%, with Native American students around 17%. Another similarity to the ELA data is the 30% gap in Novice scores across both years. Native American students with a Novice score in math make up more than half of the population, with Non-Native American students sitting at 23%. While Native American students have stayed at nearly the same proficiency rate, only dropping by .1%, the rest of the student population has gained almost 1% in that measure, slightly widening the gap between the two groups.

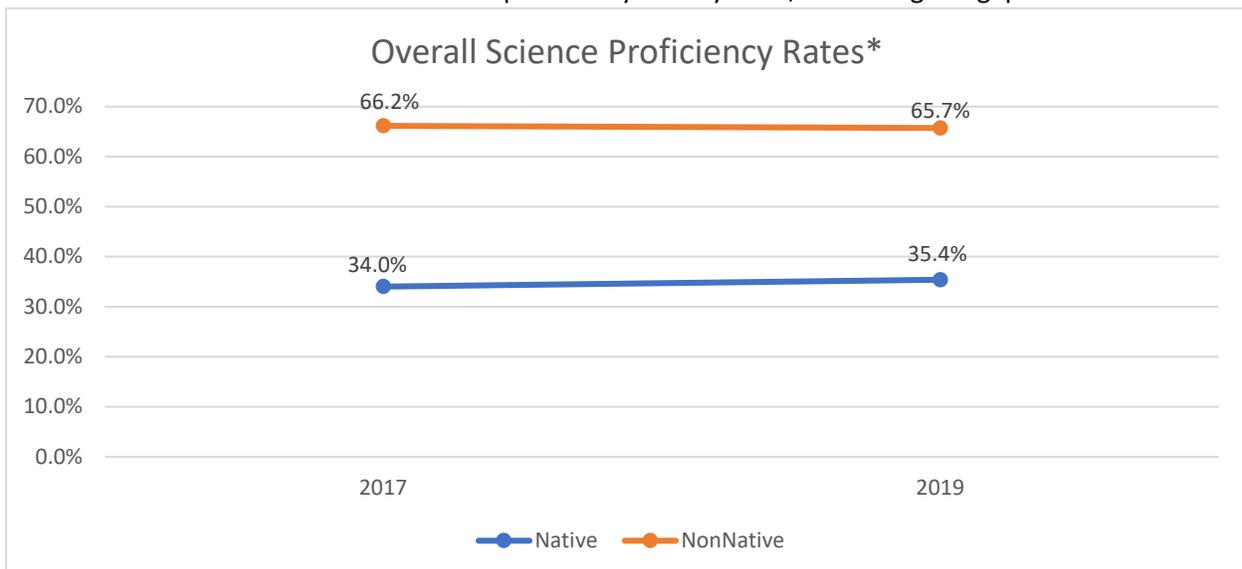


\*Percentage of students obtaining a proficiency level of proficient or advanced.

## CRT Science

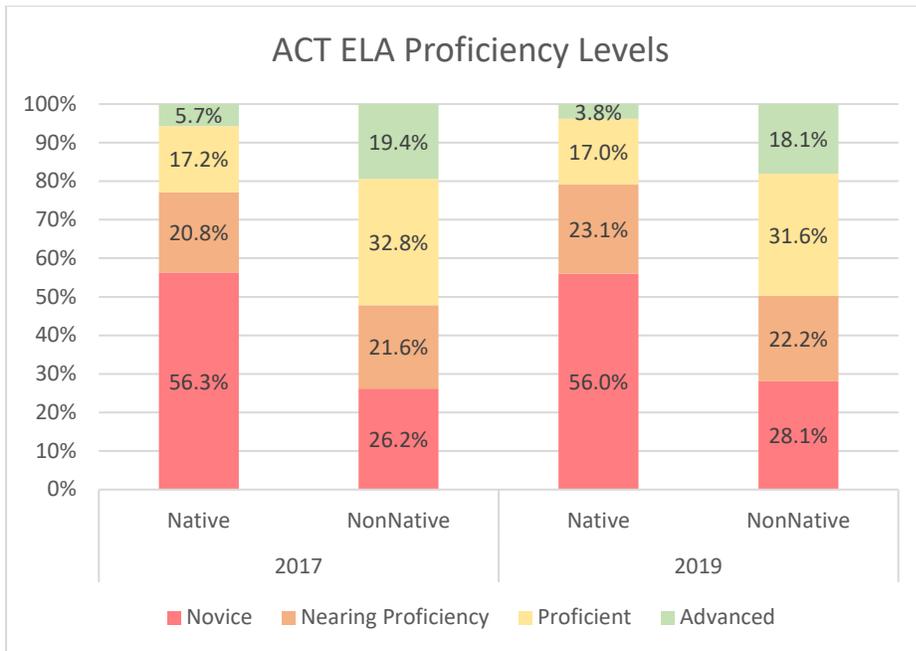


The above graph displays the percentage of students scoring in the four proficiency levels, across two years, split out by sub-populations of Native American and Non-Native American for the CRT Science assessment. Like the last two sets of data, there is an obvious gap in the percentage of Novice scores between the two groups, but the difference between them is not as large, sitting near 20% for both years. The graph below shows only the percentage of students in each population whose scores were considered proficient. While Non-Native Americans saw a decrease in proficiency, dropping by .5%, the Native American students increased their proficiency rate by 1.4%, narrowing the gap between them.

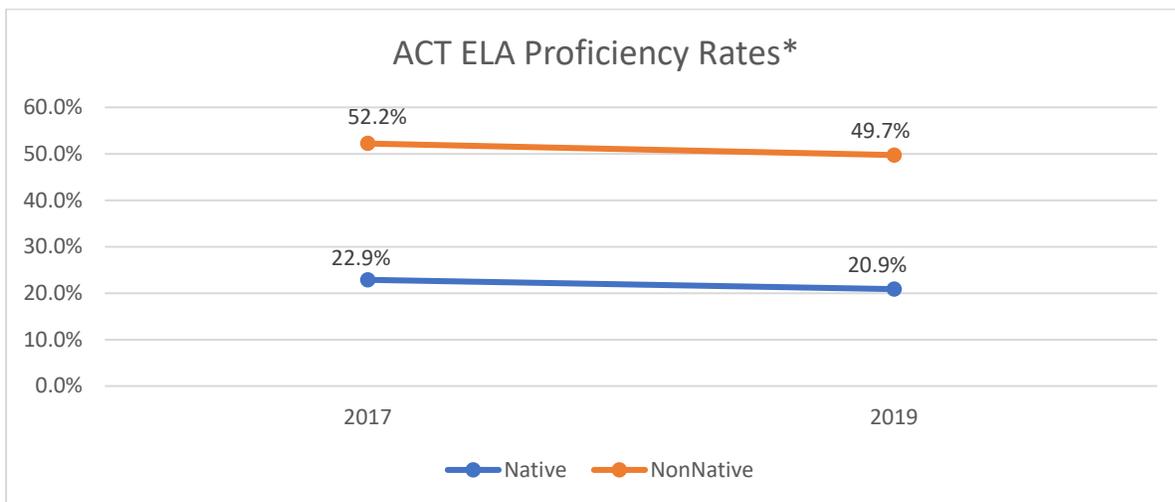


\*Percentage of students obtaining a proficiency level of proficient or advanced.

## ACT ELA

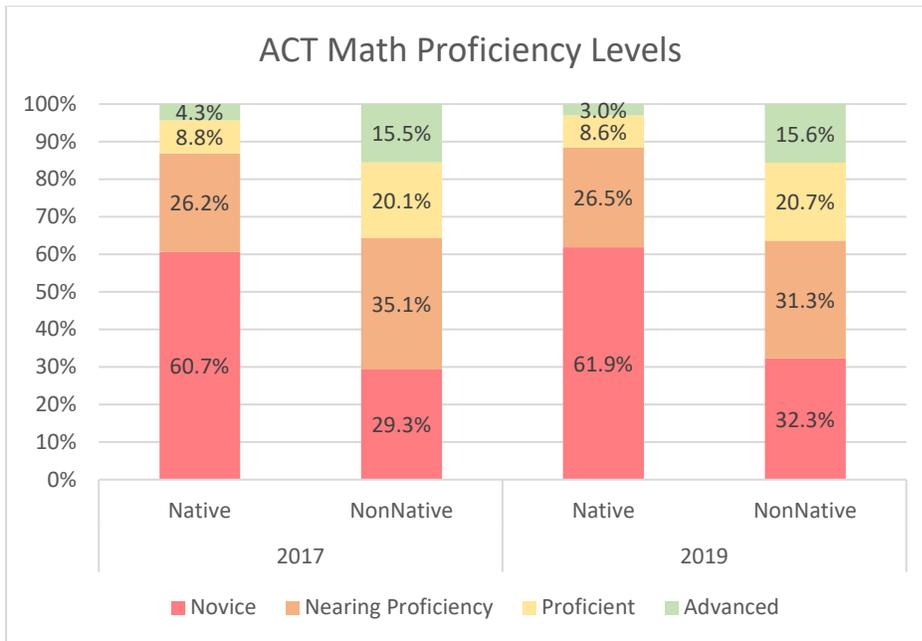


The above chart shows the percentages of students scoring in each proficiency level for the ELA portion of the ACT assessment. This data is broken out by year, comparing 2017 to 2019, and by race, comparing Native American and Non-Native American. Across both years, it is apparent that more than half of Native American students who take this assessment score at the Novice level, while Non-Native students stay below 30% at that level. However, in 2019, Non-Native American students saw an increase in Novice scores, while Native American students had a slight decrease. This data is mirrored in the percentage of students who were considered proficient in the graph below. Both groups show a drop in proficient scores over the two years, though, while Non-Native American students decreased by 2.5%, the Native American group dropped by only 2%. This narrows the gap by .5%.

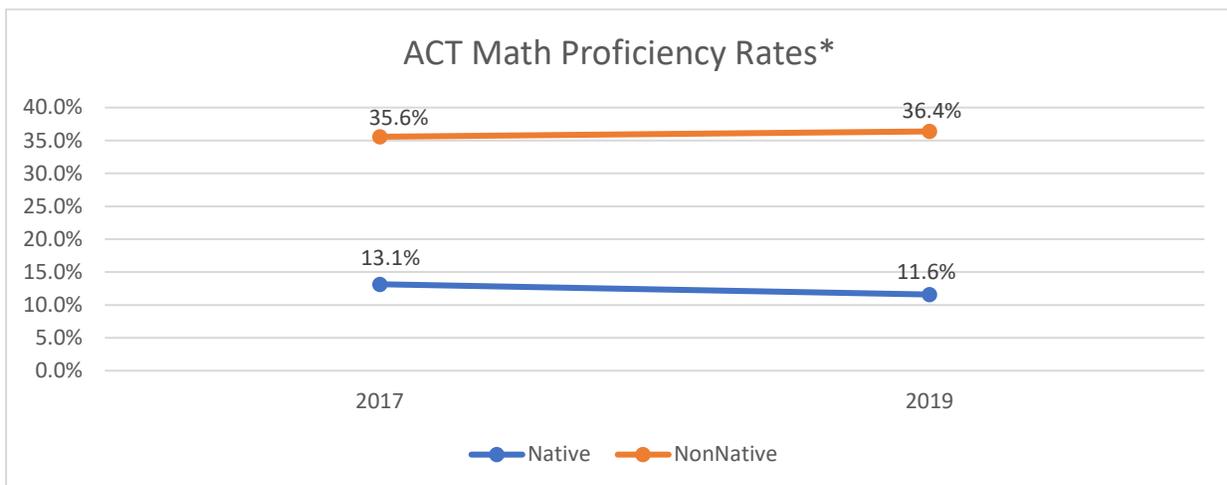


\*Percentage of students obtaining a proficiency level of proficient or advanced.

## ACT Math

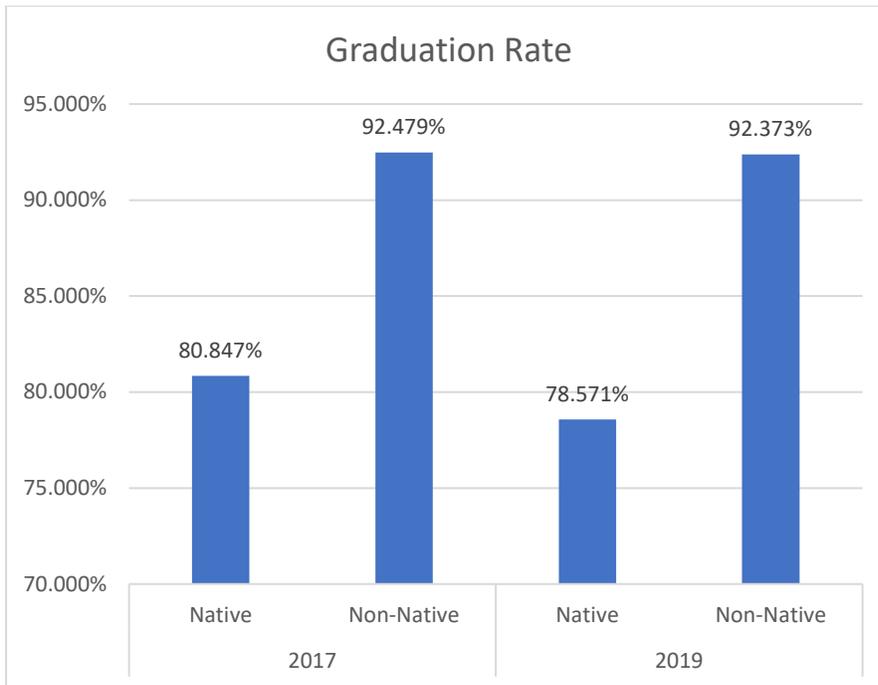


These charts show the difference in proficiency rates for the ACT Math assessment between Native American and Non-Native American students across two years. Both groups saw an increase in their percentage of Novice scoring students with the Native American group increasing by 1.2% and Non-Native American students increasing by 3%. Though the Non-Native American group saw a greater increase of Novice scores, there was also a large decrease in Nearing Proficiency scores and not much change in the other two levels. On the opposite side, with the increase of Novice scores, Native American students also had a sizable drop in Advanced scores and not much change in their Nearing Proficient scores. The graph below reflects this data. For the Non-Native American group, we can see a slight increase in proficient students, whereas, with the Native American group, we can see a drop of 1.5%, further increasing the gap between them.



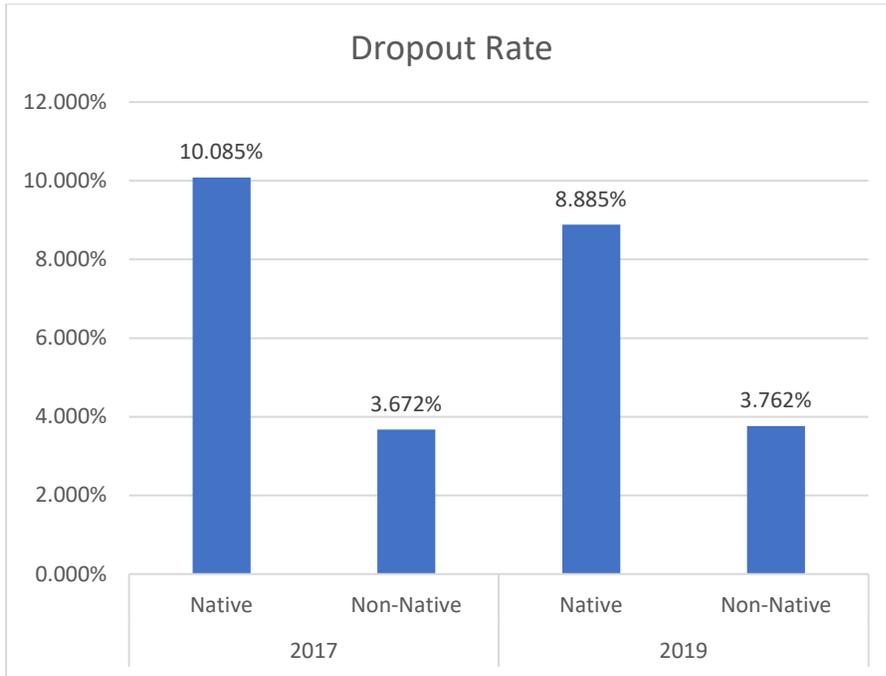
\*Percentage of students obtaining a proficiency level of proficient or advanced.

## Graduation Rate



This graph displays the graduation rate of Native American and Non-Native American students for 2017 and 2019. In 2017, there is a difference of about 11.6% between the two groups. In 2019, this difference widens to 13.8%, as the Non-Native American group stays nearly the same, and the Native American group drops by 2.3%.

## Dropout Rate



This graph shows the dropout rate for 2017 and 2019, for Native American and Non-Native American students. There is a sizable difference between the two subgroups in both years, but there is evidence of the gap closing in the more recent year. There was a difference of 6.4% between the two groups in 2017, but with a drop of 1.2% in the Native American group and a slight increase in the Non-Native American group, there is a difference of 5.1% in 2019.

## Summary

The data indicates that there are multiple areas where Montana could improve on closing the gap between Native American students and their counterparts.

- there has not been much change in the proficiency rates for the SBAC over the last two years
- the math portion of the ACT shows a widening of the gap
- there is evidence that the gap is narrowing slightly for the CRT assessment and English portion of the ACT
- there is a slight drop in graduation rates for the Native American group
- there is also evidence that the dropout rate has decreased greatly for the Native American group
- the data indicates that the Native American group are staying in school for four years but may take longer than four years to graduate.

Closing the gap is an ongoing process that will take time, but information, such as the data presented in this report, will continue to improve agency efforts to narrow the gap. This report is meant to display areas that may need more attention and to continue the conversation about how Montana can best serve its Native American students.

## **AISA Expenditure Reporting Analysis**

July 28, 2020

This executive summary provides an overview of data analysis conducted for the American Indian Student achievement unit on the American Indian Student Achievement Gap Funds question of the TEAMS survey. Overall, our analysis found that only 29% of responses were clearly qualified AISA expenditures. We also found that less than 23% of respondents answered all three portions of the question, and that some schools seemed to be reporting expenditures that would qualify as IEFA expenditures rather than AISA expenditures. These findings may be related to confusion about what the question is asking, or a lack of understanding about how the funds should be allocated.

*Question: To address the [American Indian] achievement gap, public school districts receive \$214 per American Indian student enrolled on the first Monday of October of the prior school year.*

*How were the American Indian Student Achievement Gap funds from last fiscal year spent? Examples would include books/other physical items, professional development opportunities/participation numbers, field trips taken, and guest speakers. Include grade levels and curriculum areas.*

The question includes 3 components: An indication of how the funds were spent, on which grade levels, and in which subject areas. Overall, only 45 percent of responses included grade levels who benefitted from the funds expenditures in their responses and only 36 percent of responses included the subject on which funds were spent. In total, only 22.68 percent of responses included answers to all three parts of the question.

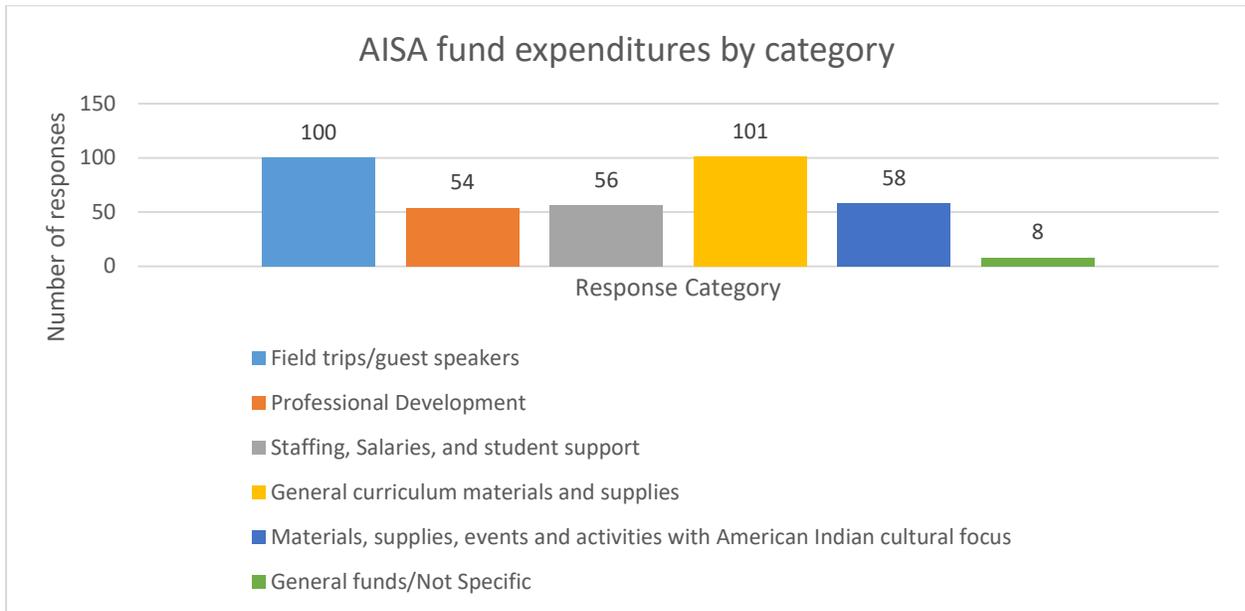
Based on these findings, we would suggest rewording the question for clarity and highlighting that there are three components to the question that are required.

### **Responses**

There were 307 responses provided to the research team which were coded into topical content areas. Many respondents included more than one type of expenditure, thus the total number of responses once disaggregated was 487. Below is a chart of content areas and response totals. There were 377 responses that included a specific type of expenditure. The remaining 110 responses were schools that indicated they either had not received funding, or were uncertain if

they had. During coding, the research team observed that many of the responses seemed to relate to IEFA expenditures, rather than American Indian Student Achievement. While there may be a case of some overlap, the amount of AISA funding that went toward cultural activities, events, field trips, and speakers exceeds that overlap.

**Figure 1**



Overall, it appears that 42 percent of schools indicated that AISA funds are being spent on activities more aligned with the intention of IEFA funds, such as field trips and cultural programming, cultural education materials, and activities. Only 29 percent of schools responded that AISA funds were going to support American Indian student achievement efforts through professional development, direct student support, and staffing. Additionally, 27 percent of schools reported the funds being used for general curriculum materials and supplies to benefit all students.

Based on these findings, it would appear there may be a lack of clarity about the intention of the funds, or no mechanism by which to ensure funds are allocated as intended. Within the question (included above) some of the examples for funds expenditures may need to be revisited to determine if they are appropriate uses of the funds. There may also be some confusion based on where the question is located (within the IEFA section of the survey). Modifying this location or placing these questions first could yield more accurate and complete responses. Finally, we

would propose providing a complete sample response in future surveys to clarify the level of detail necessary.

A summary of the raw, coded data has been share with the American Indian Student Achievement Director. Methodology questions may be directed to the SLDS Program Manager Crystal Armstrong at [Crystal.Armstrong@mt.gov](mailto:Crystal.Armstrong@mt.gov) or (406)444-0475.



# American Indian Student Achievement Action Research Plan 2020-2021

**Purpose:** The purpose of this research study is to gather insight from all stakeholders that play a role in American Indian education, to identify variables that contribute to the American Indian student achievement gap. Finding these variables and narrowing the focus will help guide policy and action from the State to the classroom to streamline and focus the scope of work that will improve the trajectories of American Indian student proficiency in reading and math achievement, graduation rates, and drop-out rates.

**Question: What are the variables in American Indian student education that contribute to gaps in overall American Indian student achievement? Is there a difference in those variables from off-reservation American Indian students and on-reservation American Indian students?**

**Methods:** This study will use mixed methods approach using qualitative and quantitative data to generate factors affecting student achievement of American Indian students. We will first use focus group methodology to gather qualitative data that will be coded and analyzed to determine common themes that emerge from participants. These themes will be used to develop a focused survey and interview questions that will allow us to gather quantitative data on causal variables that feed the themes. All data will then be triangulated to produce focus recommendations for all stakeholders involved in the effort at increasing American Indian student achievement.

## PHASE 1 Research Process

### **Timeline:**

#### **Focus Groups**

June 5, 2020- First draft of research plan completed

June 8 – Aug 7, 2020- Focus groups are conducted and completed

August 8-20, 2020 Data is coded & analyzed/Rough Draft

August 21, 2002- Final draft sent to Data Team

#### **Focus Group Participants**

##### Non-Native Schools

Billings Senior High

Havre High School

Helena High School

Cut Bank High School

Great Falls High School

Harlem High School

##### Native Schools

HLPS

HBS

Browning

Popular

Rocky Boy

Box Elder

#### Demographic Representation of Focus Groups

- (1) Students (recent graduates) – Donnie Wetzel Facilitator
- (2) Parents & Community – Pat Armstrong Facilitator
- (3) Superintendents – Dan McGee Facilitator
- (4) Boards of Trustees – Todd Hanson Facilitator
- (4) Principals, Deans, Program Directors – Lona Running Wolf- Facilitator
- (5) Teachers/Paraprofessionals – Dan McGee Facilitator

## **Focus Group Questions**

*As reported in the 2019 statewide education program statistics, both drop-out and graduation rates in Native School Districts as compared to Non-Native School Districts indicate that students in Non-Native schools graduate at a higher rate and drop-out at a lower rate than their counterparts in Native schools*

### **Question 1:**

Part A - What influence do you believe instruction; classroom environment or other factors has upon the difference in drop-out and graduation rates between native and non-native schools?

Part B -If you could change anything about the educational experience in your school that you believe would impact the number of students who complete all four years of high school and graduate, what would it be?

Part C – When students in your school drop-out or fail to graduate, what do you believe are the reasons? And why are those reasons a problem here?

*As reported in the 2019 statewide education program statistics, both reading and math proficiency levels in Native School Districts as compared to Non-Native School Districts indicates that students in non-native schools consistently demonstrate a higher level of proficiency than their counterparts in native schools.*

### **Question 2:**

Part A – Which reasons do you think influence reading and math test scores at your school?

Part B – What things do you believe the school can do to improve reading and test scores at your school?

### **Question 3:**

If we were to ask students in your school about the things that they believe prevent them from succeeding, what do you believe they would say?

### **Question 4:**

Do you believe that students who are at native schools face different challenges to success than students at non-native schools? What is the difference?

### **Question 5:**

The Oprah effect – If someone like Oprah Winfrey came to your community and wanted to give the school district hundreds of millions of dollars in support of student achievement, what top three (3) things would you want your community to use the money for in improving your school(s)?

## **PHASE 2 Research Process**

### **Timeline:**

#### **Survey**

Sept 1- 30 – Develop survey and interview questions with data team

Oct 5 – 30 – Complete individual interviews

Oct 5 – Nov 30 – Send out survey to communities (goal is to collect 543 completed surveys)

Dec 1 – 30 Data analysis and drafting of the full report

Jan 15 – Completed report submitted to Data Team

#### **Survey Data Set**

Population of MT AI students- 29,000

Confidence Level- 95%

Confidence Interval- 4.21

Data Set- 532 (completed surveys)

## **Interview Participants – 36 interviews (non-saturation)**

Non-Native Communities

6 school employees

6 students

6 parents

Native Communities

6 school employees

6 students

6 parents

## **Literature Review (four areas: American Indian student achievement reading, math, graduation, drop out) APA Style with citation**

- American Indian High School Student Persistence and School Leaving: A Case Study of American Indian Student Schooling Experiences, Fortuin, Kevin. (2012)
- Bureau of Indian Education and Tribal School Leaders' Perceptions of School Level Factors Leading to Academic Achievement for Native American Students Amiotte, S. (2008)
- Exploring Educational Challenges Among Economically Disadvantaged Native American/Alaskan Native Families Plevney, V. K. (2012)
- Native American Dropout Prevention Initiative: Year Three Evaluation Report LeCroy & Milligan Associates, Inc. (2009). Native American dropout prevention initiative: Year three evaluation report. Tucson, AZ: Author.
- Virtual High School: Learning Communities for American Indian Students Grant, V. A. (2011).
- Native Alaskan Dropouts in Western Alaska: Systemic Failure in Native Alaskan Schools Freed, C. D., & Samson, M. (2004).
- School Achievement and Dropout among Anglo and Indian Females and Males: A Comparative Examination James, K., Chavez, E., Beauvais, F., Edwards, R., & Oetting, G. (1995).
- The Native American Student Drop-Out Rate at 50% (26% Higher Than for White Students): A Persisting Problem in Search of a Solution Payment, A. A. (2011).
- Collaboration, Research and Change: Motivational Influences on American Indian Students Radda, H. T., Iwamoto, D., & Patrick, C. (1998)
- Cultural and Parental Influences on Achievement among Native American Students in Barstow Unified School District Leveque, D. M. (1994).
- Family, Community, and School Impacts on American Indian and Alaska Native Students' Success Reyhner, J. (2001).
- It's About Family: Native American Student Persistence in Higher Education Guillory, R. M., & Wolverton, M. (2008).
- A Study of Resiliency of American Indian High School Students Thornton, B., Collins, M., & Daugherty, R. (2006).
- Resilience among Urban American Indian Adolescents: Exploration into the Role of Culture, Self-Esteem, Subjective WellBeing, and Social Support Stumblingbear-Riddle, G., & Romans, J. S. C. (2012).
- Traditional Culture and Academic Success among American Indian Children in the Upper Midwest Whitbeck, L. B., Hoyt, D. R., Stubben, J. D., & LaFromboise, T. (2001).
- A Chippewa Cree Students' College Experience: Factors Affecting Persistence Drummer, K. D. (2009).
- Resistance Theory and the Transculturation Hypothesis as Explanations of College Attrition and Persistence Among Culturally Traditional American Indian Students Huffman, T. (2001).
- The Tribal College Movement: Ensuring That Native American Students Successfully Complete an Associate Degree and Persist to Earn a Four-Year Degree Kicking Woman, C. L. (2011).
- Effects of a Developmentally Based Intervention With Teachers on Native American and White Early Adolescents' Schooling Adjustment in Rural Settings Hamm, J. V., Farmer, T. W., Robertson, D., Dadisman, K. A., Murray, A., Meece, J. L., & Song, S. Y. (2010).

- Dropping Out Among American Indians and Alaska Natives: A Review of Studies, Karen Swisher and Michelle Hoisch *Journal of American Indian Education* Vol. 31, No. 2 (JANUARY 1992), pp. 3-23
- The Dropout/Graduation Crisis Among American Indian and Alaska Native Students: Failure to Respond Places the Future of Native Peoples at Risk, Susan C. Faircloth and John W. Tippeconnic, III The Civil Rights Project/Proyecto Derechos Civiles at UCLA and The Pennsylvania State University Center for the Study of Leadership in American Indian Education January 2010.
- Research in American Indian and Alaska Native Education: From assimilation to self-determination. Deyhle, Donna., & Swisher, Karen. (1997). In Michael W. Apple (Ed.), *Review of research in education* (Vol. 22, pp. 113-194). Washington, DC: American Educational Research Association.
- A review of the research literature on the influences of culturally based education on the academic performance of Native American students. Demmert, W. G., Jr., & Towner, J. C. (2003). Northwest Regional Educational Laboratory, Portland Oregon [Online] Available: <http://www.nwrel.org/indianed/cbe.pdf>.
- Native American children: the gap in academic achievement and research. Grissmer, D., Demmert, W., Chun, J., Towner, J., Eiseman, E., & Cressell, R. (2004). Prepared for National Center for Educational Statistics, U.S. Department of Education, RAND Education.
- From Division to Vision: Achievement Climbs at a Reservation School High in the Rocky Mountains. Sherman, L. (2002). From division to vision: Achievement climbs at a reservation school high in the Rocky Mountains. *Northwest Education*, 8(1), 22–27.
- The Montana Story: Providing Support to Frontier Communities Through State Oversight, Embedded Coaching, and Community Engagement. Corbett, J. (2011). Lincoln, IL: Center on Innovation & Improvement.
- Improving Elementary American Indian Students' Math Achievement With Inquiry-Based Mathematics and Games Stone, J., & Hamann, E. T. (2012). Improving elementary American Indian students' math achievement with inquiry-based mathematics and games. *Journal of American Indian Education*, 51(1), 45–66.
- Math in a Cultural Context: Two Case Studies of a Successful Culturally Based Math Project Lipka, J., Hogan, M. P., Webster, J. P., Yanez, E., Adams, B., Clark, S., & Lacy, D. (2005). Math in a cultural context: Two case studies of a successful culturally based math project. *Anthropology & Education Quarterly*, 36(4), 367–385.
- An Analysis of the Performance Gap Between American Indian and Anglo Students in the New York State Fourth and Eighth Grade Mathematics Assessments Richard Marchand, Jamar Pickreign and Keary Howard This study explores differences in mathematics assessment results between American Indian students in Western New York and their Anglo peers.
- Enhancing Native American Mathematics Learning: The Use of Smartboard-generated Virtual Manipulatives for Conceptual Understanding Frank J. Zittle, Ph.D. Center for Educational Evaluation & Research (CEER) [frankz@ceer.info](mailto:frankz@ceer.info) [ceer information](#)
- How America Is Failing Native American Students *Punitive discipline, inadequate curriculum, and declining federal funding created an education crisis.* By [Rebecca Clarren](#) JULY 24, 2017

### Item 5 - Old Business

- ❖ **Strategic Planning**
  - Handout 5.1
    - Constitution
- ❖ **MACIE Recognition**
  - Handout 5.2
    - Outstanding Achievement Form

# **MONTANA ADVISORY COUNCIL ON INDIAN EDUCATION**

## **CONSTITUTION AND BYLAWS**

### **PREAMBLE**

The Montana Advisory Council on Indian Education was established by the Board of Public Education and the Office of Public Instruction to function in an advisory capacity for the education of American Indian students in Montana.

The Montana Advisory Council on Indian Education shall be a strong voice for collaborative efforts among tribal, state, and federal organizations, institutions, groups, and agencies for the express purpose of promoting high quality and equitable educational opportunities for all American Indian students in Montana. This includes, but is not limited to, culture, language, and Indian Education for All.

### **ARTICLE 1**

#### **Name of Organization**

The name of the organization shall be Montana Advisory Council on Indian Education (MACIE).

### **ARTICLE II**

#### **Purpose**

The purpose of MACIE shall be:

1. Advise the Board of Public Education (BPE) and the Superintendent of Public Instruction (OPI) in matters affecting the education of American Indian students, including accreditation, certification, and teacher training;
2. Promote equal educational opportunities and improve the quality of education provided to American Indian students throughout the State of Montana;
3. Advise, monitor, evaluate, and advocate for the implementation of Indian Education for All as defined in Article X, section 1(2) of the Montana Constitution and MCA 20-1-501 for all educational agencies; and
4. Carry out the goals and responsibilities of MACIE, report to BPE and OPI, and complete an annual progress review.



## **ARTICLE III**

### **Goals**

The Goals of the MACIE are:

#### **1. Communication, Collaboration, and Advocacy**

Share information concerning respective constituents' needs and issues by presenting matters to the MACIE attention for discussion and action. Relay information regarding outcomes and actionable items to constituents.

Encourage collaboration by acting as liaisons between OPI and BPE and member organizations in support of Indian education in Montana. Seek participation of Indian people, tribes, and tribal organizations in the educational process.

Ensure Native representation and participation in all matters pertaining to Indian education.

#### **2. Student Success**

Explore and promote successful data-driven, research-based innovative strategies, resources, and programs that focus on increasing Indian student achievement.

#### **3. Legislative, Fiscal, and Policy Advocacy**

Provide input and recommendations to OPI and BPE regarding fiscal allocations designated for Indian education purposes.

Monitor and advocate legislation, which potentially affects Indian students.

## **BYLAWS OF MONTANA ADVISORY COUNCIL ON INDIAN EDUCATION**

### **ARTICLE 1**

#### **Membership**

BPE and OPI will jointly make appointments to MACIE based on nominations from Indian tribes, Indian organizations, major education organizations in which Indians participate, and schools where American Indian students and adults attend.

NOTE: Participation on MACIE is voluntary and tribes and organizations invited to participate may decline.

Each of the eight Montana tribal councils shall be invited to select one person to represent its tribe. MACIE will seek participation from three urban areas, Great Falls, Billings, and Missoula, one per area.

Other nominations will be sought from organizations or constituencies that have been identified as playing a key role in the education of American Indians in Montana. These are:

- Montana Federation of Public Employees (MFPE)
- School Administrators of Montana (SAM)
- Indian Impact Schools of Montana (IISM) Board
- Montana School Boards Association (MTSBA) Indian School Board Caucus
- Montana Indian Education Association (MIEA) Board
- Class 7 Teachers
- Urban school district Indian Education Departments

### **Voting**

MACIE will be comprised of 17 voting members consisting of:

- 8 representatives from each Montana tribe
- 3 representatives from urban school district Indian Education Departments
- 1 representative from Montana Federation of Public Employees (MFPE)
- 1 representative from School Administrators of Montana (SAM)
- 1 representative from Indian Impact Schools of Montana (IISM)
- 1 representative from Montana School Boards Association (MTSBA) Indian School Board Caucus
- 1 representative from Montana Indian Education Association
- 1 representative from Class 7 teachers

MACIE shall be comprised of six ex-officio (non-voting) members consisting of:

- 1 representative from Office of Public Instruction
- 1 representative from Board of Public Education
- 1 representative from Montana University System
- 1 representative from Bureau of Indian Education Schools
- 1 representative from Tribal Head Starts
- 1 representative from Tribal Colleges

## **ARTICLE 2**

### **Officers**

MACIE officers shall consist of a chairperson, vice-chairperson, and secretary elected by MACIE.

### **ARTICLE 3**

#### **Removal from MACIE**

MACIE members will automatically lose membership with two consecutive unexcused absences from regularly or specially noticed and convened meetings as per Article 10, Section 3. An unexcused absence is one in which a member fails to provide prior notice of absence. In the event of a removal, the MACIE member will be notified and MACIE will request the tribe/organization recommend a new representative.

### **ARTICLE 4**

#### **Amending the Constitution**

An amendment to the Constitution and Bylaws may be adopted at a regular or special meeting by an approval of no less than nine (9) of the MACIE voting members. Advance notice of the agenda containing a proposal to amend shall be distributed to all MACIE members at least 15 days in advance of the meeting.

However, if a member tribe/organization has an official change of name, this may be made without a vote of the members upon notification from the member tribe/organization.

### **ARTICLE 5**

#### **Rules of Order**

Robert's Rules of Order Revised shall be used as a guideline on all procedural questions not otherwise specifically stated in the Constitution and Bylaws of MACIE.

### **ARTICLE 6**

#### **Terms and Duties of Officers**

- Section 1. Chairperson, vice-chairperson, and secretary shall be elected from and by MACIE at the summer meeting and shall serve for two years. Chairperson and vice-chairperson will be elected in separate years, with the secretary being elected with the chairperson.
- Section 2. The chairperson shall preside at all meetings of MACIE. The chairperson shall be an ex-officio member of all committees. The chairperson or designee will represent and present reports for MACIE at all BPE meetings and other meetings that are deemed important by MACIE.
- Section 3. The vice-chairperson shall assume all duties of the chairperson in the chairperson's absence.

Section 4. The secretary or designee shall edit all minutes of MACIE meetings and shall provide proper notice of all meetings scheduled. Regular quarterly meetings shall receive 15-days notice. The secretary shall perform such other duties as prescribed by MACIE.

## **ARTICLE 7**

### **Terms of Members of MACIE**

The membership of MACIE will consist of delegate members nominated by their tribe/organization until replaced, unless said member violates Article 3 of MACIE bylaws. Membership will be reaffirmed every five years.

Vacated positions will be filled by each tribe/organization within a reasonable time period.

## **ARTICLE 8**

### **Duties of Members**

MACIE members will be responsible for carrying out the purposes and goals of the Constitution. Members shall bring information to MACIE from their constituents for consideration and report to their constituents.

OPI ex-officio member shall assist MACIE in its efforts to achieve its goals.

## **ARTICLE 9**

### **Committees and Appointments**

Each member will be assigned to an appropriate working committee(s). Special and/or ad hoc committees may be established as necessary. Standing committees are: Communication, Collaboration, and Advocacy; Student Success; and Legislative, Fiscal, and Policy.

The Executive Committee shall consist of the three officers and three voting members appointed by the Chairperson. The Executive Committee shall:

1. Call Executive meetings as deemed necessary;
2. Have the authority to make emergency decisions on behalf of MACIE; and
3. Report back to MACIE and seek reaffirmation of decisions.

## **ARTICLE 10**

### **Meetings**

Regular MACIE meetings shall be convened quarterly. Special meetings may be called at the discretion of MACIE or the executive committee.

- Section 1. A quorum for all MACIE meetings shall consist of six (6) voting members in attendance.
- Section 2. A quorum for all Executive Committee meetings shall consist of four (4) members.
- Section 3. Regular MACIE members will select an alternate representative to serve in their absence. Said alternates shall enjoy all the rights and privileges for the regular and special MACIE meetings. A response shall be returned prior to the meeting date to indicate whether the delegate, the alternate, or no one will be representing the tribe/organization at the meeting.

Approved with Changes  
May 8, 2019

<b>MACIE Outstanding Achievement</b>	<b>Individual Students</b>	<b>Student Groups</b>	<b>School Staff</b>	<b>School Districts</b>	<b>Community Group or Individual</b>
<b>School located on a reservation</b>					
<b>School located near a reservation with high Native population</b>					
<b>Urban school with high Native population What percentage</b>					
<b>Urban school with low Native population</b>					
<b>Rural school with low Native population</b>					

### Item 6 - New Business

- ❖ **Class 7 Certification Processes from Tribes**
  - Handout 7.1
    - MCA 10.57.436

**10.57.436** **CLASS 7 AMERICAN INDIAN LANGUAGE AND CULTURE**  
**SPECIALIST**

(1) A Class 7 American Indian language and culture specialist license is valid for a period of five years.

(2) The Superintendent of Public Instruction shall issue a Class 7 license based upon verification by the authorized representative of a tribal government, that has a memorandum of understanding with the Superintendent of Public Instruction, that the applicant has met tribal standards for competency and fluency as a requisite for teaching that language and culture.

(3) The Board of Public Education will accept and place on file the criteria developed by each tribe for qualifying an individual as competent to be a specialist in its language and culture.

(4) A Class 7 American Indian language and culture specialist licensee may be approved to teach traffic education if the licensee meets the requirements of ARM [10.13.310](#) and is approved by the Superintendent of Public Instruction.

(5) A Class 7 American Indian language and culture specialist license may be renewed upon verification by the tribe that the professional development plan, as defined by the memorandum of understanding in (2) is met.

(6) A school district may assign an individual licensed under this rule to only specialist services within the field of American Indian language and culture under such supervision as the district may deem appropriate. No other teaching license or endorsement is required for duties within this prescribed field.

History: [20-4-102](#), MCA; [IMP](#), [20-4-103](#), [20-4-106](#), MCA; [NEW](#), 1995 MAR p. 2803, Eff. 12/22/95; [TRANS](#), 2002 MAR p. 3309, 11/28/02; [AMD](#), 2003 MAR p. 554, Eff. 3/28/03; [AMD](#), 2009 MAR p. 345, Eff. 3/27/09; [AMD](#), 2014 MAR p. 2930, Eff. 7/1/15.