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MONTANA ADVISORY COMMITTEE

TO THE

U.S. COMMISSION ON CIVIL RIGHTS

HEARING ON GRIEVANCES OF FORT BELKNAP)
COMMUNITY CONCERNING SCHOOL DISTRICT) TRANSCRIPT OF
NO. 12, HARLEM, MONTANA.) TESTIMONY
)

HEARING OF SEPTEMBER 21, 1985, 9:30 A.M.
Roller Rink
Fort Belknap Agency, Montana

BEFORE THE FOLLOWING COMMITTEE MEMBERS:

WILLIAM MULDROW)
KEN WEBER) STAFF
BETTY BABCOCK)
GERALDINE TRAVIS)
RAY BEHEGAS) ADVISORY COMMITTEE
SIG MEYER)
TOM KEATING)

Reported by Gene P. Hollmann, Official Court Reporter,
Havre, Hill County, Montana. Certificate at the end of
Transcript. Exhibits Attached to back cover.

I N D E X

1		
2	SPEAKERS:	
3	FOR THE FORT BELKNAP COMMUNITY:	<u>PAGE</u>
4	INTRODUCTIONS:	1-6
5	JACK PLUMAGE	6
6	JUDY GRAY	27
7	JACK PLUMAGE	30
8	JUDY GRAY	32
9	JACK PLUMAGE	37
10	JUDY GRAY	43
11	JACK PLUMAGE	68
12	CALVIN BIGBY	75
13	TOM LANGFORD	76
14	BUM STIFFARM	81
15	DALE STIFFARM	84
16	ELMA COLE	86
17	DELORES PLUMAGE	93
18	DONOVEN ARCHAMBAULT:	96
19	MARIE BEAR	100
20	DOROTHY COCHRAN	102
21	LYLE WILSON	113
22	MARLENE STIFFARM	115
23	GLORIA GONE	117
24	MARY MARGARET MITCHELL	122
25		

1	SPEAKERS:	
2	FOR THE SCHOOL DISTRICT 12:	<u>PAGE</u>
3	GARRY MCGUIRE	21
4	ROGER RANTA	45
5	FOR THE MONTANA EDUCATION ASSOC:	
6	DON DOLENEAUX	90
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

1 (Hearing of September 21, 1985)

2 MRS. BABCOCK: Good morning, everyone. My name is Betty
3 Babcock and I am--unfortunately, our chairman, Larry D. Huss
4 was unable to be here because of earlier commitments, and so
5 he has asked if I would be your chairman. On behalf of the
6 Montana Advisory Counsel of the U.S. Civil Rights Commission,
7 I want to welcome all of you here. We are looking forward to
8 this forum so that we can gather information from you and
9 that you can gather information from us. At this time I would
10 like to call on Randy Perez, the Tribal Chairman from Fort
11 Belknap, please.

12 MR. PEREZ: As Tribal Chairman, I just want to welcome the
13 Montana Commission on Civil Rights, and welcome the school
14 board community members here. And hope the forum here meets
15 the intention of the community for all purposes. Thank you
16 for coming. We will get along fine.

17 MRS. BABCOCK: Thank you. At this time I would like to
18 introduce our advisory counsel to you. We have Senator Tom
19 Keating. Would you please stand? From Billings. And
20 Geraldine Travis from Great Falls. Sig Meyer and Raymond
21 Behegas. And then I would like to also introduce to you our
22 regional director from Rocky Mountain regional office,
23 William Muldrow, and the civil rights analyst, Mr. Ken Weber
24 from Denver. And in our midst we also have the reporter,
25 and that is Gene Hollmann, and he will record all of our

1 deliberations here. The speakers will be presented in order,
2 and we would like to ask that the audience hold all of their
3 comments or questions until each speaker has been presented
4 and, of course, each speaker is going to have about twenty
5 minutes. I believe you are going to give us the rules and
6 regulations.

7 MR. MULDROW: I would just like to take a few minutes first
8 of all to welcome all of you and to say how much the committee
9 and staff of the commission appreciates your cooperation and
10 participation here today. I would like to say just a few
11 words about the nature of the commission and the purpose of
12 this forum. And the status of the information that we collect
13 as a commission and advisory committee. The U.S. Commission
14 on Civil Rights is a small Federal agency with headquarters in
15 Washington, D. C., charged with collecting and disseminating
16 information on civil rights issues of concern to the public,
17 and to governmental entities, and to Congress. We were estab-
18 lished in 1957 as a part of the 1957 Civil Rights Act, and
19 charged with doing just that. We are not an enforcement
20 agency in that we do not investigate individual complaints
21 or enforcing regulations or statutes or laws except we do
22 gather information in specific cases which might help us in
23 research and studies of a larger nature that we do. We want
24 to emphasize that at advisory committee forums and meetings,
25 all information provided to us is on a voluntary basis. The

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commission in Washington has limited subpoena power, but most of the information we collect is done voluntarily. Ordinarily we receive very good cooperation in that. Every effort is made to see that the information we collect is balanced and accurate and credible, and before any information is used in any commission publications disseminated to the public, it's accuracy is verified both by the individual who presents it and also by other sources. The commission has, in each state, an advisory committee charged, as the name implies, with advising the commission in Washington with regard to civil rights matters in their particular state. And that's what this committee here is about. We operate, Dr. Weber and I operate out of Denver regional office of the commission, which serves six states. One of them is Montana. And as I indicated, each state has an advisory committee. This forum today is part of a regular meeting of the committee. The committee meets four or five times a year, depending upon the nature of concerns it has before us. And the information it collects is used in a variety of forms. It can become part of a formal report to the commissioners, which may or may not be published and disseminated to the public. Or it can become part, entered into a memorandum to the commissioners, which is an internal working document for the purpose of advising the commissioners in Washington to help them understand the nature of the problems in this state, and to assist them in choosing and carrying

1 out projects of a nature which they may be inclined to do. Or
2 the information simply may be a matter of advisory committee
3 edification used by them to select future projects in the
4 state that they will carry out, themselves, during research
5 and studies on various issues. We have been invited to come
6 here by the community folks to hear concerns today and informa-
7 tion related to relations between the community and the school
8 administration here. There are no plans at this point for a
9 published report or document to come out of this information.
10 Depending upon the nature of what we receive today, a decision
11 will be made as to whether, what use the information will be
12 put to. All meetings of the committee, as this one, are open
13 to the public, and as has been indicated, the proceedings are
14 being recorded by a court reporter to ensure their accuracy
15 and completeness, and if anyone has an objection to being
16 recorded, we will refrain from doing so during that particular
17 testimony. But we feel that it is very beneficial to ensure
18 the accuracy of the proceeding, what we receive. I would like
19 to mention also that it is illegal for any reprisal to be
20 made against any person because of testimony or information
21 which they present at the meeting. However, the enforcement
22 of this regulation is not up to the committee, so you should
23 be advised that information which you present is a matter of
24 public record and available to anyone. We should also advise
25 you that the purpose of this meeting is not to receive allega-

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tions of illegalities on the part of any person or agency.

If anyone proceeds to accuse, make accusations of illegalities, we will be required to stop you from your presentation so that we can hear, or receive that information in private, to allow other persons involved to respond to those allegations before they are made a part of the record of the committee. I believe that really basically is all that I have to say. As Mrs. Babcock has indicated, there will be opportunity for participation by anyone who would like to make a statement or provide information, in addition to the schedule of persons presenting testimony, which is on the agenda. Betty.

MRS. BABCOCK: The general format of the speakers, the first speaker will be Mr. Jack Plumage, and then the second will be Gary McGuinness, and the third--

MR. MCGUIRE: Garry McGuire.

MRS. BABCOCK: And Judy Gray, and then the superintendent, Roger Ranta. Okay. I would just like to, so that we all understand thoroughly, to read this one paragraph from the instructions that we have received so that you will all understand for sure. The presentations are to be limited to three major topics, election, representation on the school board. Number 2, personal issues. And number 3, news facilities program planning and policies. Topic 1 above is to be covered by the initial speakers from each side. And topic 3 is to be covered by the final speaker. Topic 2, personal issues, may

1 be covered by either or both the initial and final speakers.
2 Speakers from the Fort Belknap Indian community will speak in
3 positions 1 and 3, and speakers from the School District #12
4 will speak second and fourth. The general summary limited to
5 ten minutes may then be offered first by the School District
6 #12 speaker followed by Fort Belknap Indian community speaker,
7 and comments from the floor may be in the form of questions,
8 and each comment will be limited to not more than five minutes.
9 And when the speaker is almost through, I will hold up this
10 sign that says one minute so we can be fair to everybody.
11 And at this time I would like to call on Mr. Jack Plumage,
12 please.

13 MR. PLUMAGE: What are the issues, 1, election, and number 1,
14 and the third issue is program planning and policies. Thank
15 you. Good morning, ladies and gentlemen. It is indeed a
16 pleasure to welcome the Montana Advisory Committee of the U.S.
17 Commission on Civil Rights to the Fort Belknap Indian Reserva-
18 tion this morning. The purpose of this meeting is to provide
19 an open forum where specified co-topics of public interest may
20 be aired. We will be furnishing you with allegations and docu-
21 mentation of what we perceive to be civil rights violations
22 against us as an Indian people by School District #12 located
23 in Harlem, Montana. You will hear testimony today from
24 individual Indian people, Indian parents and Indian grand-
25 parents, whose only concern is the welfare and fair treatment

1 of their Indian children. In many cases they were very reluc-
2 tant to speak out on their individual grievances because they
3 know that nothing will probably be done anyway. Their trust
4 in public institutions and public boards such as this is very
5 low. Much of what you hear today from the individual testi-
6 mony has already been presented to the local school authorities
7 and the local school board. These complaints have fallen on
8 deaf ears. Nothing was done. As I stated earlier, many of
9 these individuals are very reluctant to speak up. Reprisals
10 against their children and grandchildren are the very ones
11 they want to protect in our system, is very much on their
12 minds today. These people are not Johnny-come-lately to this
13 area. For the most part, they have lived here all of their
14 lives. They have sent their children to the Harlem school
15 system. And now have their grandchildren are in the system.
16 It has taken them this long to finally say enough is enough.
17 A little background to the present Fort Belknap Indian commun-
18 ity. My name is Charles Jack Plumage. Currently I work for
19 the Bureau of Indian Affairs at Fort Belknap. I have held this
20 present position for the past five years. Prior to that, I was
21 an elected member of the Fort Belknap Tribal Government for six
22 and a half years. Four and a half of my six and a half years
23 on the tribal government were served as a tribal chairman. I
24 am an enrolled member of the Assiniboine tribe at this reserva-
25 tion. I currently have two children in the Harlem school dis-

1 trict. I have one in the 2nd grade and one in the 4th. I
2 have been very active in many of the community affairs that
3 go on here in Fort Belknap. I am a member of the Fort Belknap
4 volunteer fire department and American Legion Post #10 of Fort
5 Belknap. I have served as a den father for the Cub Scouts.
6 And I have volunteered my time co-chairing Little League
7 baseball for the last two summers. That's just a few of my
8 involvements with the Fort Belknap Indian community. Fort
9 Belknap's other presenter is Judy Gray. She is an enrolled
10 member of the Flathead nation. She is married to a Fort
11 Belknap tribal member. Judy is also very active in the com-
12 munity here at Fort Belknap. She was instrumental in helping
13 develop the Little League, Fort Belknap Little League program.
14 She is a very active member of the Title 4 parent advisory
15 department. Judy is a graduate of the University of Montana
16 with a Bachelor of Science degree in social work. In many of
17 our discussions we have had concern about the lack of achieve-
18 ment in our Indian children in the Harlem schools. It is
19 often inferred or said that the reason our kids are failing
20 is because they come from low income, broken and disadvantaged
21 homes. It is unfortunate that there are families with some
22 of these problems. For this reason, it is of even greater
23 importance that our children receive an education. We know
24 that learning can still be accomplished and that there are
25 school districts which have similar problems, but they are

1 providing the opportunity for education for their students.
2 With that background, we will now begin to present the facts
3 as we see them in our alleged grievances against School Dis-
4 trict #12 located in Harlem, Montana. The first issue we
5 would like to address is election and the total lack of Fort
6 Belknap representation on the school board. The lack of Fort
7 Belknap participation on the school board is a very important
8 point. It is crucial that we—a differentiation be made as
9 to who makes up the school board and where they actually
10 reside. The Fort Belknap Indian community does not deny that
11 in recent years there have been a few individuals of Indian
12 descent elected to the Board of Trustees from School District
13 #12. However, it is our contention that these individuals do
14 not really represent our concerns. While their livelihood may
15 be made on the reservation, they, in fact, reside in Harlem,
16 Montana. They are not an integral part of the community, and,
17 in fact, are ignorant as to much of the actual goings on on
18 the Fort Belknap Indian Reservation. They were elected pri-
19 marily by the Harlem voters and owe their allegiance to their
20 concerns rather than our concerns. It is truly fitting that
21 we begin with the issue of lack of Fort Belknap representation
22 because it is this issue, the lack of Fort Belknap representa-
23 tion that has been our focal point for the last ten years. We
24 have made tremendous strides in voter registration and getting
25 the vote out on election day, only to fall short by as few as

1 eleven votes to getting our candidate elected. But we are not
2 discouraged. Someday we will elect our candidate, and Fort
3 Belknap will be represented on the Board of Trustees for School
4 District #12, even under the present voting scheme. The lack
5 of Fort Belknap representation on the school board has a long
6 history. And I must relay some of that history to you in
7 order to build a foundation of facts which you can relate to,
8 and how, in helping to understand our grievances. One of the
9 obstacles that we, as Indian people, have to overcome is the
10 presumption by non-Indian people that we are not valid tax-
11 payers. The fact that we do pay income, Federal Income Tax,
12 as well as other state and federal taxes is not viewed as
13 legitimate by the non-Indian people. The fact that because
14 of certain legal agreements, be they treaties, executive order
15 or Congressional actions, we, as the members of a sovereign
16 entity, the Fort Belknap Indian community, are exempt from
17 certain state and county taxes, does not sit well with the
18 "legitimate taxpayers of this area", in order to qualify as
19 a legitimate taxpayer in their eyes, we must own property,
20 that is, a house or land upon which a property tax can be
21 levied. The fact that over six hundred thousand (600,000)
22 acres of land are held in trust by the United States Govern-
23 ment for the tribal members of the Fort Belknap Indian commu-
24 nity, and no property tax levy, does not sit well with the
25 legitimate taxpayers. We, as an Indian entity, have nothing

1 to do with the policy of the United States Government not
2 taxing itself. The United States Government owns the land.
3 As a matter of fact, every individual who earned a wage on
4 this reservation pays Federal Income Tax. We are also sub-
5 ject to other taxes such as Federal and State tax on gasoline.
6 The Indian people on my reservation have long believed and
7 supported the right of their children to receive an education
8 at a local public education institution. And in the earlier
9 case of Indian education when the children were taken from
10 their homes on the reservation at the age of six and shipped
11 off to a government boarding school, my people, sometimes as
12 far as eighteen hundred (1800) miles away. My people saw that
13 it was a government policy that had to be changed. With the
14 entire families being broken up because their children had
15 to have an education. But it could only be had at a govern-
16 ment boarding school. Most children would, most parents
17 would not see their children again until the next spring when
18 they returned from the boarding school, and yet in our case,
19 there was a public education facility three miles from where
20 you are now sitting. However, Indian children could not
21 attend. Why? Number 1, because the time was early 1900's
22 and we were not citizens of this country. And not entitled
23 to a public education. Number 2, we were the Federal Govern-
24 ment's responsibility. We had no tax base upon which a tax
25 could be levied to support the financial need necessary to run

1 a public school. So, what did my people do in an attempt to
2 ratify this inhumane situation? In 1921, the Fort Belknap
3 Indian Reservation vacilated. Because it was such a strong
4 priority for our children to attend a school close to home to
5 prevent the breakup of the immediate family, the people on the
6 reservation requested that Section 16 and 36 out of the Township
7 and Range be designated a public school section and entitled
8 the land to be transferred to the State of Montana. This was
9 an effort by the Indian people to show that they had an
10 asset that could be used to generate money for the public
11 school system. This act by the people of the reservation
12 resulted in the loss of over 19,000 acres from their land base.
13 However, they felt so strongly that their children should have
14 the right to attend public schools they did it willingly. As
15 a footnote to this request for public education, in 1924,
16 three years after the Fort Belknap Indian community voluntarily
17 gave up 19,000 plus acres, Congress pass the Indian Citizen-
18 ship Act. This act decreed that henceforth June 2nd, 1924,
19 all Indians are citizens of the United States and entitled
20 to all such rights and privileges. The right to a public
21 education was one of these rights. If we had waited for
22 three more years, then possibly we would not have had to
23 give up over 19,000 acres for a right we did not get initially
24 get anyway. Even with the passage of the 1921 Allotment Act
25 and the 1924 Indian Citizenship Act, our request for public

1 education was not realized until January of 1930. In January
2 of 1930, the Harlem school board voted to send thirty-one (31)
3 Indian pupils from the overcrowded boarding school at Fort
4 Belknap. This decision created a lot of controversy. A
5 number of citizens in Harlem spoke against the plan to admit
6 the Indian children. A straw vote was taken, and at this
7 meeting the results were that the majority of the citizens
8 in Harlem were against admitting the Indian children. The
9 United States Government and the local school board continued
10 their negotiations throughout the month of January in an
11 attempt to resolve how to get the Indian children into the
12 Harlem school after so much opposition was voiced by the local
13 citizens. The negotiations included the United States Govern-
14 ment agreeing to rigid health inspection for the Indian child-
15 ren in order to gain admittance. The United States Government
16 agreed to furnish a room, heat, lights and pay the Harlem
17 schools thirty-five cents (\$.35) a day for each pupil admitted
18 for the remainder of the school term. None of the above was
19 acceptable to the city of Harlem. What was finally agreed to
20 was the following: it was decided that the Indian children
21 would remain at the Agency. The Harlem schools would furnish
22 a teacher, supplies and supervision for the Indian children.
23 The United States Government would provide the classroom, heat
24 and lights and a sum of thirty-five cents (\$.35) a day for
25 each day. The government would pay twenty-five cents (\$.25)

1 a day, because now there would be no need for busing the
2 children since they were at the Agency. There was much more
3 to this story, but I will stop here. To illustrate what our
4 first attempts were to get our children admitted to the
5 Harlem school, the results of those attempts, in spite of
6 the fact that we had given up nineteen thousand (19,000) plus
7 acres in an attempt to help finance the local school system,
8 and in spite of the fact that we are now citizens, and by
9 law entitled to such a public education. Because of the
10 situation I just related to, the public, because of the
11 situation I just related to you, the Federal Government recog-
12 nizes that special funds must be set up to help address and
13 meet the special educational needs of Indian children in
14 public schools. In 1934 Congress passed the Johnson-O'Malley
15 Act which provided funds specifically for the educational needs
16 of the Indian children in public schools. To reiterate, John-
17 son-O'Malley money was to be used specifically for Indian
18 children in public schools. It is a program that has been
19 greatly abused by public schools, Harlem included, over the
20 years. But you will hear more about that later. In 1950
21 Congress again realized they had to make financial commitments
22 to public school districts which are heavily impacted by
23 Federal land. And or military personnel. Federal lands
24 would include national parks. National forests, military
25 reservations and Indian reservations. As a result of Congress

1 recognizing the Federal impact of their presence on local
2 public school districts, the Federal Impact Aid laws were
3 passed in 1950, Public Law 81-874, the Impact Aid Act.
4 Realizing that the existence of the federally owned or con-
5 trolled property can impose a burden on the school district
6 and local property owners, Congress enacted Public Law 81-874,
7 to provide a federal agency to replace the taxes that could
8 not be levied upon the federal property. This aid is based
9 upon a number of enrolled students eligible for impact aid.
10 Since the Harlem school system is approximately 70% Indian,
11 this Federal Impact Aid amounted to, in the school year 1984-
12 '85, for the high school for each Indian high school student,
13 Harlem recieved four thousand twenty-five dollars and ninety
14 cents (\$4,025.90). Total dollars in high school aid received
15 from Federal Public Law 81-874 for the high school was three
16 hundred eighty-three thousand seven hundred sixty-three
17 dollars (\$383,763). In the elementary school, each elementary
18 Indian student, total received two thousand one hundred twenty-
19 six dollars and forty-eight cents (\$2,126.48). This amounted
20 to a total of seven hundred and forty-nine thousand twenty-
21 four dollars (\$749,024). A total of eight seven four dollars,
22 at the Harlem Public School District received during the
23 school year '84-85 was one million four hundred and thirty-
24 two thousand seven hundred and eighty dollars (\$1,432,780).
25 Public Law 81-815 was the other Federal Impact Aid law that

1 was passed by Congress in 1950. This had to do with school
2 construction. Based upon the same rationale as public law
3 81-874, Congress also authorized special construction money
4 for federally impacted public districts. School District #12
5 was also eligible and has utilized these monies. As you can
6 see, utilizing the dollar figure now being received by the
7 Harlem school system, the high school level, four thousand
8 twenty-five dollars and ninety cents (\$4,025.90), and this is
9 a far cry from the initial twenty-five or thirty or thirty-
10 five cents that was initially negotiated in January of 1930.
11 Based on an annual figure in 1930, they received approximately
12 thirty dollars (\$30.00) annually. The increase from 1930 to
13 the present date is an increase of a hundred and thirty-four
14 thousand percent. However, that is the only thing that has
15 changed. In spite of the fact that our children, in spite of
16 the fact that our children bring into the Harlem school system
17 approximately one million one hundred and thirty-two thousand
18 seven hundred and eighty dollars (\$1,132,780), our 64% of the
19 total operating budget of one million seven hundred and sixty-
20 one thousand eight hundred and five dollars twenty-eight cents
21 (\$1,761,805.28) for the '84-85 school year, we are being told
22 that we are a financial burden to them. We still have no
23 representation on the school board. In spite of the fact that
24 64% of the monies to run the school is Indian money, and in
25 spite of the fact that we have 70% student population is

1 Indian. I will now submit to you a graph illustrating the
2 past three school trustee elections. As you can see, the two
3 communities, Fort Belknap and Harlem are pretty polarized in
4 their voting. This is the graph. I will illustrate the
5 election results for the last school elections. In 1983,
6 there was these three candidates were running for a one year
7 term. The blue indicates the Harlem vote. The red indicates
8 the Agency vote. The Fort Belknap candidate is illustrated
9 by the red mark next to the name, Randy Perez. From the
10 Harlem precinct, Tim Welsh, who was the principal, about a
11 total of three hundred and thirty-two (332) votes, received
12 two hundred and eighty-three (283) votes from the Harlem
13 voters. Randy Perez, who was second for that particular seat,
14 received a total of a hundred and forty-eight (148) votes,
15 one hundred and eight (108) of his votes were from the Agency.
16 Complete polarization. There was another seat. This was a
17 three year term. Emery Gray was our candidate. Bob Baker
18 received a total of three hundred and eleven (311) votes.
19 Two hundred and eighty-seven (287) of those votes came from
20 the Harlem area. Emery Gray, our candidate, received two
21 hundred and fifty-five (255) votes. One hundred and sixty-
22 seven (167) of them were from the Agency area. The next
23 year there were also two vacancies. Floyd Frey and Tim
24 Welsh. Tim Welsh was the winner of one of the terms. He
25 has a hundred and one (101) total votes. Three hundred and

1 sixteen (316) of those came from the Harlem area. Floyd Frey
2 was the other winner. He received three hundred and twenty
3 (320) total votes. Two hundred and seventy-two (272) of them
4 were from the Harlem area. Randy Perez received a total of
5 two hundred and nine (209) votes. One hundred and seventy-
6 one (171) of those were from the Agency area. The polariza-
7 tion totals up to, in the 1985 election, this past spring,
8 there were two vacancies. Jack Siemens and Gary McGuire were
9 the candidates from Harlem. Jack and myself and Judy Gray
10 were the candidates from the Agency area. Jack Siemens and
11 Gary McGuire won. Jack Siemens had four hundred and twelve
12 (412) votes. Three hundred and ninety-six (396) of them
13 came from Harlem. Gary McGuire had three hundred and
14 ninety-four (394) votes. Three hundred and seventy (370) of
15 those came from Harlem. I received three hundred and sixty-
16 nine (369) votes. Two hundred and ninety-seven (297) of my
17 votes came from the Agency. Judy Gray received three hundred
18 and thirty (330) votes. Two hundred and ninety (290) of her
19 votes came from the Agency. A complete polarization. Another
20 fact that I would like to point out is that you will be hearing
21 about mill levies in Harlem in support of quality education on
22 passing mill levies. In fact, the Harlem community did not
23 vote in the mill levy. The Harlem Agency voted in the mill
24 levy. The mill levy results of 1982 and '83 for the elementary
25 in Harlem, there was two hundred and twenty-seven (227) for

1 votes in Harlem. Against in Harlem, two hundred and eighty-
2 seven (287). Without the Agency vote, we voted two hundred
3 and eighteen (218) votes for the mill levy. The mill levy
4 would have failed in School District #12. For the high school,
5 Harlem had two hundred and ten (210) votes for. Two hundred
6 and ninety-three (293) against. Again, with the Agency, who
7 voted two hundred and nineteen (219) votes for, that passed
8 the mill levy in 1982. I will talk in great detail about
9 the mill levies later. In 1983, again, the elementary mill
10 levy, Harlem voted for, one hundred and thirty-seven (137).
11 Against, two hundred and forty-seven (247). The Agency
12 voted a hundred and sixty-three (163) for. The reason why
13 the Agency, on the against votes, really is pretty insigni-
14 ficant. The against votes were twenty-three (23) twenty-two
15 (22) and twenty-eight (28) at the Agency. For the high school
16 in 1983, for the mill levy at the high school, one hundred
17 and thirty-three (133). Against, two hundred and forty-seven
18 (247). At the Agency it was one hundred and sixty-three (163)
19 and twenty-nine (29) opposed. I don't have the figures on the
20 1984-85 mill levy, but I do know that the high school mill
21 levy failed that year, and the grade school's passed. In 1985,
22 both levies passed, and Harlem voters did support the levy in
23 1985. One thing I would like to point out, we have been told
24 that Harlem supports quote unquote quality education. The
25 results of the mill levy will show you that they do, in fact,

1 do not support quality education because they, in fact, voted
2 against the mill levy. I would like to point out three other
3 important points. One, based upon current eligible voter
4 figures, Harlem has approximately 62% of the eligible voters
5 residing in their precincts. Fort Belknap has approximately
6 38%. Although number 2, although we requested a polling
7 place in the 1970's, the school board denied our request.
8 They said they did not have the money to establish a polling
9 place on the reservation. We were finally able to have our
10 school board recognize the fact that we needed our own
11 polling place, in April of 1980. Fifty-six (56) years after
12 we were given the right to vote. Number 3, school board
13 election in recent years have been very hotly contested. With
14 annual voter turn out of not less than 60%, and as high as
15 80%. The present and past situations of no representation on
16 the Harlem school Board of Trustees is not acceptable to the
17 Fort Belknap Indian community. It is a violation of the Voting
18 Rights Act of 1965. There have been several suits filed
19 throughout the United States by the Justice Department based
20 upon the same facts that we have presented here today. We
21 strongly urge you as representatives of the United States
22 Civil Rights Commission to recommend to the Justice Department
23 to intercede upon our behalf and file a similar suit here in
24 Montana, to wit: the single district representation system
25 violates provisions of the Voting Rights Act of 1965. Without

1 such legal action, we, as the Indian people of the Fort Belknap
2 Indian community, are still going to be left without viable
3 input into the Harlem school system, a system that has 70%
4 Indian student enrollment. Thank you very much.

5 MRS. BABCOCK: Thank you very much. At this time I would like
6 to present Mr. Garry McGuire, and he represents School District
7 #12.

8 MR. MCGUIRE: Good morning, ladies and gentlemen. I would like
9 to extend a welcome to the community to attend this forum, and
10 express my gratitude for the chance to speak here. Okay. The
11 election procedure, school election days is established in
12 this community, in this district, it is the first Tuesday of
13 April. Okay. Qualifications to be a candidate. Be of lawful
14 age, qualified to vote in the district and be nominated by
15 five qualified electors of the electors of the district. Once
16 these qualifications are met, the candidate must be submitted
17 to the district clerk no less than 20 days before election.
18 Okay. Then the election is held. Okay. Voters go to the
19 polls in various residential locations. Voters are tabulated.
20 The district's positions are filled on the majority, the
21 person receiving the most votes then fills the first position.
22 If there are two positions, then the person receiving the
23 next number. Okay. These are the basic legal requirements,,
24 I guess, of the elections. I believe the candidates primary
25 concerns are and should be education of the children of the

1 district. Representation on the school board is thusly deter-
2 mined by popular vote. The school board at the present time
3 has created a position as an ex-officio position that we
4 offered the tribe to fill. It is a non-voting position, but
5 definitely will be. We gladly receive input and will be
6 impacted in formulating board policy. The board feels and I
7 feel personally that this position could be quite advantageous
8 to both entities. We are governed by law. How the people are
9 elected to the board, school board of District #12, and so
10 this is as far as we can go. At this time also the school
11 board is sending the packet which is the same packet the
12 board members receive prior to board meetings. We send this
13 packet to the tribal council. In this packet, there is meet-
14 ing notifications, times, and the agenda to be covered. When
15 we were considering candidates for superintendent of Harlem
16 schools, once we elected Mr. Ranta, the board presented him
17 with three major concerns that we needed to improve in. Okay.
18 The first one was academic standing of the Harlem high school.
19 To improve relations between the district community and the
20 Fort Belknap community. And to improve discipline within our
21 school system. These are no small tasks, and at this time
22 since we have, Mr. Ranta has been on the job, I believe he is
23 doing, making quite a few strides in these areas. And that's
24 about all I have in my presentation. Thank you for your time.
25 MRS. BABCOCK: Thank you.

1 MR. KEATING: May we ask questions after the presentation, or
2 should we wait until--

3 MRS. BABCOCK: I believe it would be understood all the
4 speakers--

5 MR. MULDROW: I would think we could ask questions after each
6 speaker.

7 MR. BEHEGAS: That was my impression.

8 MR. KEATING: Madame Chairman. Mr. McGuire, if I may, how
9 many members are on the school board, how many members are
10 elected to the school board?

11 MR. MCGUIRE: Five members.

12 MR. KEATING: And does anybody have a map of the district
13 showing what is included in the way of reservation and Harlem?

14 MR. MCGUIRE: Acreage wise?

15 MR. KEATING: Yes. Something which would show the geography
16 of the school district.

17 MR. GRAY: We can provide that for you. It will just take a
18 few minutes to get that.

19 MR. MCGUIRE: Any other?

20 MRS. BABCOCK: Any other questions?

21 MRS. TRAVIS: Mr. McGuire, you didn't give us a description or
22 biography of yourself, and I would like to know--Mr. Plumage
23 provided us with information about his children and a bit of
24 his background. So I would like to know, do you have children?

25 MR. MCGUIRE: Yes, ma'am. I have four children in the school

1 district at this time.

2 MRS. TRAVIS: And you have children who attend in School Dis-
3 trict #12?

4 MR. MCGUIRE: Yes. I have four that attend in School District
5 #12. I was born and raised in this district. Military ser-
6 vice was probably the only time I have been gone for any
7 period. I have been employed locally most of my life, and at
8 the present time I am employed at Zortman-Landusky Mining in
9 the Little Rocky Mountains outside, out here.

10 MRS. TRAVIS: And could I impose upon you and ask what were
11 your reasons for filing for the local election?

12 MR. MCGUIRE: Okay. My reason for filing for the local elec-
13 tion was concern for the education of our children and con-
14 cerned that the district, I wanted to have my input into the
15 educational system, and hopefully improved relations with the
16 reservation because we do get a lot of money from the reserva-
17 tion to run our school district.

18 MRS. TRAVIS: So you were concerned about the Indian children
19 as well?

20 MR. MCGUIRE: Yes, ma'am. My major concern was the education
21 of the children, all the children of the district.

22 MRS. TRAVIS: So you intended to address their concerns?

23 MR. MCGUIRE: Yes, ma'am. To the best of my ability. And I
24 still do.

25 MRS. BABCOCK: Are there any other questions?

1 MR. PEREZ: Yes. I have a question. I would like to know
2 when they established this position, was that last week?

3 MR. MCGUIRE: It was at a meeting, Randy, and I don't remember
4 who all--

5 MR. PEREZ: Because they never had it before.

6 MR. MCGUIRE: No. It was established. I can't remember which
7 meeting. It was probably two meetings ago in August, I believe.
8 I don't recall which day. It's in the minutes of the meeting.

9 MR. PEREZ: But with no voting power, what kind of significance
10 do you think a position like that has?

11 MR. MCGUIRE: Well, the significance would be the input, we
12 felt, directly from the tribe, and input on policy making.

13 MR. PEREZ: I think you have significant input as, because
14 you have an employee over there, Mr. Stiffarm, who has direct
15 input into what the reservations concerns are, and you have
16 input through Judy Gray to Emery, and the education committee.
17 They send all of that stuff over there and you still have it,
18 but it's never heeded.

19 MR. MCGUIRE: Well, I can't answer for the previous times.

20 MR. PEREZ: What I am trying to say is that if the concern is
21 there and the concern is so great, why don't you let them vote
22 on some of these issues.

23 MR. MCGUIRE: By state law.

24 MRS. BABCOCK: I think we will have to wait for any further
25 comments until after the rest of the speakers, please.

1 MR. MULDROW: I would like to ask a question of Mr. Plumage.
2 It was not--you indicated that eligible voters proportion is
3 62% from the Harlem community and 38% from the Agency?

4 MR. PLUMAGE: From the Harlem precinct and one precinct in
5 the Fort Belknap.

6 MR. MULDROW: Are you making a suggestion as to how to change
7 election procedures to make it more possible for representa-
8 tives from the Belknap Agency to be elected?

9 MR. PLUMAGE: Yes. We were going to address that, but the
10 situation that exists in Harlem at the present time, and that's
11 why I concluded with having, asking this committee to propose
12 to the Justice Department to file a civil rights suit based
13 on violations of the Voting Rights Act of 1965. Similar suits
14 have been filed through the United States. Just recently.
15 And I am using a paper called the Forum, which comes out of
16 Fargo-Moorhead. There is a statement in here, that states
17 three U.S. Civil District criminal suits filed by the Justice
18 Department brought their suits Thursday against the Georgia
19 school board and New Mexico school board and county commis-
20 sioners to overturn the voting system. It said discrimina-
21 tion against blacks and Hispanics in a civil suit filed in
22 U.S. District Court for the Southern District of Georgia.
23 The Department of Civil Rights Division asked the court to
24 declare that Wilkes County Board of Education single district
25 voting representations system violates the provisions of the

1 Voting Rights Act of 1965. They filed a similar suit in New
2 Mexico. And this single district representation is exactly
3 the same thing we have here.

4 MR. MULDROW: That was my question. For clarification, all
5 candidates are elected from a single district at large.

6 MR. PLUMAGE: Yes. I would like to briefly comment on this
7 ex-officio board seat. In last January, 1985, when the legis-
8 lature was in session, the Montana state legislature was in
9 session, a number of us, in fact, requested the school board
10 for support in helping for, their support, if they would pass
11 a resolution of support for us, we were going to approach the
12 state legislature about this very issue in the single voting
13 district in an attempt to get it re-districted. We got no
14 resolution of support from the school board.

15 MRS. TRAVIS: Could I ask a question?

16 MRS. BABCOCK: I believe we will hold the rest of the questions
17 until the end, and each party will have an opportunity to sum-
18 marize. And then we will open it for questions. I would like
19 at this time to call on Judy Gray, and she represents the Fort
20 Belknap Indian community.

21 MRS. GRAY: I am really glad to see you here today. I know it
22 was a long drive. We were up bright and early, ourselves,
23 this morning. I imagine about the same time that you were up,
24 getting prepared for this. The position that I am going to be
25 covering initially relates to employment. Harlem school dis-

1 trict is one of the largest employers in the town of Harlem,
2 Montana. As an employer, Harlem school district has a policy
3 of affirmative action. This policy was adopted in the spring
4 of '85, reads, and I quote, "It is the policy of this school
5 district to insure that all employees and all applicants for
6 employment are treated equally without regard to their race,
7 color, religion, national origin, age, marital status, ancestry,
8 receipt of public assistance, political beliefs, physical or
9 mental handicaps, unless physical or mental handicaps related
10 to bona fide occupational requirements. With this policy,
11 Harlem has accepted a legal responsibility that basically allows
12 for the opportunity for employment to all people. As an
13 employer, the school is in the business to produce learning.
14 This learning is to be provided to a total student enrollment
15 of approximately five hundred and ninety (590) students, with
16 an Indian student population of four hundred and twenty-three
17 (423), and non Indian student population of one hundred and
18 sixty-seven (167). Because this years student enrollment
19 figures were not yet available, the figures I just cited were
20 for the school year '84-85. Indian parents became very con-
21 cerned because we found that many Indian children were not
22 learning in the Harlem School District #12. Initially, the
23 school pressured the tribe to have a truant officer respond
24 to Indian children's absenteeism. As Indian parents we joined
25 in this request to the tribe that a person be designated to

1 respond to this concern. However, it was also at that point
2 that we began to discover that Indian parents and Indian child-
3 ren had many concerns regarding the education being received
4 in the Harlem school system. In discussing with Indian parents
5 why their children were absent from school, we found that,
6 number 1, the majority of the Indian children were failing
7 academically. Number 2, Indian parents related incidents
8 where insensitivity was displayed in regard to their Indian
9 background. Children listened to teachers, refer to Indians
10 as Yay-hoos and He-yas. I suppose this was in regard to our
11 treaty in D.C.. Many of the negative statements were made in
12 the classroom regarding Indian people not paying taxes. And
13 Indian children receiving free lunches. We are submitting a
14 copy of a letter signed by Emery F. Gray on January 28, 1980,
15 to the school board chairman explaining the situation further.
16 one of the remarks that was contained in the body of this
17 letter states, "If you kids don't straighten up and do your
18 school work, you will turn out to be a bunch of bums, and it
19 is the working man like me that will have to support you and
20 pay for the free lunches of your children." In regard to the
21 concern of the disproportionate number of Indian students
22 being deficient, we researched the following statistics. I
23 also would like to pass out a copy of the graph that Mr.
24 Plumage is going to illustrate. The statistics will be avail-
25 able to you as I refer to them. For the two years that we

1 addressed the school year, '83-84 and school year '84-85, in
2 the form that is in front of you on the lefthand column where
3 it says total deficient, this is the total number of Indian
4 children and non Indian children who were deficient for the
5 elementary. The middle column are the total number of Indians
6 who were deficient, and the percentage on the righthand column
7 states the total number of percentage of Indian children who
8 are deficient. If you will keep the handout, I am going to
9 refer to that later. Excuse me. I gave you a different hand-
10 out. I will refer to the graph which Mr. Plumage will assist
11 me with. During elementary, for the elementary student during
12 school year '83-84, in the first quarter, there were, in the
13 first quarter, there were fifty-eight (58) total children who
14 were deficient. Out of this fifty-eight (58), there were
15 fifty-five (55) children, or 95% Indian students were repre-
16 sented in the deficiency lists. In the second quarter, there
17 was a total of sixty-three (63) students who were deficient.
18 Of this total, there were fifty-eight (58) Indian children
19 who were deficient. This represented 92%. In the third
20 quarter there were a total of seventy-two (72) children who
21 were deficient.

22 MR. PLUMAGE: The graph we showed the first quarter of '83-84,
23 there were fifty-eight (58) total deficient on the deficiency
24 list in Harlem. Of the fifty-eight (58), fifty-five (55) of
25 them were Indians, which was 95%. Three were non Indian.

1 The second quarter elementary, there were fifty-five (55)
2 total on the deficiency list. Fifty (50) of them were Indians.
3 Non Indian five (5). 92% of the deficiency list during the
4 second quarter was Indian. In the third quarter, there was a
5 total of seventy-two (72) Indians or seventy-two (72) indi-
6 viduals on the deficiency list. Sixty-nine (69) of them were
7 Indians which was 96% of the deficiency list. In the high
8 school during '83-84, there was a total of eighty-three (83),
9 and of the 83, sixty-five (65), or 69.3% of the deficiency
10 list was Indian. There was forty-nine (49) on the deficiency
11 list during the second quarter. Thirty-four (34) of them were
12 Indians, 69.3%. In the third quarter there was a total of
13 seventy-four (74), 61% of the deficiency list, or sixty-one
14 (61) Indians on the deficiency list in the third quarter,
15 83% of the deficiency. In the elementary '84-85, in the
16 elementary there was eighty-five (85) total, sixty-one (61)
17 on the deficiency list, fifty-four (54) of those were Indians,
18 which was 89% of the deficiency list. In '84-85, again in
19 the second six weeks there were fifty-five (55) on the defi-
20 ciency list. Forty-seven (47) of those were Indians which
21 made up 85% of the deficiency list. During the third six
22 week period there were seventy (70) on the deficiency list.
23 Sixty-eight (68) of them were Indians, which was 95% of the
24 deficiency. In the high school there were fifty (50) on the
25 deficiency list. Forty-three (43) of those were Indians,

1 which is 86% of the deficiency list. During the second nine
2 week period there was fifty-five (55) on the deficiency list.
3 Ninety-four (94) of those were Indian. 89% of the deficiency
4 list.

5 MRS. GRAY: After reviewing these figures, it is easy to see
6 that our concern as Indian parents have become even stronger.
7 Again, this is what we found upon investigating the first
8 concern I mentioned earlier. Basically the second concern
9 was insensitivity that our children were being subjected to
10 in the school. This concern led us to the issue of employment
11 and specifically what was the status of Indian employment in
12 the school system. As I stated earlier, Harlem has the affirm-
13 ative action plan. During the school board meeting, during
14 school year 1984-85, the high school principal stated that
15 the school was actively recruiting Indian teachers, but the
16 school could not compete with the Bureau of Indian Affairs or
17 other agencies when salary was discussed. At this meeting
18 were requested that they name qualified Indian teachers who
19 had been recruited, offered a job, and who had turned down
20 the job because of the better paying job with the BIA or other
21 agency. The school board and the school administration could
22 not produce any names. However, there were two Harlem teachers
23 in the audience who remembered that Roy Door, a member of the
24 Blackfeet tribe, had left the school district for a job with
25 the BIA. We would like to point out that Mr. Door taught in

1 the Harlem school during school year '70-71, which had been
2 fourteen years ago. There were Indian people who had wished
3 to teach in the Harlem school district but received no consid-
4 eration. We are submitting letters of documentation from some
5 of these individuals. For those few Indian people who were
6 hired and who could be counted in affirmative action statistics,
7 we became aware of the frailty of their employment. During
8 school year '84-85, Mrs. Roberta Bell was in her second year
9 of employment in the Harlem school system, and had established
10 a good work record. Mrs. Roberta Bell, an enrolled member of
11 the reservation, was asked to resign by the high school prin-
12 cipal in her position as grade school counselor. Mrs. Bell
13 had worked diligently to help the students achieve. The pri-
14 mary problem was Mrs. Bell was lacking some credits in the
15 counseling area. The school made no offer to allow--excuse
16 me, the school made no offer to allow Mrs. Bell time to
17 acquire these needed courses. The previous high school coun-
18 selor, who was the male caucasian, had worked for the school
19 system for twelve years without being a certified counselor.
20 Because the Indian parents felt that an injustice was being
21 done by the school requesting Mrs. Bell to resign, the
22 Indian parents attended the school board meeting regarding
23 this issue. The atmosphere of this meeting was highly intense,
24 and Mrs. Bell was allowed to remain on staff only because of
25 a technicality. Only after the Indian parents pointed out to

1 the school board that they did not give written notice to Mrs.
2 Bell by the legal deadline of April 15, as required by the
3 state of Montana, that the school board acknowledged that they
4 had to continue Mrs. Bell's employment. Mrs. Bell has now
5 completed the necessary college courses for her certification.
6 We submit the following breakdown of Indian employees in the
7 Harlem school system since school year '78-80. We have the
8 employee by the source of funding separate. This is an
9 important distinction. Since it is a well-known fact that
10 Federal dollars for special programs are funded only on a
11 year by year basis. The majority of the Indian employees who
12 were and are currently hired are funded by Federal dollars
13 provided by the Title IV program. Title IV is a special
14 Indian education program that is used to meet the unmet needs
15 of Indian children. Title IV was brought to School District
16 #12 through efforts of Indian parents, and you will hear more
17 of the history of the Title IV program in individual testimony.
18 It should be noted that School District #12 did not initially
19 support this program. You should keep this in mind when
20 reviewing the breakdown Indian employees in the Harlem school
21 system, which I will now provide. That is the handout that
22 I provided to you earlier. The C by the names denotes that
23 individual is a certified teacher. In school year '79-80,
24 there were no Indian teachers or Indian personnel that were
25 funded by district funds. There were two teachers that were

1 funded through one of the Federal programs. In school year
2 '80/81, again there were no Indian personnel funded with
3 district funds. There were three Indian staff funded through
4 programs, one of which was a certified teacher. In school
5 year '81/82, there was one employee who is Indian who was
6 hired through district funds. There were five employees,
7 Indian employees who were hired through Federal funds. One
8 of these employees was a certified teacher. In school year
9 '82/83, there was one Indian teacher funded with district
10 money. There were seven Indian employees funded with Federal
11 funds in school year '82/83. In school year 83/84, there
12 was one employee who was funded with district funds, and I
13 wish to call your attention to the fact that this woman who
14 was hired with district funds was hired as an aide, although
15 she was a certified teacher. There were six Indian employees
16 who were hired with Federal funds, two of which were certified
17 teachers. And in school year '84/85, there were four Indian
18 employees who were hired with district funds. Two of these
19 were certified teachers. And there were seven Indian employees
20 who were hired with Federal funds. Of these seven, three were
21 certified teachers. In school year '85/86, there are cur-
22 rently seven Indian employees who have been hired with dis-
23 trict funds. Of this seven, there are five who are certified
24 teachers, but again I would like to call your attention to
25 the fact that one of these certified teachers, who is Indian,

1 has been hired as an aide. For this present school year,
2 there are seven Indian employees who were hired with district,
3 with Federal funds. Of the seven, three are certified teachers.
4 In reviewing school employees for '85/86, we find that there
5 are approximately seventy-seven (77) employees. All school
6 employees, and I repeat, all school employees except Title IV
7 staff, of which there are four Indian employees, receive
8 health benefits as employees of School District #12. Further,
9 since Title IV has been in the school district, Title IV
10 employees have never received this benefit from the school
11 district. I know that as members of the Civil Rights Commis-
12 sion, you are familiar with discriminatory action, where an
13 historical pattern has been established. Upon examining the
14 pattern of employment for School District #12, it is evident
15 that certified Indian teachers have been hired in the capacity
16 of aides with greatly reduced salary of an aide. In 1976,
17 Rhonda Langford applied for a teaching position but was told
18 all positions were filled, but she could apply as an aide.
19 Leona Kennenberger, tribal descendent was employed for four
20 years as an aide before she was finally hired as a teacher.
21 Mrs. Carol Doney, a tribal resident, worked briefly as a certi-
22 fied teacher during school year '84/85, but was let go as an
23 employee by the district. Mrs. Doney has been rehired this
24 year but in the capacity of an aid. While all this informa-
25 tion is of utmost importance in looking at the employment

1 picture, we feel that there is an even greater consideration.
2 Look at this employment picture from the Indian children's
3 eyes. It is vital that they have Indian role models to pro-
4 vide inspiration to the children's self esteem. And to have
5 sensitivity to Indian values and culture. You will have an
6 opportunity to hear testimony that expands further on some
7 of these issues presented. These will include no affirmative
8 action plan in School District #12. You will have a letter
9 which reflects that matter. Indian teachers who have been
10 considered for employment and additional concern that Indian
11 parents expressed in the school district violated, which
12 violated their children's rights was that of confidential.
13 Indian parents who had children receiving deficiency grades
14 were being approached by a young lady by the name of Shelley
15 Lavender. While Mrs. Lavender was not a district employee,
16 she was given access to this confidential information. That
17 was a clear violation, as the school policy states, and I
18 quote, "A school may not release a student's records to any
19 other person, agency or organization without the consent of
20 the parents, unless the student is 18 years of age, whereby
21 their consent is necessary." At this time this next area
22 that needs to be presented, I will need the assistance of Mr.
23 Plumage to conclude this portion.

24 MR. PLUMAGE: One other area on the affirmative action that
25 I would like to point out, I think it's very important we

1 have letters, I think all of it, the letters of the Harlem
2 public school, it says affirmative actions on employer. I
3 would like to submit at this time for the record a signed
4 statement to the Montana Advisory Commission to the Civil
5 Rights Commission on the civil rights. "Dear Committee Members:
6 This is a statement concerning affirmative action initiated
7 by the Harlem School District Board of Trustees during the
8 four years July, 1980 to June, 1984, which I served as district
9 superintendent. No program of affirmative action was estab-
10 lished during that time period. There were no quotas or goals
11 established with regard to employment of Native Americans."
12 There is another paragraph here, but I think that is the
13 important paragraph that we respectively submit by Dale Hoop,
14 who was the superintendent at the Harlem school, that he
15 stated they had affirmative action. He was the superintendent.
16 He said they did. They did not. No. What I would like to
17 present to you now is a lot of statistics that have to do,
18 deal with other violations that we received. And a lot of
19 them have to do with public law 81-874, which is impact aid.
20 And they say that they have the violations, I will submit it
21 to you in written testimony in the interests of time. But
22 one of the things I would like to point out is that they
23 tremendous impact of public law 874 on the school district.
24 We are constantly told that we are a burden to the local
25 school district because we are not legitimate taxpayers. In

1 fact, what we objected to the language was in the 815 applica-
2 tion, the language in the 815 application said that because of
3 the impact of non tax Federal Indian students, the local school
4 district was a slave to the Federal government because of the
5 heavy impact of non taxed Indian students. I would like to
6 point out some figures for you very quickly so you can see the
7 figures bear that out. These are graphs of various school
8 budgets and presented to the budgets, Federal monies, voting
9 levy and the actual assessed levy. The high school and the
10 elementary. I will use--both of the graphs are basically
11 the same percentages. I will use the grade school graph to
12 point out some very quick things and then we will be done.
13 In the 1980-81 school year, orange denotes Federal dollars.
14 Yellow denotes voted levy. Purple was the levy actually
15 assessed. And again--

16 MRS. BABCOCK: The senator would like to ask you a question.

17 MR. KEATING: Are there any state monies?

18 MR. PLUMAGE: Yes.

19 MR. KEATING: The school foundation program money?

20 MR. PLUMAGE: Yes.

21 MR. KEATING: Is that in your graph?

22 MR. PLUMAGE: No. It's not in our graph, but I have the
23 actual, all of these figures are figures that were gotten
24 from the national trustees.

25 MR. KEATING: I understand that. I am curious why you don't

1 have the school foundation or the state?

2 MR. PLUMAGE: I was going to mention that, in fact. These
3 figures are not the actual amount of dollars that Indian
4 students help into the Harlem school system, because, in fact,
5 70% of the state equalization money is brought into the Harlem
6 school because of Indian children, also. But we are only
7 talking about the 874 dollars at this point, but I could supply
8 you those figures that you want.

9 MR. KEATING: I will just keep it in mind as a part of the
10 package.

11 MR. PLUMAGE: Okay. Orange is Federal dollars. Yellow is
12 voted levy. Purple is the actual assessed levy. During the
13 1980/81 school year, there was two hundred and fifty-four
14 thousand five hundred and four dollars (\$154,504) of Federal
15 dollars that came in, 874 dollars, which amounted to 56% of
16 the actual expenses of School District #12. The voted levy
17 this year was two hundred and eight thousand five hundred and
18 four dollars (\$208,504). However, what was actually assessed
19 the voters in School District #12 was twenty-three thousand
20 two hundred and ninety-eight dollars (\$23,298) or 3.4% of
21 their actual expenditures. In 1981-82, there was two hundred
22 and ten thousand fifty-seven dollars (\$210,057) that came in
23 in 874. The voted levy was two hundred and fifty thousand
24 dollars (\$250,000). The actual assessed levy was a hundred
25 and seven dollars (\$107.00). 874 money accounted for 24% of

1 the budgets of the actual expenditure. The City's levy was
2 12.7. In '82/83, there was two hundred and thirty-six thousand
3 one hundred and fifty-nine (\$236,159) or 35.7% of their actual
4 expenditure was 874 money. The voted levy was a hundred and
5 sixty, two o three (\$160,203). What was actually assessed was
6 eighty thousand and three dollars (\$80,003). Or 8.4% of their
7 actual expenditures. In '83/84, 874 dollars, four hundred and
8 eighty-six thousand seven hundred and sixty-nine dollars
9 (\$486,769). 47.9% of their actual expenditures were 874
10 dollars. The voted levy was a hundred and sixty thousand
11 two hundred and three dollars (\$16,203). What was actually
12 assessed, forty-seven nine forty (\$47,940). 4.7% of their
13 actual expenditures. 1984/85, the last school year, seven
14 hundred and forty-nine thousand twenty-three dollars (\$749,023)
15 was the 874. That amounted to 67.8% of their actual expenses.
16 The voted levy, a hundred and sixty thousand two hundred
17 dollars (\$160,200). What was actually assessed, three thou-
18 sand eight hundred and eighty-one dollars (\$3,881) for the
19 elementary. That amounted to .003. Less than 1% of their
20 actual expenses, and yet we are told that we are a burden to
21 the Harlem school system. The facts do not bear that out.
22 In fact, the re-appropriated total amount of tax re-appropri-
23 ated from 1981 until the end of the last school year from the
24 Harlem school district budget for the elementary was one
25 million three hundred and seventy-three dollars, three hundred

1 and seventy-three thousand four hundred and seventy-three
2 dollars.

3 MRS. BABCOCK: We have one more question from the senator.

4 MR. KEATING: In order to understand that, you are talking
5 about the voted levy in yellow?

6 MR. PLUMAGE: Yes.

7 MR. KEATING: And only a portion of the voted levy was actually
8 raised?

9 MR. PLUMAGE: Yes.

10 MR. KEATING: So if the entire voted levy was used, is what
11 you are saying?

12 MR. PLUMAGE: No.

13 MR. KEATING: But then what is the permissive levy that the
14 school board applies for expenditures that is not shown on
15 the graph?

16 MR. PLUMAGE: I don't know that, sir.

17 MR. KEATING: Okay. But what is not shown on the graph then
18 is the school foundation program portion plus the permissive
19 levy which is assessed by the school board without a vote. Is
20 there somebody from the school board here that could answer my
21 question?

22 MR. MCGUIRE: I don't know, Senator.

23 MR. PLUMAGE: Mr. Frey is back here.

24 MR. KEATING: I don't need the percentage. What I am asking is
25 you have a state assessment through the school foundation pro-

1 gram that you receive, and then you have a permissive levy
2 that you assess before you go to a voted levy?

3 MR. MCGUIRE: Yes.

4 MR. KEATING: Is the permissive levy larger than the voted
5 levy?

6 MR. RANTA: I cannot answer that. I am sure that is the
7 maximum.

8 MR. KEATING: Do you use the permissive levy to its maximum
9 before you go to the voted levy, is that right?

10 MR. RANTA: Yes.

11 MR. KEATING: Fine. Thank you.

12 MR. PLUMAGE: We have the '83/84 one that ended last year.

13 MRS. BABCOCK: At this moment we are going to call about a
14 three minute recess.

15 (Recess taken)

16 MRS. BABCOCK: We will call this meeting back to order, please.

17 MRS. GRAY: Our chairman has requested that this meeting please
18 resume. Could you take your seats, please. Thank you, very
19 much.

20 MRS. BABCOCK: There was some interruption, so we will allow
21 Judy about one minute, and then we will also have, allow more
22 time.

23 MRS. GRAY: In conclusion, I would like to call the commission's
24 attention to a recent article in the Great Falls Tribune. It's
25 captioned "Indian-school funds may be in danger. Federal funds

1 going to Indian school districts may be in jeopardy if a law-
2 suit successfully overturns the state's method of funding pub-
3 lic school, an interim legislative committee was told Friday.
4 Last fiscal year, Indian school districts in Montana received
5 twenty-two million dollars (\$22,000,000) in Federal Impact Aid,
6 Rick Bartos, an attorney for the office of Public Instruction,
7 told the legislative committee on Indian affairs. If the
8 state loses the lawsuit, a court might order that some of the
9 Indian impact money go to a pool and be divided among all
10 school districts across the state to equalize educational
11 funding, according to another OPI attorney, John Larson. "We
12 believe there is a threat of using some of the impact aid to
13 equalize funding, Larson said." This issue of funding is very
14 critical to us. It would be very critical to the Harlem
15 school district. They know you have a carry over of approxi-
16 mately two million dollars (\$2,000,000). If this Federal
17 dollars, Federal impact money was divided among all school
18 districts, that cushion would no longer be available to the
19 Harlem school district. These funds should rightfully be pro-
20 vided that those educational funds, opportunities to our
21 children. I thank you very much for your time.

22 MR. MULDROW: What is the date on the article?

23 MRS. GRAY: The date of the article is September 7, 1985.

24 MRS. TRAVIS: The page number?

25 MRS. GRAY: The page number is 11-A.

1 MRS. BABCOCK: Thank you, Judy. At this time we will call
2 on superintendent Roger Ranta.

3 MR. RANTA: Thank you for the break. I appreciate the oppor-
4 tunity to be here, and I know that it's an imposition on your
5 time to be here. To devote as much as your time as you do to
6 the functions that we hope help us all. I wanted to touch
7 just a couple of things and not in any sense of a debate, but
8 we have heard several comments about carry over and the dis-
9 trict is in good financial condition. But one of the numbers
10 that is being included as a carry over is the PL-874. That is
11 received, the PL-874 funds have been received during 1984-85
12 are carried as accounts receivable for '85-86. So it isn't,
13 it's cash in hand, and yes, it is carried over, but it is
14 applied to the budget this year so it's not free money. It's
15 not unapplied money. The other thing I would just touch on a
16 little bit, in the area of personnel, that we also have, we
17 hired at least one, I am not certain of some of these others,
18 but I hadn't taken the time to research it. We hired also this
19 year, a non Indian person who is a certified teacher, as an
20 aide. There may be others. What we try to do is hire the
21 best person that is available for the opening that we have.
22 The place where I would like to start in talking about the,
23 Mr. McGuire mentioned, the board asked me to try, not to try,
24 but to accomplish three things. And one of the necessities in
25 education is that we tend to treat it as a group of individual

1 activities. There is curriculum, personnel, budget. There is
2 carry over. In fact, a school is a single business. All of
3 the parts need to contribute to each other if we are going to
4 have a good school system. The first, basically, a three step
5 process. It's a continuous process. But the first thing that
6 we start out with is just getting the system organized, just
7 like any business, to find out whose job is what, what they
8 are responsible for. What the business manager does, what the
9 teacher does, what the custodian does, what the bus driver
10 does. You have all heard the comment that nature abhors a
11 vacuum, and in any school district or any organization where
12 there is not structure, people do those things that they per-
13 ceive as is needed. The other part of that has to do with
14 Parkinson's law that they do the things they prefer to do
15 first. And then the things that must be done. They tend to.
16 So the first thing you need to do is to have them, if you are
17 concerned about children, and I am, and I believe that most
18 of the people, all of the people here are, the first thing
19 you do is provide structure and organization. So that we get
20 people doing what should be done and not doing things that are
21 best done by other people. We bring so much energy to a school
22 district, to any job. And that's all there is. And if they
23 are not focused upon the things that need to be done, then it's
24 basically wasted. But you don't get any more just because you
25 wasted it. Once the jobs are identified and defined, and I am

1 not talking about perfection, all I am doing is saying we do
2 the best we can and there is some room for improvement in
3 almost every district. The next step is to establish a bud-
4 get. Now we have heard a lot about the budget, but we have
5 heard a lot about money, but not how it applies to education
6 or how it can be made to apply to education. Our budgeting
7 system, like our job descriptions, can stand improvement. And
8 we will do that, also. One of the things that we are talking
9 about children, and I am, one of the things when you look at
10 teachers on the jobs that they are expected to fulfill, if in
11 your job, you couldn't control the people that you are expected
12 to work with, the children, you don't have very much to say
13 about what is purchased. One of the truisms of budgeting is
14 the fact that most budgets do not define what we are going to
15 provide for any structural area during the next year. Most of
16 them are just amounts of money that are aimed in a general
17 direction. And what really happens in Harlem is, in Billings
18 or in San Francisco, is that if that is not defined and the
19 person who gets to approve requisitions or purchases has some
20 bad experience during the day, the next requisition that comes
21 before that person probably isn't going to be approved, and
22 it doesn't have much to do with education, but that's a fact.
23 And it happens again and again. So the next step is to define
24 the budgeting system that allows us to spell out what we are
25 going to do and how we are going to apply the money. You can't

1 just throw money at a problem. It doesn't work. It may please
2 some people to spend money. It's a lot of fun to spend some-
3 body else's money, but the fact is it doesn't solve any prob-
4 lems for children many times. When we define a budget, the
5 next thing we need, we are talking about teachers for just a
6 moment in the problem. I started that a moment ago, and I got
7 sidetracked, so forgive me on that. Teachers do not, when
8 people can't control the project, they don't control the funds.
9 Most of the time we don't define what they want them to accom-
10 plish. Teachers really rarely get an opportunity to succeed.
11 Whatever they do, we always want more. It's never enough, and
12 they know it. Beyond that is the fact that they are probably,
13 if you took the five best teachers in Montana, or the five
14 best teachers anyplace and gave them exactly the same students
15 exactly the same assignment, they would all do it in a differ-
16 ent way, and they wouldn't all be successful. If we are to
17 use, we were to use the creative, the expertise, the knowledge,
18 all the good that teachers bring to the school system, we need
19 to let them help us define what we are trying to accomplish.
20 Do it in a way that best suits them, but which also need a
21 continuance to that the next teacher knows where the children,
22 approximately where they are going to be when they receive it.
23 But, in fact, there should be as individualized as we talk
24 about individualized instruction. We need an individualization
25 of the classroom so that we can benefit from that. But we

1 also need a continuance. One of the best words is the vacuum
2 based curriculum. Basically, what it all means is define what
3 we want the children to learn and then tie that together with
4 a budgeting system that identifies how we are going to spend
5 our money, where we are going to spend it and we ask the
6 teachers one of the things that is true of me, and I hope it's
7 true of most of the people here, is that if you ask me to do
8 something and I don't know how to do it, or tell me more
9 particularly, I will ask you how. A teacher is at least that
10 smart. If you tell them to do something, they ask how. They
11 will try and try and they come back and say I surely think
12 that's a good idea. Tell me again. And we never feel the
13 children never learn. If we involved teachers then in the
14 decision making process and allow them an opportunity to help
15 decide what we are going to do, we can and we have this out-
16 come based curriculum, we can ask them how we can accomplish
17 it. We can work with them with the resources needed and then
18 we can get to delivering services to the children. We have
19 an opportunity to measure them. And we have an enthusiasm.
20 One of the finest things that happens to most people is when
21 they finally get an opportunity to use this thing up here to
22 really be responsible for it. When teachers have that, we
23 have a curriculum and we have a budget. We begin solving
24 the problems that children have. It takes time. It's a
25 three year process. I have a, just in that one thought, we

1 have an Apple computer in our office that we use for word
2 processing. It has a hard disc drive. I am not sure exactly
3 what it means. All I know it has a red light and the machine,
4 on the display said push return when ready. And the light
5 starts blinking and finally it comes on, continuously. Then
6 it's ready. Well, I get in a hurry when I, or when I first
7 came here. Still am a little bit. And I push the button and
8 said maybe I can cheat a little, and I got to start all over.
9 I had to go back to square 1, and the light goes out and it
10 starts printing. You can't cheat. There is no simple way.
11 There is no quick way to solve educational problems. They
12 can be solved. The board wants very much to solve them. The
13 conversations I have had with people in this community, and
14 I use community including Fort Belknap and Harlem, is that
15 they want good education. It's available. It takes time.
16 It can be done. Thank you.

17 MRS. BABCOCK: I think at this time I would ask the members
18 of the board if they have any questions of any of the speakers?

19 MRS. TRAVIS: I would like--you emphasized time in your present-
20 tation. And earlier we heard from Mr. Plumage, and he said,
21 I believe I have my notes here, he talked about 1921 and 1924
22 when the district, the Indians here were given their citizen-
23 ship. How much time do you think that the school district
24 will need, additional time? I figure from 1921 to 1985, in
25 1921 the allotment was made for land and twenty-one from

1 eighty-five, that's sixty-four (64) years. Do you think it
2 will be another sixty-four (64) years before you can get this
3 resolved?

4 MR. RANTA: I am not certain that I am qualified to address
5 the work resolved. I can tell you that it will take three years
6 or the better part of three years just briefly to review that.
7 Now, I am not suggesting for a moment that we are going to
8 solve all the problems. All I am saying is we will do a much
9 better job than we are not, but just reviewing that again
10 briefly, what we start out is to define the job. That
11 teachers are not doing the business manager's job. That the
12 business manager knows what that job is. The principal,
13 discipline, organization, handbooks, policies, all of those
14 things. Year 1. We introduce a budgeting process this year,
15 well, in January and February, which we adopt through '85
16 and '86. It won't work particularly well because people aren't
17 used to using it. But it will work very well for, and that's—
18 I am not talking about '85-86. Excuse me. '86-87. In '87-
19 88, it will work very well. And we can, like I said, I can
20 tell you that it will go faster than that, and we will show
21 improvement. And, well, you can't speed it up very much.
22 People have to--one of the problems, and I can't speak for
23 prior to July 1st, all I can talk about is I am here. This
24 is what we are going to do. And I should tell you in passing
25 that it's already been suggested a few times that I probably

1 won't be here next year. And that may very well be, and we
2 will start over again with someone else. The thing is if I
3 can tell you one thing about education is that the only
4 people that you can't force anyone to teach, you can't force
5 anyone to learn. And if teachers are going--if you expect
6 them to teach, you have to use some process as I have des-
7 cribed in order to get them involved in that. It isn't going
8 to work. You are going to start over and start over and
9 start over. You can do it as many times as you want, but
10 kids don't get to start over. They just get one shot.

11 MR. BEHEGAS: Do you have any remarks made by teachers to
12 these students, do you have any information on that, these
13 remarks that they made, what exactly do you have--

14 MR. RANTA: No.

15 MR. BEHEGAS: Information?

16 MR. RANTA: No. I do not have any personal information.

17 MR. BEHEGAS: If you do, what would be your--

18 MR. RANTA: We would address that and--

19 MR. BEHEGAS: It has never been brought to your attention
20 these kind of things been going on by the teachers?

21 MR. RANTA: I can tell you that I have observed some comments
22 that were not directed to students but were within the hearing
23 of students, and we have discussed that with them. They know
24 my feelings. It's not acceptable, I guess is what I would
25 like to say.

1 MR. BEHEGAS: There is a policy against teachers making these
2 kinds of comments?

3 MR. RANTA: I am not--policy has a very--

4 MR. BEHEGAS: In the school and on the job?

5 MR. RANTA: It's unacceptable. It's unacceptable.

6 MR. BEHEGAS: If one of the parents had something to say to a
7 teacher or principal or school board, or whatever, their kids
8 had been spoken to in that manner, this is more in our line
9 where we need to find out what is happening, those kind of
10 things, I think, have a great effect on these kids more than--

11 MR. RANTA: I understand that. Absolutely. All I can tell
12 you is that when it comes to my attention in any way, I have
13 addressed the problem and I can only think of a couple of
14 instances. It's unacceptable. I understand it is not unique
15 to this community. The concern parents have, or guardians
16 have over retribution or that sort of thing, and I will tell
17 you that I can't control all of that, but I can treat it
18 honestly and as well as I know how. We will deal with it.
19 We have had occasions, students, this is secondhand, but the
20 high school principal talking to some students, an Indian
21 child, and said they were treated differently, and in an
22 event that occurred, and he told them that was last year.
23 You get a straight shot. Whatever happens to one happens to
24 everybody. It takes some time to definitely establish
25 credibility, and I am not sure how much we have at this point.

1 But everybody gets treated the same.

2 MRS. BABCOCK: Anything?

3 MR. KEATING: Is Mr. Shuland still on the staff?

4 MR. RANTA: Shuland, I don't recognize the name.

5 MR. MCGUIRE: No. He is not.

6 MR. KEATING: Madame Chairman. Mr. Ranta, are the elected
7 members of the school board here today?

8 MR. RANTA: I know that three of them are here.

9 MR. KEATING: I wonder if they might identify themselves.

10 MR. RANTA: On the far right in the back row is Floyd Frey,
11 and next to him is Jack Siemens.

12 MR. KEATING: Mr. McGuire?

13 MR. MCGUIRE: Yes.

14 MR. KEATING: Madame Chairman, I would like to pursue a couple
15 of questions on the financing, if you please.

16 MRS. BABCOCK: All right.

17 MR. KEATING: I would like, if one of the school board members
18 who understand the application of the mill levy insofar as
19 taxation applies, could answer my question, please. Anyone to
20 handle that? Somebody that has been on the board for awhile.

21 MR. FREY: We will try.

22 MR. KEATING: All right. The presentation indicates that the,
23 I am going to deal with the voted levy. The permissive levy
24 is applied to the full extent. It appears on the sheet and
25 there is a permissive levy which is applied. The voted levy

1 then is used in the event there is a deficiency of funds from
2 the other sources. The voted levy has been excessive in each
3 of the years that was presented on the chart. In that the
4 assessment was less than the amount voted. So apparently the
5 voted levy was unnecessary. One of the questions I have is
6 why was the voted levy as high as it was if it was not fully
7 needed, and in some cases a very small portion of the voted
8 levy was assessed. So the cushion must have been pretty great,
9 and I am just curious from the school board's point of view
10 why have such a high amount on the voted levy if apparently
11 it's not going to be used?

12 MR. FREY: I don't think I could answer that.

13 MR. RANTA: I believe that that was the levy represents the
14 cash we appropriated. Voted authority.

15 MR. KEATING: That's what as appropriated. But according to
16 the chart, only a portion of it was actually assessed and
17 collected, which means a portion of the voted levy was not
18 collected.

19 MR. RANTA: There are two, the voted levy is authority to cash
20 carried over from the previous year must, prior to this year,
21 my understanding is that it needed to be voted in in order
22 for the board to have the authority to spend it. That is not
23 a levy. That is simply spending authority, and a portion of
24 that then was levied.

25 MR. KEATING: That's what I am talking about. The voted levy

1 is spending authority?

2 MR. RANTA: Yes.

3 MR. KEATING: Why is the request for the amount of the, the
4 receipt at the time of the levy so high if it's not being spent?

5 MR. ARCHAMBEAULT: I can answer that. They don't spend that
6 until they see how much money they can squeeze out of the
7 Indian program, and then they assess.

8 MR. KEATING: That's one answer. Mr. Ranta.

9 MR. RANTA: At the end of a budget year, they have a cash
10 carry over. They vote authority to spend that. Otherwise it
11 goes to what, goes to reduce taxes.

12 MR. KEATING: You are talking about the school board allows,
13 votes to spend the carry over money?

14 MR. RANTA: Yes.

15 MR. KEATING: But the voted levy is the people vote a tax upon
16 themselves to raise funds to finance the school? That's the
17 voted levy that I am talking about.

18 MR. RANTA: Isn't it true, and I am certain of my own grounds
19 at this point. Isn't it true that if they must vote a levy
20 amount which is a spending authority, if that dollar amount
21 is not available in cash, we appropriate then a portion of the
22 levy. My understanding, and I am not the right person to be
23 talking. There are other people particularly business managers
24 that are more knowledgeable than I am.

25 MR. KEATING: Is he here today?

1 MR. RANTA: No.

2 MR. FREY: We have been lowering it.

3 MR. KEATING: Madame Chairman, I have a followup on this. I
4 think this is an important part of the presentation here as I
5 see it, and I think the school board ought to have some answers
6 for this thing. But the other question I have then is the
7 accusation is there is a polarization in the voted levy, and
8 the statement by Mr. Plumage that the high numbers of Indian
9 votes is what carries the voted levy, which is a tax on the
10 people, themselves, the people chose to tax themselves addi-
11 tionally in order to finance the schools. And the accusation
12 is that the voters in Harlem are split, to some degree, with
13 the people voting against the levy, but enough voting with
14 the levy joined by the total number of Indian votes to carry
15 the voted levy. My question to the school board members is
16 it's a mill levy that is applied to taxable property. And
17 I am wondering what Indian property is taxable by the mill
18 levy and what non Indian property is taxable by, under that
19 mill levy. And my point, the point of my question is it's
20 only natural for a person to be cautious about imposing a
21 tax upon himself. Now if the mill levy does not apply to
22 Indian property, then the Indian vote is not a vote to tax
23 himself. But if it is a mill levy is applied to non Indian
24 property, then the non Indian may not want to vote the tax
25 on himself. Now I am trying to determine whether a man is

1 trying to protect himself from taxes or whether he is being
2 discriminatory. That's the purpose for this hearing is to
3 determine discrimination, and that's why I am asking that
4 question. And can anybody give me an answer?

5 MRS. BABCOCK: If you are going to answer, would you please
6 stand and state your name.

7 MR. FREY: The mill levy is on non Indian property. There is
8 no Indian property that is subject to it. I mean, unless it's
9 off the reservation. Off the reservation, I should have said
10 it that way. Nothing on the reservation is taxable. If they
11 own property off the reservation, then, of course, it's taxed.

12 MR. KEATING: All right. Maybe this--yes.

13 MR. GRAY: My name is Emery Gray. You will find, by looking
14 the financial reports submitted by the trustees each year that
15 all that money, for example, in the elementary budget, money
16 invested earns them twenty-nine thousand nine hundred and
17 fifty-nine dollars and fifty cents (\$29,959.50). That money
18 invested in the, excuse me, what is the high school fund there?
19 Now in the elementary, that money is invested, earned them a
20 total of sixty-five thousand three hundred eleven dollars and
21 nine cents (\$65,311.09). So that income from interest helped
22 them relieve their taxes again.

23 MR. KEATING: What does that have to do with the mill levy
24 question? My question was is there Indian property that is
25 taxed under the voted mill levy? That was my question.

1 MR. PLUMAGE: Yes. But not non, on the reservation. There
2 are Indian property owners that reside in Harlem.

3 MR. KEATING: They are citizens--

4 MR. PLUMAGE: We are citizens, too.

5 MR. KEATING: You are all citizens. I understand that. You
6 are citizens in Harlem that are Indians that own property
7 that may vote yeh or nay on that voted levy, and there are--

8 MR. PLUMAGE: Yes. There is no Federal property, Indian land
9 or Indian houses on Federal property that is taxed for mill
10 levy purposes.

11 MR. KEATING: But you aren't able to make a distinction on the
12 Harlem vote as to who is Indian and who is non Indian as they
13 vote on the, since it's a secret ballot?

14 MR. PLUMAGE: No. And prior to 1980, that's why we used 1980.
15 We were not able to determine how many, what was the Indian
16 vote as opposed to non Indian voters, either, but we did not
17 have a polling place right here. This is where we voted until
18 1980.

19 MR. KEATING: I mean the history of the vote is sufficient for
20 the last five years, I would think.

21 MR. PLUMAGE: Yes.

22 MR. KEATING: Okay. There is an awful lot of questions there.

23 MRS. BABCOCK: Mr. Speaker, I know I am not supposed to talk
24 too much, but as a member of the advisory committee, I would
25 like to ask Mr. Plumage one question. Were you able to cam-

1 paign in the Harlem area when you were running for the school
2 board?

3 MR. PLUMAGE: What happened on the last election thing, we
4 requested that we, meaning Judy Gray and myself, requested a
5 forum be put together so that we could address the issues that
6 we thought were important to the school, and yet Judy and my-
7 self were very active in bringing out some of these facts.
8 The question that Senator Keating raised as to why Harlem was
9 asking for a mill levy was one of the questions I asked. It
10 didn't appear to me that with the money, and I don't understand
11 totally the school financing. I will be the first to admit
12 that. I think we have somewhat of an understanding of it, but
13 I raised these issues also about why the levy was even being
14 asked, and I think by state law they have to assess themselves
15 so much. At that particular forum, three of us were present.
16 Judy Gray, myself and Mr. Siemens. Mr. McGuire had to be out
17 of town at that time and he was not present at the forum.

18 MR. KEATING: Madame Chairman. There was a person back there
19 with a question or a comment.

20 MRS. BABCOCK: Is this related to the subject of the--

21 MR. KIMBLE: It relates to the question the senator asked
22 about voting in Montana. My name is Fred Kimble. I am the
23 elementary principal. I have the school administration,
24 officially, but I haven't been in Harlem that long. Referring
25 to your question having to do with the voted mill levy as the

1 school budget is developed, there are monies that are acquired
2 in this instance, that are 874 monies, Federal monies. There
3 are also monies from the foundation program, and when a budget
4 is put together finally, then an amount of money is determined
5 as being necessary to fund the school district for the coming
6 year. It is an expenditure budget. You are guessing because
7 that budget has to be formulated and voted on if a vote is to
8 be carried, several months ahead of time, it would begin to
9 be expended. One of the things that was brought up, the
10 interest money by investment changes how much money you need
11 to acquire from various sources, and the last choice, source
12 that you acquire from is that voted levy. So if other sources
13 come in to make up the amount of money that you have estab-
14 lished as the school board for the budget, and that then
15 reduces the amount that is necessary to require of that voted
16 levy. Then it is just not levy, so that reduces the amount,
17 and it can vary, you can use the whole amount or it can vary
18 if you have a particularly good budgeter, for instance and
19 you don't use that much money in heat. That is just one
20 example. But what you are doing is estimating about six
21 months in advance as to how much money you are going to expend
22 for the next school year. Our budget, as these people have
23 pointed out, is substantial, so a variation in how much of
24 that money is actually acquired can be quite great.

25 MR. KEATING: That's a very clear answer.

1 MR. MULDROW: Regarding the Federal funds which go into the
2 budget of the school, are all of these coming into the system
3 because of the Indian students present or would part of these
4 funds, the Federal funds, be allocated, if there were no
5 Indian students?

6 MR. PLUMAGE: No, sir. The specific Federal funds that were
7 addressed, and we addressed public 874 funds which are speci-
8 fically Federal impact dollars, because of the Indian's pre-
9 sence in the school, there are other Federal programs in the
10 school. Judy made reference to them. Title IV program which
11 brings in additional money to the School District #12, but
12 the Federal dollars that we address on this are specifically
13 in the school because of the Indian students presence. I might
14 add that Harlem School District #12 is totally out of compli-
15 ance with the provisions of public law 874. We are having a
16 hearing sometime in October with the Office of Education to
17 determine whether or not, what will be done about those viola-
18 tions.

19 MR. MULDROW: Just relating to that, also, it's my understanding
20 that there are funds available from the voted mill levy which
21 are not used because they are knotted in the system, is that
22 correct?

23 MR. PLUMAGE: That's what I understand.

24 MR. MULDROW: Superintendent Ranta, maybe you can speak to that.
25 If there are funds which are available which are not needed,

1 the implication would seem to be that you have the kind of pro-
2 gram or facilities which go to make up the kind of school that
3 you want. Why aren't these funds used? Is it because you have
4 the system and the program that you want?

5 MR. RANTA: I am not certain I really understand your question.

6 MR. MULDROW: You have more funds available for your school
7 system than are being used. Why aren't these funds being used?
8 Are they not needed because you have the kind of school system
9 which is optimum? The kind that you want, or what is the
10 reason?

11 MR. RANTA: We have had, School District 12 has had three
12 superintendents within the last three years, I believe. No.
13 I do not know why the change has occurred. And I can't speak
14 for them. I inherited a budget that I think is not formulated
15 in the way that I think is essential. The temptation, there
16 is nothing more fun than spending someone else's money, and
17 we could do some of that. The problem that I see insofar as
18 the money is concerned is being able to define what we are
19 going to finally accomplish, and then decide whether we, in
20 fact, were able to achieve that. We could spend money in a
21 variety of ways and I can't speak to why this money was not
22 spent in the past. The thing I want to do is define some
23 objectives. Spell out some budgetary priorities, and have an
24 evaluation system so we know what we have got. And involve
25 people in the budgeting system. The problem that I can't

1 answer your question, I guess, is what I am trying to say.
2 All I am going to do is repeat what I said earlier about the
3 budget curriculum instruction process. And I think that is
4 essential. It has not been done. Why the money wasn't spent,
5 I doubt that I am the one that really knows. I can tell you
6 that I don't believe in throwing money at a problem.

7 MR. MULDROW: I am not implying it should be spent. I am just
8 asking if the reason is that you don't need more money to
9 improve the system, if it's adequate the way it is.

10 MR. RANTA: No. The answer to your question is no. It is
11 not, does not fulfill what the board, and I am certain the
12 community, would like to see in the school system. Some
13 years ago I am told that Harlem was one of the premier school
14 districts in the state, and it's everyone's hope that it will
15 return to that stature as rapidly as possible, and these funds
16 will enable us to do that. I don't know how much money we will
17 spend, but it will be funded and we will address specific
18 problems. Okay. Again, I start to repeat myself.

19 MRS. TRAVIS: I have two things. I would like to ask if someone
20 present could please explain the present school district
21 boundaries. We talked about that before, but we didn't get
22 back to it in the first presentation from Mr. Plumage.

23 MR. PLUMAGE: Geraldine, Senator Keating has the boundaries
24 right there.

25 MRS. TRAVIS: Okay. Could this be presented as far as our

1 transcript?

2 MR. PLUMAGE: We can provide you with a map of the school
3 district boundary.

4 MRS. TRAVIS: I would like this to be part of the presentation
5 and an exhibit, I should say. Do you have something to say?

6 MR. PLUMAGE: During the, with the format that was, you know,
7 derived, with the twenty minutes for each thing, for each of
8 the speakers, one of the issues, a very important issue was
9 exactly what you are talking about, the excess money that we
10 didn't have a chance to present to the forum.

11 MRS. BABCOCK: Excuse me. The agenda calls for a ten minute
12 summary by each side, so maybe you could present it at this
13 time.

14 MR. PLUMAGE: That will be fine. Thank you.

15 MRS. BABCOCK: The agenda calls for the School District 12 to
16 present a summary.

17 MR. RANTA: I prefer to talk about education rather than money
18 or anything else. I guess in summary, I will try to say that
19 the board's instructions were to improve relations with the
20 tribe, between the Fort Belknap community and the Harlem com-
21 munity. To improve the curriculum. And to improve discipline.
22 I think we have made some steps in that direction. One of my
23 greatest concerns as an educator is that anybody, does anybody
24 watch HBO? There was a movie on the other night called Teachers.
25 If you didn't see that, it's perhaps worth some time. The

1 agenda that those people deal with have very little to do with
2 education. I said a moment ago that we can start over as many
3 times as the community chooses to. But children just get one
4 opportunity. And I know how difficult it may be. I am going—
5 well, I am not going to talk a lot about money. But I know
6 how difficult it is with anyone with a child in school to ask
7 them to wait, to wait, to wait, because everyday it really is
8 a day lost, and I recognize that. But the failure to put any
9 business together, an education is a business. One of the
10 things which we heard earlier was that we are one of the
11 largest employers in the area. I suspect perhaps that we
12 might be the largest. A business, if education is to be a
13 business, then you treat it as a business, and in order to be
14 successful, it has the same requirements as anything else. We
15 are not there to discriminate, and we are not there to just
16 legitimate grievances, and we will do that and we have done
17 that. But the fact that we have this money gives us an oppor-
18 tunity and commenting again, and I am not going, getting in
19 any sense want to enter into a rebuttal of anything, but the
20 fact that we may lose this money means even more the need to
21 use it wisely and build the system carefully. Any system, any
22 school, it's called a system. But that is the first step is
23 to make sure it is a system. And that the things, the func-
24 tions that we need to have carried out are addressed in an
25 orderly manner and that the energy, not just the money, but

1 the energy that we bring to the job really reflects a focus on
2 what we want to accomplish and that really is a service to
3 the children. We deal with a variety of agendas. And that's
4 one of the major problems and one of the major benefits of
5 public education is that we are subject to public comment.
6 Sometimes it is not the greatest benefit of the student, but
7 in the long run, I think it is to the greatest benefit of all
8 of us. I just represent children. Thank you.

9 MRS. BABCOCK: Thank you. Now, we will have a summary from
10 the Fort Belknap community.

11 MRS. GRAY: I don't believe I know your name, but I think you
12 had a very good question.

13 MRS. BABCOCK: Mr. Muldrow, regional director.

14 MRS. GRAY: Mr. Muldrow, the last question he asked, the way
15 I understood the question was that with these funds that are
16 available, Harlem has available to them, they have, designed
17 the maximum benefit programs, if they would want. A lot of
18 the school systems don't have the funds available. Jack is
19 going to address some of these same, I guess basically some
20 of the same questions. We have seen deficiencies within the
21 Harlem school system. One of those deficiencies is that Harlem
22 school system has not offered a foreign language. My daughter
23 is in her second year of college and she is still struggling
24 because this is the first year she is having to take a foreign
25 language. All of these years Harlem has not offered a foreign

1 language. There is—I don't even know if there is a speech
2 or drama department. If there is, it's probably fairly new.
3 With such a high Indian population in in-service training,
4 could be provided for staff to be sensitive to an Indian--
5 there are many options available that Harlem could address.
6 I would like to introduce Jack to do our summary. He will
7 explain that portion that he will address.

8 MR. PLUMAGE: One of the things that I would like to point
9 out is that in summary, some of the issues that were raised
10 and we addressed, I don't feel in Harlem we can accomplish
11 them. I think that Harlem acknowledged them. I feel that
12 Harlem acknowledged them, and I would like to refer back to
13 Geraldine's question of when will it change? I don't know
14 when it will change, either, because these things have been
15 going on for a long time, but one thing I want entered and
16 the final thing in the time I have, I want to talk about,
17 which I think will raise some questions in your mind, also,
18 is another issue, what the quality of education in Harlem.
19 And the money that was available that they could have used to
20 do something about it. I want to speak to the accreditation
21 issue for the Belknap community, alleges the civil rights of
22 our Indian children have been violated because of the current
23 accreditation that Harlem high school is presently having.
24 Harlem high school District #12 was dropped as an accredited
25 school by the Northwest Academy and charges, and ultimately

1 in March, or in December of 1984, the decision to drop Harlem
2 high school as an accredited school was as a result of many
3 hours of study and review by individual communities. Based on
4 information provided by the Harlem high school. One hundred
5 and four (104) Montana schools have membership in this organi-
6 zation. Harlem is the only one dropped. Harlem was dropped
7 from accreditation by the Northwest Association primarily
8 because the one Judy mentioned, they offer no foreign language.
9 We were warned. Nothing was done to correct the situation
10 this year. The Instructional Media Center of inadequate
11 facilities for small programs, they had the, they had previously
12 been warned, but again they neglected to correct the situation.
13 Three, there was insufficient suitable space at the Instruc-
14 tional Media Center. Harlem had been previously warned, but
15 again, they neglected to correct the situation. Four, there
16 was a lot of sub volumes and titles in the library, but once
17 again Harlem was warned and neglected to do anything about
18 correcting this violation. Harlem did nothing in spite of
19 the fact there was sufficient money in their general fund to
20 at least make an attempt to purchase the additional books,
21 bring them up to standard. The most important reason Harlem
22 was dropped from the accreditation was their high school
23 facility did not meet proper health and safety standards.
24 While the other deviations are—number 5, I would like to
25 expand on. It is here where the harm—in itself, by dealing

1 with the very real and life threatening situation. The
2 present facility houses grades 7 through 12, was built in
3 1919. This fact alone will tell you that it did not get into
4 its present unsafe and life threatening condition overnight.
5 In fact, the physical deficiencies that exist in the present
6 school district was recognized by at least two different
7 school boards. I submit for your information two different
8 resolutions passed in October of 1968, and November of 1976.
9 Both of these resolutions recognized the fact that the
10 building had become structurally unsound, and created a fire
11 hazard. Both resolutions called for abandonment of the
12 building. The 1969 resolution set the date of abandonment
13 June 30, 1970. The 1976 date set abandonment of June 30,
14 1978. Have they abandoned the building? Certainly not.
15 Our children are still being transported everyday to this
16 death trap. The Harlem school board past and present and the
17 Harlem community have made absolutely no effort on their own
18 to attempt to rectify the present physical deficiencies. By
19 this, I mean they have long recognized the problem but have
20 not even attempted to pass upon the bond issue to replace the
21 present facility. They haven't--they have instead decided
22 to gamble with our children's lives and bet on that come.
23 That come is public law 81-815, school construction money.
24 Let me point out some further facts for you. The fact that
25 the present building was constructed in 1919. Any building

1 that is going to deteriorate through normal use, and a fund
2 must be set up to provide adequate money to insure that major
3 deficiencies can be corrected when they come to light. Harlem
4 has never established a building reserve fund. To establish
5 such a fund, the school board would have to let their voters
6 have to get their votes for authorization. To specifically
7 earmark a mill levy increase to finance such a fund. The
8 establishment of such money has not, never asked such. the
9 high school was built in 1919. I would also like to point
10 out the fact that the building reserve fund has not been
11 established for the Harlem elementary school, either. And
12 a reserve fund is obviously not a priority with the past and
13 present school board. Fact. Harlem high school is now their
14 four years of probationary status. And could lose their state
15 accreditation because of its inadequate and potentially dan-
16 gerous facilities. The loss of state accreditation would be
17 devastating. By state law a school is only supposed to be on
18 probation for three years. After that, it is supposed to lose
19 it's accreditation when the State Office of Public Instruction
20 verifies that legitimate corrections have not been made by
21 the school district from the deviation as to the approved
22 accreditation policy. Harlem school, how the Harlem school
23 got into this ridiculous situation with their own office of
24 state of Public Instruction. The school board was placed on
25 probation status. They asked that action by the Office of

1 Public Instruction. In spite of the fact that it could be
2 potentially very harmful to a school district. Why did they
3 request this drastic action? Harlem on two occasions, 1968
4 and 1976 completed application for public law 81-815 school
5 construction money without success. In 1982, the school board,
6 rather than attempting a bond issue, decided to take the
7 ultimate gamble. They asked the state office to put them on
8 probation. They then submitted another 815 application in
9 an attempt to force the Federal government's hand and become
10 a recipient of 815 monies. This shoddy display of disregard
11 for the health and safety of our children is incomprehensible.
12 The physical problems with the building have been apparent
13 for years. However, they are only—to solving the problem
14 was public law 81-815. They refused to consider any other
15 alternative. Harlem only had to emphasis minimum health and
16 safety standards. They refused to do so. At a school board
17 meeting on January 16, 1985, when asked what they are, their
18 alternative would be if 815 funding failed to materialize, we
19 were told by one of the non-members of the school board, I
20 quote, without help from 815 funds, we have to ask you people
21 to find some other way to try to educate your people, because
22 we aren't going to be able to do it. Another nominating
23 committee member of the school board concurred with that
24 statement. Honorable members of this commission, the date
25 is now September, 1985, not January, 1930, and yet the same

1 attitude prevails. We have been citizens of this country
2 since 1924. And yet we are still told by the citizens of
3 Harlem that without 815 money we will have to find some other
4 way of educating our children, because we would not be welcome
5 in Harlem. Another statement that was contained in Harlem's
6 815 application further emphasizes how our children are viewed
7 by the Harlem community. Their application stated, and I
8 quote, in this school district a very limited, money for con-
9 struction is very difficult to obtain. I don't know how they
10 know this, because they never put the bond issue up to the
11 voters to decide about construction money, but, it continues,
12 consequently, the school district at Harlem, Montana, is a
13 slave to the Federal government by reason of the high levy
14 impact of non taxed Indian students. This statement was
15 subsequently taken off the application after Indian indi-
16 viduals vehemently objected to this racial statement. However
17 it further shows the prevailing attitude of the Harlem com-
18 munity when it comes to Indian people. A further reinforce-
19 ment is our allegation that they knowingly and willfully
20 intentionally violated the civil rights of our children by
21 willfully subjecting them to inferior public education in
22 a building that was, by Harlem's own admission, structurally
23 unsound and potentially a fire hazard. The reason we contend
24 that our civil rights and our children's civil rights were
25 violated is because the Harlem community and the Harlem school

1 board was entirely in control of all the goings on at this
2 time. In fact, they are still in control. The fact that no
3 bond issue was ever put before the public was because the
4 Harlem voters did not want it on the ballot. The fact that
5 this building reserve fund was ever established was because
6 the Harlem voters did not want it on the ballot. Because the
7 Harlem voters are the majority, they control who gets what on
8 the school bond. That is a proven fact. Since they are in
9 control, they dictate policy. While they may not want to
10 jeopardize only children's health and safety, not attempting
11 to rectify the facility, however life threatening, they have
12 no right to threaten the physical safety of our children.
13 The school board, by their total inaction in not voting on
14 the bond issue and the building reserve, is also guilty of
15 perpetuating a grievous injustice to our children. Our
16 children are still in that building every day. If a disaster
17 strikes and lives are lost, I submit there is going to be
18 plenty of liability to be shared by a number of parties,
19 including the school district, and the State Office of Public
20 Instruction, for allowing the situation to exist so long, even
21 though they knew, even though they are well aware of the poten-
22 tial for a disaster to occur. Thank you.

23 MRS. BABCOCK: At this time, the agenda calls for comments from
24 the floor. And I would ask that each person only speak once
25 unless a question is directed to you from a member of the

1 commission, and that you limit your remarks to no more than
2 five minutes. I will try to take it in whatever order you
3 raise your hands. I believe this gentleman is first.

4 MR. BIGBY: Madame Chairman, my name is Calvin Bigby. My
5 name is Calvin Bigby. I am a member of the Assinniboine tribe
6 of this reservation. I have four children in the school dis-
7 trict. The superintendent or the principal of the grade
8 school made some comments concerning carry over funding and
9 interest earned over the school year. I have worked for the
10 Fort Belknap tribal government, and am a little familiar with
11 Federal funds. It is my understanding that the tribal govern-
12 ment cannot invest funds and earn interest on those funds while
13 they are in their care. I have a question for the committee
14 and the school board. What part of interest earned during any
15 school year, what part of that interest is earned by Federal
16 dollars? If they are using Federal dollars to earn interest,
17 then they are lining their own pockets so that they can reduce
18 their request on the voted mill levy. That's one of the rea-
19 sons why they gave, why the assessed mill levy is so much
20 lower than the voted mill levy. The other thing that I would
21 like to comment on is I graduated from that Harlem high school
22 in 1960, twenty-five years ago. The same floor I walked on
23 in 1960 is still in that building. The same lockers I used in
24 1960 are still in that building. In my four years of high
25 school there and the twenty-five years that I have lived here,

1 and even today my son is a freshman in high school. They
2 teach all kinds of government issues, Greece, Egypt, American
3 Government. State government. Foreign governments. But not
4 one iota of the government that I have to live under here on
5 this reservation. I am under three separate distinct laws.
6 The Federal government, which controls everybody's actions.
7 The state laws. The county laws. The city of Harlem laws.
8 Plus the reservation laws. That's five laws that I have to
9 learn to live with. You, as individuals, can pick and choose
10 what laws you live under. I have the place set aside for
11 me that I have to live here. I am not forced to live here,
12 but I am chained here with my past and my history and my
13 children's future. So I have five laws, but not one iota of
14 the law that I have to live on this reservation are taught in
15 that school district. And that's all I have to say. Thank
16 you.

17 MRS. BABCOCK: Thank you.

18 MR. LANGFORD: Good afternoon, ladies and gentlemen of the
19 commission. Members of the audience.

20 MRS. BABCOCK: Would you state your name?

21 MR. LANGFORD: My name is Tom Langford. I am a member of the
22 Gros Ventre tribe at Fort Belknap, and I would like to go
23 ahead and read a statement which is made by, a statement
24 written by my wife, Rhonda Langford. And it was addressed
25 to the Montana Advisory Committee of the United States

1 Commission on Civil Rights, dated September 16, 1985.

2 "My name is Rhonda Langford. I am Native American and citi-
3 zen. The following information is regarding my relationship
4 with the Harlem Public Schools. And now gives a chronological
5 narrative. In the fall of 1974, I student taught at the Harlem
6 Elementary School. I received excellent grades for teaching
7 by my supervisor teacher. I received my B.A. in December of
8 1985, in elementary education. The spring of 1976, I submitted
9 my application for a teaching position in the Harlem Elementary
10 School. In June I received a letter saying all openings had
11 been filled, but I could apply for an aide's position. School
12 year 1976--1977, the public meeting was held to get Title IV
13 part A Indian funding. The school administration called
14 Indian parents in to tell them what type of program they were
15 wanting. They said they would like to use the funds to hire
16 a home school coordinator to find out why students were absent
17 from the school. The parents suggested that the program be
18 broader in scope and that it include a program for coordinator
19 who would develop a program according to needs. The adminis-
20 tration told the parents that if they were interested in this
21 type of program, to go ahead and write this proposal. The
22 deadline to submit such a proposal was one week from the time
23 of the meeting. The parents took the application and developed
24 an administrative program. The program included an Indian
25 studies coordinator who would develop a resource center and

1 develop culture curriculum to be used as a supplementary por-
2 tion of the curriculum. The program would also include the
3 home school coordinator, elementary and high school. And a
4 secretary. The proposal was completed by the parents and
5 submitted to the school administration for their signature.
6 They reviewed the proposal. They contacted the parent
7 advisory committee chairman and told her they would sign a
8 proposal only if she would sign a paper that said if the pro-
9 gram were funded, there would not be space available in the
10 school. She did sign the contract so that the proposal could
11 be submitted by the deadline. The program was funded. The
12 school year 1977-1978, the parent advisory committee had
13 advertised a position of Indian studies coordinator. The
14 position would be to administer the Title IV program. The
15 salary was to be fourteen thousand dollars (\$14,000) for a
16 ten month contract. I applied for the job and was selected
17 as coordinator. When I reported to work, the superintendent
18 informed me that if I was given the salary the parent advisor
19 had advertised, the teachers would sue me. After several
20 negotiation sessions including a special school board meeting,
21 I accepted the job at the teacher salary schedule, eleven
22 thousand six hundred (\$11,600). Throughout the year we
23 received very little support of the Indian studies program.
24 The following incidents occurred during the year. 1, the
25 program was housed in the furnace room. There was very little

1 space for a staff of four people. Number 2, the nature of
2 the American consultant, George Horsecapture, gave a presenta-
3 tion on the history of the Native American and specifically
4 the Gros Ventre. The reaction of the teachers was that he was
5 incompetent. He was called a Yay-hoo. Mr. Horsecapture is
6 a noted historian with a Master's degree in history. Number
7 3, valentines were made by the teachers and sent to the school.
8 The valentine addressed to the Indian studies program displayed
9 a fist, and said, "White Power". These cards were displayed
10 on the bulletin board in the teacher's lounge. Number 4, the
11 Indian studies staff was not told when staff meetings were
12 being held. Number 5, when I asked the grade school principal
13 for the Student Policy Handbook, he threw the policy handbook.
14 The principal became very irrational asking why the staff would
15 want something like that. He said there was no need for a
16 program like ours in school, and we were just trying to cause
17 trouble. Number 6, the Northwest Accreditation made an on-site
18 visit. They were not told about the program. When the team
19 was checking the facilities, they ran across the staff in the
20 furnace room. The recommendation was made that the school
21 work with the Indian studies program. The year was very diffi-
22 cult. We worked with a lot of administrative support through-
23 out the year. I swear the preceding information to be true
24 and accurate to the best of my knowledge. Sincerely, Rhonda
25 Langford."

1 MRS. BABCOCK: What year was that?

2 MR. PLUMAGE: We have a copy for you.

3 MR. LANGFORD: That was school year '77-78.

4 MRS. BABCOCK: Are there any other comments?

5 MRS. BOHN: Mine is a very short question, so I don't think
6 I have to go up. I would like to have Jack elaborate a
7 little more on what I just talked to you about. About the
8 redistricting. Yes. And whether it could be implemented
9 through the government, legislature or legislation or decree
10 or state legislation, or how.

11 MR. PLUMAGE: Yes. I think I answered previously, but what
12 we would like to see is a move away from the single voting
13 district and have the, it would have to be changed by state
14 law. It's a violation of the 1965 voting act the way the
15 voting for school district members is presently done in the
16 state of Montana. We would like to see it re-districted so
17 that we could be apportioned seats on the school board. This,
18 like I say, this would have to be done by state law. And
19 what we asked previously, we still ask that the Montana
20 Advisory Committee re-comment to the Justice Department that
21 they initiate a suit here in the state of Montana against the
22 State of Montana because they violated the 1965, provisions
23 of the 1965 Voting Rights Act.

24 MRS. BABCOCK: Thank you. I would like to ask you a question.
25 Have you ever asked any of your local legislators to put that

1 in the form of a request?

2 MR. PLUMAGE: Like I told you, last September or last January
3 we asked the school board to support that type of thing. They
4 wouldn't. I did talk to--

5 MRS. BABCOCK: Just a minute.

6 MR. PLUMAGE: To Francis Bardanouve. I did talk to Francis
7 Bardanouve. Ramona, who was the legislator from Big Horn
8 County was going to sponsor this type of legislature. But
9 she never got it introduced.

10 MRS. BABCOCK: I see.

11 MR. PLUMAGE: Maybe I will talk to Senator Keating the next
12 time around.

13 MRS. BABCOCK: Are there any other questions?

14 MR. STIFFARM: I have a statement for the record. My name is
15 Bum Stiffarm. I work for the Tribal Education Department here
16 at Fort Belknap. About five years ago off and on I was a
17 Junior High basketball coach in Harlem, and the last time
18 being a couple of years ago. Last year, I was again interested
19 in coaching, but I was told by the school administration that
20 they had to incorporate the policy of hiring school personnel
21 for their coaching positions. Junior High and all that kind
22 of stuff. And then it really didn't matter too much last year
23 because on any job at the education department, I was required
24 to travel quite a bit. But then I went to a football game in
25 Malta, and I see this guy coaching on the football team that I

1 don't think is a person, a school person from the district,
2 and on top of that his position is assistant football coach,
3 wasn't even advertised or anything, so I was kind of curious
4 as to what type of policy that they have over there in hiring
5 Junior High coaches. I also, a couple of more incidents I
6 would like to discuss is that I, a couple of years ago, I
7 decided to run for the school board. And two days after I
8 got my application from the school office, I told Preston
9 that I needed to sign this thing because I had to get five
10 signatures. And, anyway, he said, "Well, the word already
11 came down that if you got on the school board, me and Arch
12 would lose our jobs because of nepotism." Well, in that short
13 period of time I didn't have time to pursue it in a legal way,
14 so I didn't turn in my application. Last year I decided maybe
15 I would, that I would get ahead of them and ask the County
16 Attorney for an opinion on the nepotism laws. And he said
17 that, he said, well, he said your brother and your cousin
18 work on soft money, and I said, "What about Mr. McClain? His
19 uncle is a janitor there." And he said, "That's all right if
20 he runs for the school board, because he is on hard money."
21 But I don't know the difference between soft and hard money,
22 and I would sure like to get that further examined. Another
23 one about the credibility of school personnel. I was the
24 acting tribal education director in February of '85, and Mr.
25 Heath, the former superintendent, came into the tribal council

1 meeting and wanted to get a rubber stamp approval for 874
2 application, and I told council I just happened to be in
3 there, and I said he can't do that. We have to have a public
4 meeting. They have to go all through all of these rules and
5 regulations, and they didn't try to do anything, and he kind
6 of got red in the face and said, "Well, we will have a public
7 meeting here in about three weeks." And that was going to
8 the deadline of March 21, but then he never did call me to the
9 meeting to solicit any of our input. Right then somebody lies
10 to your face like you kind of lose credibility with the
11 administration over this. Another thing we were doing up on
12 tribal education, we were doing, approaching a gift to the
13 talented program and we needed data and everything to support
14 our proposal for the department on the talented student
15 program through the Department of Education. We, or the local
16 school areas that they serviced, Dodson, Hays, Lodgepole and
17 Harlem. Well, Hays, Lodgepole and Dodson provided a lot of
18 information and it was really good. They dropped off test
19 results and basic education and things like this, SRD tests.
20 But for some reason we couldn't get anything from Harlem, and
21 we are trying to better the education of our children by iden-
22 tifying gifted and talented students. So many of our Indian
23 programs are remedial things, we thought gifted and talented
24 might be an excellent program, but Harlem was unwilling to
25 cooperate by allowing us any type of information. Those are

1 just a few of the incidents I would like to present.

2 MRS. BABCOCK: Thank you.

3 MR. STIFFARM: Yes. My name is Dale Stiffarm. Graduate of
4 the Harlem High School. I have four children in the school
5 system. I would like to really relate the events, sort of
6 highlighted in my high school years. Also the events which
7 happened while my children were in school. The first event
8 that really stuck in my mind in violating the civil rights
9 when I was in school from 1952 to 1956, the Johnson-O'Malley
10 money had gone to the school district. Disappeared into the
11 general fund with no identity. Years later I became aware
12 that these Johnson-O'Malley funds were used in the counter
13 the next year in the cafeteria to buy the food for the
14 students. Many of the previous graduates which are in the
15 audience now would bear this out. During lunch hour they
16 would call, we would have to line up, call the various grades.
17 Alternately one day the next, for instance, they say freshman,
18 the freshman would go eat. The sophomores would go eat. The
19 juniors would go eat. The seniors would go eat. Because they
20 were using Johnson-O'Malley funds for my lunch, they would call
21 free lunch last. They did not violate any civil rights at
22 that time, but they sure violated my hunger pains. Another
23 incident, my two boys, Dave Stiffarm and Duane Stiffarm were
24 injured playing football. We immediately transported them
25 to the Fort Belknap Indian Hospital. They required further

1 medical attention. The Fort Belknap Indian Hospital trans-
2 ported them to the Havre hospital. Upon arriving at the
3 Havre hospital, I was concerned with the health of my child-
4 ren. I presented my Blue Cross Blue Shield. I didn't want
5 to have no questions asked. I wanted health care. Yet to
6 this day the school district did not have the justice, or
7 injustice to question who paid the bill. They assumed the
8 Indian Health Service or the Indian Health Service Hospital
9 would automatically pay up the bill. My boys were injured in
10 behalf of Harlem High School. A third incident that has come
11 up that has always been there since we have 70% Indian child-
12 ren present residing and attending the school districts, we
13 have to have our Indian children bused to the school. At the
14 present time our school buses are drastically overcrowded.
15 Children have to stand up. They are in violation of the
16 law. I would request the state highway to do a head count.
17 We request the school district. We request the school board
18 give us more buses. Many times 30 or 40 below, the heaters
19 do not work. The kids come home, excuse my language, the
20 kids come home damn near froze. The heaters do not work.
21 Yet they have carry over money. Another incident, my son and
22 Jack Plumage's son, when they were 7th or 8th graders, had
23 difficulty on the school playground. The administrators took
24 both boys, put them in a room and said have at it. They kicked
25 butt. That was a violation of their rights. Other non Indians

1 have been disciplined as such, but these two boys have to
2 fight it out among themselves. Number 5 item. I used to be
3 the chairman of the Title IV Johnson-O'Malley program. Mr.
4 Langford related to the office conditions which the Title IV
5 had to live under. We literally had to function in a boiler
6 room. Because we were Indian people. Number 6, just has been
7 alleviated. This past year the elementary school burnt down.
8 The U.S. Government, through the help of the parent committee
9 on this side had provided a trailer to alleviate the crowded
10 conditions. A trailer still exists where that Indian studies
11 or Title IV is housed in. The past years, because Indian
12 money was available, they charged our Title IV rent and we
13 had to pay utilities and phone. They were charging rent and
14 whatever on the trailer they did not own. Number 7, a coach
15 made a statement to my boys playing basketball if you cannot
16 play my type of ball, get out there and play Indian ball.
17 Number 8, they were, in the past years, they were approached,
18 the deficiency—they posted the deficiency list on the bulletin
19 board at the high school and elementary. I asked the
20 chairman many, many times requested that he do not post the
21 deficiency list because of the personal—but we got that
22 resolved some. That's the issues I brought up. Thank you.
23 MRS. BABCOCK: Anyone else?
24 MRS. COLE: My name is Elma Cole. I am a Gros Ventre Indian
25 enrolled here. I would like to relate an incident that happened

1 to my son who was going to school last year. That happened
2 in Harlem school. On Thursday, March 22nd, 1984, my son was
3 sent to the physical education class along with other members
4 of his class. In the class he was instructed to go through
5 a field and track routine which included jumping hurdles,
6 doing the high jump and the shot put. During the first, he
7 was jumping the hurdles. My son hit his knee quite hard on
8 one of the hurdles and was injured to the point that he could
9 not continue with the exercise. My son fell on the hurdle,
10 and after having injured himself, sat down along the wall of
11 the gymnasium by Mr. Williams, who was the teacher. Mr.
12 Williams asked Charlie if he was all right. Charlie said,
13 "No." He wasn't. His group then switched to the high jump,
14 and Charlie was instructed to join his group in this exercise.
15 Because of the great deal of pain that he was in, Charlie
16 elected to hold the bar for the other participants. However,
17 he did high jump once. Charlie then went and sat down again,
18 and the class switched to the shot put. He was told to get
19 up and throw the shot put. Charlie again told Mr. Williams
20 that he was hurt and could not continue with the exercises.
21 He was then threatened by the teacher's aide, Kathy Hall, to
22 do three hundred situps or throw the shot put. Rather than
23 do three hundred situps, Charlie elected to throw the shot
24 put, and he threw it three times. After Charlie threw the
25 shot put, he was in terrible pain and could barely walk. He

1 went and sat down again, and his group switched to running
2 for seven minutes. Charlie again told Mr. Williams that he
3 was hurt, and Mr. Williams told him to go to the locker room.
4 Charlie then went to the locker room and got dressed. After
5 his class had finished with running, they went to the locker
6 room, as did Mr. Williams, and at no time did he offer Charlie
7 any assistance or even examine his knee. Charlie then went
8 to his next class, and subsequently called me during the noon
9 hour to inform me of his injury. I immediately went after
10 him and took him to the hospital at Fort Belknap where he was
11 diagnosed as having a broken knee, and at the time I went after
12 him, during the lunch hour, Charlie had no help. He had to—
13 he was waiting outside the building, and he had to—how he got
14 out there, he had to—he was jumping on one leg. I feel that
15 gross negligence was exhibited for the, of the instructor, as
16 he did not examine the knee at the time of the injury, as well
17 as not other times after that. My son informed him and the
18 aide, a number of times, that he was hurt and could not continue
19 with the activities. Instead he was threatened with additional
20 physical punishment if he did not continue to participate with
21 his group. I feel that my son was intimidated and as a result,
22 great suffering and pain was unduly forced upon Charlie. Then,
23 to, Charlie had to suffer with this painful injury until 1:00
24 P.M. when I arrived at the school to take him to the hospital.
25 At no time was I informed of this except by my son, and only

1 after he suffered for approximately three hours with this.
2 When I took him to the hospital, the knee was swelled to the
3 point that his pants had to be cut to remove them. My son
4 was in pain, and every bump and jolt in the road was very
5 painful to him. At the hospital he was unable to walk and had
6 to be carried into the clinic. The following day I telephoned
7 Deschamps, the Title IV director and immediately set up a
8 conference with Mr. Heath, the secondary principal for that
9 afternoon. At that meeting, I was informed that a statement
10 was taken from Mr. Williams and he stated that Charlie, after
11 the initial injury, was allowed to sit down and go to the
12 showers early. I also met with Mr. Shoup at the grade school
13 and he informed me of the same thing. Both Mr. Shoup and Mr.
14 Heath also assured me that all medical expenses incurred by
15 Charlie would be taken care of by the school district. My
16 son is a very active athletic person, and because of this
17 injury, he may be affected physically and emotionally for
18 years to come, and perhaps for the rest of his life. And at
19 this time this injury is still bothering him. He can no
20 longer participate in physical education and when he does do
21 any running, he had to wear a knee brace so he can run a few
22 laps. And I took this to the school board and I requested,
23 I requested it in writing that they would be liable for his
24 medical expenses, and they were going to get back to me, but
25 at this stage, I haven't received anything from them. On this

1 incident, or on his medical expenses.

2 MRS. BABCOCK: Thank you for your testimony. This gentleman
3 in the brown.

4 MR. DOLENEAUX: Hello. My name is Don Doleneaux. I am a
5 staff member with the Montana Education Association. I
6 wasn't planning to make any comments today, and I will keep
7 them very brief. I just wanted to address a couple little
8 things that were brought up earlier. First, with regard to
9 the funding suit and the article appearing in the Great Falls
10 Tribune, it is indeed true the Education Association is intend-
11 ing to intervene in that suit. I can assure you, though, that
12 there is absolutely no intention of undermining 874 or any
13 other impact aid monies. We are rather distressed to hear
14 that had happened in other states. Based on that article
15 and discussions with Rick Bartos, along with the MEA staff
16 and in D.C., I contacted Bob Parsly and Rick McCluskey, and
17 also the association staff in Arizona, where evidently impact
18 aid money was affected by funding suits. At any rate, we
19 intend to work with the impact aid coalition, and we will work
20 as strenuously as we can to insure that the court doesn't
21 attempt to use impact aid money to redistribute it across the
22 state. I am very distressed and angry to hear the incidents
23 the woman, who just spoke, along with the incidents from
24 Mr. Langford regarding his wife's employment. I am not aware
25 of those incidents. And to the degree that, or I wasn't aware

1 prior to now of those incidents to the degree that association
2 members were in any way responsible for them. You have our
3 sincere apologies and we do intend to continue a program that
4 was begun a few years ago with John Boring, president of the
5 MEA, in cooperation with the Montana Indian Education Associa-
6 tion, the M.I.E.A., and to continue a series of exchanges of
7 information, and perhaps intended to make white teachers more
8 sensitive and capable of doing the best job possible in the
9 classroom and with the community. And to that end, a con-
10 ference was held last year in Great Falls, and I recognize a
11 few faces of persons who attended that conference. We are
12 going to continue that process. And attempt to build upon
13 that this coming year in Billings, and again I spoke of Bob
14 Parsly and Rick McCluskey about that, and we are going that
15 route, but I would like you to know that even in the immediate
16 vicinity, there is considerable interest of teaching staff to
17 go beyond whatever the history of problems may be here. And
18 to get a working relationship going with the community, with
19 parents, with teaching staff, with the administration. And
20 to make a noticeable improvement in the way things get done
21 in the school. And that's what we are attempting to do, and
22 I sincerely hope we can succeed for all persons' sake.

23 MRS. BABCOCK: Thank you. Mr. Ranta?

24 MR. RANTA: When you are right, you are right, but one thing
25 was stated incorrectly, or at least it should be—it had better

1 be incorrectly, and that is in the matter of busing. We added
2 another new bus route this fall. I met with the bus drivers.
3 I told them that if they took one student above the rated
4 capacity of their bus, it was their job. That they were to
5 tell me when the buses were approaching capacity so we do
6 make adjustments. We have done that twice. If there is a
7 student riding on a bus, identify them beyond the capacity,
8 identify them and we will deal with it. I do not believe
9 that is the case.

10 MR. BEHEGAS: What about the heating on the buses, is there
11 anything to that?

12 MR. RANTA: I am sorry.

13 MR. BEHEGAS: The heating on the buses, there was a statement
14 that there was no heat on the buses.

15 MR. RANTA: I have heard nothing about that. This summer or
16 this fall before school started, I instructed the woman who
17 is sort of normally the head of our bus drivers to take, make
18 up a list of all of the things that were wrong with all of the
19 buses, and get them corrected. If there is still problems,
20 we will have to deal with them. We started the year in the
21 belief that all of these problems had been addressed. That
22 may not be the case, and I am also certain that we will
23 encounter problems during the year, but our intention was
24 to start the year with good equipment. That way we could
25 transport students reasonably comfortably.

1 MR. BEHEGAS: I would think that with that impact date you
2 are getting your money, you should be able to furnish heat on
3 the buses.

4 MR. RANTA: I don't think it has to do with the impact.

5 MRS. BABCOCK: Mr. Ranta, how long have you been superintendent?

6 MR. RANTA: Since July 1st.

7 MRS. BABCOCK: Was that all?

8 MR. RANTA: I omitted one thing and I don't want to impose upon
9 the people here at all. I said that I represent the children,
10 and I really do, and with the enthusiastic assistance of the
11 board, we do have, I feel badly about some of the things I
12 heard. I think the board did not intentionally, the member-
13 ship that is there now did not intend those things to occur.
14 Some things will happen again. The best way to correct it
15 is to make sure we learn enough. We address them.

16 MRS. BABCOCK: Thank you.

17 MRS. PLUMAGE: My name is Delores Plumage. I am an enrolled
18 member of the Flathead Reservation. I have two children in
19 the Harlem Elementary School, and one son who graduated from
20 Harlem High in 1983. Before I go on with my testimony, Mrs.
21 Travis asked about the school board members and their back-
22 ground. I believe that there are presently two school board
23 members. One, Bob Acher, who has no children, and he is on
24 the board. The other one is Floyd Frey. I know some of his
25 children graduated from Harlem, but presently about two years

1 ago, his daughter transferred to Chinook High School, and he
2 is still on the school board. I wanted to elaborate on that.
3 On the school, the bus issue last Friday, I left a message for
4 Mr. Ranta in his office that I wanted a list, and actual list
5 of children who ride on the buses so that we would be more
6 assured about this problem. I think communication at least
7 on a list of names, I think the credibility we would believe
8 this, and I stopped. He went to Washington, D.C., on business,
9 and I stopped there during the middle of the week. They said
10 they were working on a list, and I do not know if Mr. Ranta
11 was aware of this. I wanted to mention this, and I will con-
12 tinue with my testimony. When my husband, Jack Plumage and
13 my sister, Judy Gray, were running for the school board last
14 spring, an incident occurred which I felt was very unfair to
15 them. They participated on a panel of school board candidates
16 which took place at the Harlem Elementary School prior to the
17 election. Among many topics discussed, they were asked ques-
18 tions about discipline in the school. In answer from one of
19 them was that there should be positive and constructive dis-
20 cipline in the classroom. Afterwards, I heard a rumor that
21 some people from Harlem disagreed with their opinions and made
22 their own interpretation of what was said. Nobody ever con-
23 tacted either one of them to verify their answers made that
24 evening. Shortly afterwards, I was at the grade school when
25 Mr. Kimble, the principal, approached me in the hallway to

1 apologize for his negative comments about Fort Belknap's
2 candidates to the response of the topics of discipline. They
3 said they were not in favor of discipline in the classrooms.
4 He shared his opinion with other school personnel at the school
5 during school hours. He felt that they should rally against
6 these two candidates with such views. At another meeting Mr.
7 Kimble stated that he considered us as the enemy. I accepted
8 his apology, although I sometimes wonder, now, if that mis-
9 interpretation influenced voters, especially new teachers who
10 have not had enough time to form such strong judgments for or
11 against Fort Belknap candidates. I also felt it was improper
12 for school personnel to be so involved politically during the
13 school hours and not on their own private time for their own
14 personal convictions. Also, before the candidates forum, Judy
15 Gray called Duane Lavender, president of the Harlem Education
16 Association, to ask him to invite teachers to this forum. His
17 initial response was that the teachers do not involve them-
18 selves politically. In addition to this incident, Mr. Kimble
19 also apologized for his comments which he made to former
20 teachers' friends. His comment was that one should circle
21 the wagons around the Indians as a solution for this present
22 conflict. I appreciate Mr. Kimble's frank honesty. And his
23 continuing efforts to form his own assessment of this situa-
24 tion. Since he has been here a short while. This is his
25 second year in the community. From this interaction, I must

1 draw my own conclusion that the new administrators and teachers
2 are being given a very biased view of our Fort Belknap resi-
3 dents and their problems from very established Harlem school
4 personnel, community businessmen and residents. Until we have
5 a more balanced representation on the school board and among
6 the employees at the school, I strongly believe that there
7 will be a denial of my rights as a parent. I too represent
8 children. To fully participate in a positive and responsive
9 way for my children. Thank you.

10 MR. BEHEGAS: Delores, did you say one of the trustees had
11 their children transferred to another high school?

12 MRS. PLUMAGE: Yes.

13 MR. BEHEGAS: Is that what I understand, correctly?

14 MRS. PLUMAGE: Yes. Mr. Frey. I don't know—we heard he was
15 unhappy with the school. I am not sure of the personal rea-
16 sons, but his daughter presently is in the, attending school
17 in Chinook.

18 MR. BEHEGAS: She transferred to another high school.

19 MRS. TRAVIS: That is in a different district?

20 MRS. PLUMAGE: Yes. That is in a different school district.

21 MRS. BABCOCK: Yes.

22 MR. ARCHAMBEAULT: Donovan Archambeault. I am an enrolled
23 member here. I live in School District #12. I do not have
24 a student in school here because of some of the things that
25 you are hearing today. And it kind of sounds like a little

1 John Wayne mentality over there. Circle the wagons and
2 things like that. But a lot of these things I didn't know
3 that the problem of such a magnitude as I am hearing today.
4 I have removed my child from the school district because it
5 was happening to him and I thought maybe that he was, you
6 know, maybe the contributor to the problem. But today I think
7 I have kind of changed my mind about that. And I think I
8 would like to talk to some of the things that the superinten-
9 dent here discussed today in his primary interest, building
10 the education of the children. I believe that's all of our,
11 that is all of our interests and that's all of our goals here,
12 to educate these kids. The problem is that as administrators,
13 we only carry out policy. When we have a discrepancy in the
14 total makeup of the board as far as policy goes, we are never
15 going to be able to incorporate the kind of policies that are
16 needed to provide the education that Mr. Ranta is talking
17 about. I, too, am an educator. I have a Master's degree in
18 education. I am not working in education presently. But I
19 believe that if we are, in fact, going to impact, positively
20 impact the education of our children and to get the community
21 or the school district, itself, working on a path that is con-
22 ductive to positive education, then we must, in fact, have that
23 mixture. We must have that input. I can talk to the mill
24 levy thing. The Boston school district has a housing project,
25 subsidized housing projects that are bigger, have more popula-

1 tion than the city of Harlem and the city of Havre. They
2 don't have a mill levy. They don't have to pay a mill levy.
3 The mill levy these guys are talking about is a mill levy that
4 we are already paying in subsidized school programs. That is
5 our tax mill levy that we are taking. People that live in
6 the school district over there, that own property in Harlem,
7 Montana, my mother is one of them. My brother. I could name
8 forty people living over there. They are double taxed because
9 their kids are going to school under these government programs
10 are also paying mill levy. And if we have, you know, all of
11 this extra money, I don't know what the hell the problem is
12 with, you know, with inadequate buildings. You know, Christ
13 you got two million dollars. They are getting an eight
14 million dollar school building. That two million dollars
15 would go a long ways into relieving the health and the sub-
16 standard health and safety buildings that they are living in
17 now. As far as the qualified teachers and educators over
18 there, that's true, you know. I haven't seen an Indian
19 teacher that has been hired over there that is any less
20 qualified and possibly greater qualified than some of the
21 people that are there. I have been over there and I have
22 talked to a lot of the, in fact, I was over there just about
23 every day when my son was going to school there because of
24 a discipline problem. And I talked to a lot of the people
25 over there. And they didn't impress me one damn bit. In

1 that John Wayne mentality is there. It's definitely there.
2 And I think that's one thing that we have to deal with. We
3 have to get our representation from Fort Belknap on the
4 same degree that we have a student representation over there
5 before we are going to have that kind of impact. And I hope
6 that you people sitting on this board, and I am very happy
7 to see you here, and I am very honored to be able to address
8 you today, I hope that you will look at the evidence, the
9 documentation that has been provided to you today, the com-
10 ments that these people have made, because we are only a few.
11 We are the big mouths. We are the troublemakers over there.
12 All the other people that aren't here, the other 65% of
13 Indian student parents, they are not here because they don't
14 have the big mouth that we have got. So you are only hearing
15 from a minority, and the magnitude of the minority is some-
16 thing that you have to look at. Thank you.

17 MR. BEHEGAS: Mr. Archambeault, have you had any trouble get-
18 ting jobs, yourself?

19 MR. ARCHAMBEAULT: I never applied over there. Frankly I
20 wouldn't want to work there. Too redneck for me.

21 MRS. BABCOCK: I would like to ask Mr. Plumage a question.
22 Would you tell me what percentage of the registered voters
23 voted in the school election, of all the registered voters?

24 MR. PLUMAGE: The last election?

25 MRS. BABCOCK: When you were running for the school board.

1 MR. PLUMAGE: I don't have that percentage, but I can tell
2 you that I know it was very close to 80%.

3 MRS. BABCOCK: That voted in this?

4 MR. PLUMAGE: In the last school election. School elections,
5 that's very high. Nationally if you get a 41% turnout, that's
6 an excellent turnout in a national election or even in a state
7 election. But, like I stated in my earlier testimony, school
8 board elections here have been hotly contested for the last
9 four or five years, and there is a tremendous drive on both
10 sides of this river to get the voters out.

11 MRS. BABCOCK: I thought that might be a program. My daughter
12 ran for the school board in Helena, but we only have 30% of
13 the registered voters that turned out, so that's unusual to
14 have that high a percentage. Who would like to be next here?

15 MRS. JUDY GRAY: Some of the speakers that will be testifying
16 have asked that they have some assistance. Speaking before a
17 group is uncomfortable, and they feel nervous. I will be
18 reading the testimony for Marie Bear. At the conclusion of
19 my testimony, there is some further information that she
20 would like to share with you.

21 MRS. BABCOCK: Just a moment, please. How many more people
22 are going to want to testify? Would you raise your hands,
23 please. And please don't feel nervous because we are nervous,
24 too, if we testify sometimes, so please don't feel nervous.

25 MRS. GRAY: "My name is Marie Bear. I am 63 years old. I am

1 a member of the Gros Ventre tribe and live on the Fort Belknap
2 Reservation. I have nine children that attend Harlem Public
3 Schools. I have had children in this school since 1957 and
4 today I have many grandchildren and relatives that attend the
5 Harlem school. I am here today because of the poor way the
6 children are treated in the Harlem school. I am going to
7 tell about a conversation I had with my granddaughter, Heather
8 Rae. Heather's mother is deceased, and I am raising her.
9 During the last school year, '84-85, Heather came home from
10 school and said to me, "Gram, some of those white teachers
11 are mean to some of the little Indian kids. They jerk them
12 around and shake them up. Little white girls and boys do the
13 same thing, and they don't do that to them." I asked my six
14 year old granddaughter, "Do they ever do that to you?" Heather
15 said, "No. I never gave them a chance yet." It hurts me that
16 a six year old child can see the Indian children are treated
17 differently in Harlem school. I have had to listen to this
18 same kind of comments from my own children and tried to comfort
19 them, and now my grandchildren are going through the same
20 thing. Another grandchild, Amber, age 12, and a 6th grader,
21 told me about one of her classes. They were mostly Indians
22 in this class. The teacher asked the class what shall we
23 study about? One of the other Indian kids said, "Let's study
24 about Indians." The teacher said, "Oh, yuck, that's not any
25 good. Let's study about"--and he said some foreign country.

1 My granddaughter, Amber, then said, "No. I am no foreigner.
2 I am an Indian." The last thing I am going to tell you about
3 is about myself. Last school year at the Indian studies pro-
4 gram, the Indians, to honor the kids for their efforts during
5 the school year. This Indian dance was held in the high school
6 gym. I was there with two other Indian women, and I told them,
7 "Gee, I am 63 years old, and this is the first time they let
8 us dance in their hall. Marie Bear."

9 MRS. BEAR: Marie Bear. I want to see on sports, I have a
10 son, John, who was good in football. Basketball. But he was
11 always a benchwarmer, and they always put a McGann, or there
12 was another white kid out, but John, different people told me
13 that they thought John Bear was a good basketball player and
14 football player. I hope in the future young Indian boys will
15 be put up with the non Indians, if they are good. Thank you.

16 MRS. COCHRAN: Hello. My name is Dorothy Cochran, and I raised
17 my children through school, and I have got grandchildren that
18 I am putting through school now. Last year on graduation,
19 my granddaughter, it was really storming, and she had walked
20 a good two and a half miles to get to my daughter's house.
21 She was soaking wet, and she had taken a bath, and nobody
22 had transportation but me. So I had already taken my boys
23 over there for graduation, 8th grade graduation. And when
24 I stopped to pick up my granddaughter, my daughter, my other
25 granddaughter was there. So I took her over, and she was

1 really nervous. She said he was supposed to have been there
2 on the bus, but I missed the bus, and yet she had the initia-
3 tive to walk back during that storm and clean herself up. And
4 when she got there, I walked up there, and we sat on the
5 bleachers while she went in. She was to see the office, and
6 there was nobody there. She walked back into the hall and
7 there were chairs sitting out in the front facing the audience,
8 you know, the bleachers. She sat down on the chair. And she
9 had just called up one girl to make a speech or something,
10 you know. And Mr. Slyker, who was superintendent at the school
11 at that time walked over to my granddaughter and said something
12 to her and she got up and she walked away and sat down on the
13 bleachers. And somebody come up and told me that she was cry-
14 ing. That was a public insult to that little girl on her
15 graduation day, of treatment to Indians, little Indian girl.
16 I was so furious after that graduation, I waited until after
17 graduation, but I went down there, and I told Mr. Slyker, "You
18 ignorant dirty white man. How dare you insult my granddaughter
19 like that?" I said, "I have stayed with my granddaughter. My
20 granddaughter comes from a broken home", and I said, "I have
21 seen my granddaughter get up in the morning, cook her break-
22 fast and get herself ready, and then she would go over and
23 wake her own sister up and tell her, "Okay. You have slept
24 enough. Come on. Your breakfast is ready." She was 13 years
25 old. This is the kind of treatment. On the other one is my

1 grandson, Donald. He had gone to school and he said one day
2 he was at dinner, not knowing, you know, anything else that
3 happened, he came back and the police had come and got him.
4 Apparently one of the store owners had been taken down to the
5 cafeteria where they were eating and had picked him out among
6 this school that this boy had been in his store and had stolen,
7 at 4:00. In that area of time. 4:00 or 4:30. And they took
8 him back and they put him in a lineup. The store owner went
9 over there and picked him out. Again, he picked him out of
10 this lineup. Now my grandson was convicted right there. I
11 mean he was guilty. Had it not been for his bus driver, Mr.
12 Richard Kuntz, what would have happened to him? He walked
13 in there and he told him, "Under no circumstances can this
14 boy, could this boy have been in your store and taken any-
15 thing. He was on my bus towards Hays. There was no way he
16 could have been there." But he was guilty. I get frightened
17 thinking what could have happened to my grandson, what could
18 have happened to him if he was the type that stayed in town
19 on the bus. He wasn't in sports. And he went home every day,
20 so fortunate for him, he was saved. Then I happened to be
21 washing clothes here in Harlem here and, you know, I seen
22 this police car pull up, and a bunch of young girls were sit-
23 ting in the back of this police car like a bunch of criminals,
24 and were taken into a police station, and I recognized these
25 girls. These girls all come from good homes, you know. Their

1 parents, you know, they were not, you know, crazy kids. I
2 just knew who they were, and so I told my daughter, well, I am
3 going to go over there and call, go over to the Agency police
4 station and find out if the parents had been notified, because
5 I was afraid. I had this fear after what happened to my grand-
6 son. So I called over to the Agency, tribal police, to find
7 out. Supposedly we have somebody to represent our children
8 there. I always thought. I am still in the dark. I don't
9 know what protection our children have. Do they have any
10 protection against the police? Can the police go in and take
11 your child out of their classroom or out of a meal? Can
12 people go in there and finger point your kids? I had previous
13 experience of that treatment from Harlem. I had my son and
14 my brother. This school had been vandalized in Harlem. Of
15 course, this is a long time ago, a while, but it ties into
16 what I am trying to tell you. My fears. When most kids went
17 to school, my boy was eight years old, and I lived in little
18 Chicago, they called it little Chicago at the time. And my
19 kids were deathly afraid of the dark because people always
20 used to tell them it's scary down in there. There used to be
21 Indian burial grounds down there, and so they wouldn't even
22 go outside at night. And here they had gone to school, and
23 the police, the Harlem police and the tribal police had come
24 to see them to take a statement to have picked up these two
25 boys. One was 11 and the other was 8. For walking five miles

1 into Harlem in the middle of the night vandalizing the school
2 and then walking all the way back and getting up and going to
3 school. I told them, "No. I was there. I worked days at
4 the hospital at the time." But this harassment continued for
5 several days at school. These kids weren't getting an educa-
6 tion. Supposedly I was sending them there to learn to get
7 educated. Boy, they were getting the wrong kind of education.
8 They were getting police harassment right in the school. So
9 I finally contacted the school and the police and I told them,
10 "You bother my kids one more time, I am going to go see an
11 attorney." At that times those Indians didn't know much about
12 attorneys, but I knew that somehow my kids had some protection
13 coming to them. They stopped bothering the kids. And I found
14 out from a lady who was a friend of mine, she was a--her
15 brother had been a real good friend of my brother's when they
16 were young, and she was white, from Harlem. And she told me,
17 she said, "Do you know what happened to that school vandalism?
18 Did you hear?" And, I told her, "No. I didn't." She said,
19 "They found the ones that were guilty of vandalizing in the
20 school. They all came from good homes in Harlem. The big
21 shots." The minute they found that out, no more harassment
22 from nobody. You know. It was easy to terrorize two little
23 tiny kids, but when they found out that it was the big shots
24 in town, that was different. There is discrimination, but
25 then I am, I, myself, recognize and I can live with it. I

1 always figure I am as good as anybody else. If anything,
2 hell, I am better. This is my home. This is my country. My
3 children last year started in. I haven't heard any com-
4 plaints this year, but when they went to meals, my oldest
5 son didn't even want to go eat because the teachers, when they
6 take them down to the bus, they bus them from the 7th grade.
7 They bus them down there for meals. He said they harassed
8 him. You kids ought to be glad you get these free meals.
9 Instead of letting your people bother us. Why don't you tell
10 your families to stop bothering us. I finally went to Mr.
11 Slyker about it. About that, too. I asked him, you know, I
12 knew who the teachers, I told you who they were. But he said
13 well, we will tend to this. But it didn't stop. It never did
14 stop. Many of you people like you are here, like the last
15 guy, big mouth. I am right in there. And but right now we
16 are pretty much aware of what our rights are and when they are
17 being violated. And I have raised my children and I am down
18 to raising my grandchildren now. I think my grandchildren
19 can receive better protection than I could have given to my
20 own kids because at the time we didn't have people to defend
21 their rights. And there is no way you can get it across in
22 Harlem, because you can't change them anymore than you can
23 change some of the older people like myself. I am well aware--
24 I have lived in Seattle. I have lived in Los Angeles. I have
25 worked, and most of my people I worked with was white people,

1 you know. And were my friends. But I never--it's always true
2 any city next to an Indian reservation, there is a lot of dis-
3 crimination. I had somebody make a remark, and I said, would
4 rather not say the name, but it was one of the businessmen in
5 town, and he said, "You know if we could get rid of that Gray
6 woman, we wouldn't have no trouble." Actually that wasn't an
7 insult. That was a compliment. That was a compliment to
8 have such a smart intelligent lady to represent us. I thank
9 you.

10 MR. KEATING: May I ask a question? May I ask a question,
11 please, ma'am. If you are aware of these teachers who have
12 made these comments and you know who they are, my question
13 would be are they people who have been raised in this area
14 and have come back here to teach school, or did they come
15 here from someplace else to teach school? I am trying to get
16 a handle on where they get their prejudice.

17 MRS. COCHRAN: I don't really know the people that well, but
18 I know these teachers have been here a good many years. And
19 I, in that my children have had the same complaint about the
20 same teachers, and my grandchildren have the same complaints.
21 Yes. I would say they are long time residents.

22 MR. BEHEGAS: Mrs. Cochran, you asked a question about if any-
23 one going on the school grounds. Why don't you ask the super-
24 intendent while you are here what the policy is of that. May-
25 be he can give you an answer. You asked the question. Perhaps

1 he can give you a direct answer.

2 MRS. BABCOCK: What is the question, please? State it for
3 the reporter.

4 MR. BEHEGAS: Okay. My question would be what is the policy
5 for the protection of the Indian children? On the school
6 ground.

7 MRS. COCHRAN: On the school ground from the police.

8 MR. RANTA: We met with the deputy sheriff earlier this year
9 and anytime they enter the school grounds to accuse anyone of
10 anything, the parents will be contacted before they talk to
11 the student. And they must have either parental permission
12 or parental presence or guardian, as the case may be. They
13 won't talk to them without your knowledge or consent or pre-
14 sence.

15 MR. BEHEGAS: Mrs. Cochran, one more question. You said the
16 police were--were you talking about tribal police or city
17 police?

18 MRS. COCHRAN: City police.

19 MR. BEHEGAS: That's Harlem police?

20 MRS. COCHRAN: In Harlem. Right.

21 MRS. BABCOCK: May I ask a couple of question? When you had
22 the problems with the teachers, did you ever go to the school
23 board and discuss it with the principal or--

24 MRS. COCHRAN: Yes. I have.

25 MRS. BABCOCK: And do you have any children or is it grand-

1 children that you have in school now?

2 MRS. COCHRAN: I have three grandchildren who I have legal
3 guardianship of. And I am, my husband and I are their legal
4 parents. My other grandson lives right next to us, the one
5 that was picked out in the lineup. His father lives next to
6 us now and they have--they live there, so I more or less
7 assumed responsibility to him in going to the school for him.

8 MRS. BABCOCK: Thank you. How many more do we have?

9 MR. GRAY: My name is Emery Gray. I am a member of the Gros
10 Ventre tribe here. And first of all I would like to, that
11 representative from MEA that spoke earlier, some of the things
12 he spoke about are long overdue because the problem we are
13 having is with those tenure teachers that belong to the union.
14 The MEA union. During the early 1970's, tribal Indian leaders
15 from seven Indian reservations in the state of Montana were
16 very concerned about the appalling fact that between 50% and
17 60% of all Indian children were dropping out of school. And
18 in some areas the figure was as high as 75%. This was in
19 contrast to the national average of 23%. Indian tribes and
20 Indian leaders felt a full generation of Indian adults have
21 been severely damaged by an unresponsive educational system.
22 This occurred at a time when economic surviving today required
23 increasing comprehension of both general knowledge and techni-
24 cal skills. Indian people were at the lowest level of achieve-
25 ment of any group in our society. Indian leaders recognized

1 the fact that anyone lacking educational skills will be among
2 the unemployed with no means of surviving except welfare. Our
3 Indian leaders stated we must not lose this education of Indian
4 children, and realized that there was a desperate need for
5 restructuring the basic educational concepts. Our Indian
6 people regardless of where they live, were citizens of the
7 state of Montana and were entitled to all benefits available
8 to any other citizen. The Indian people want training pro-
9 grams in Indian cultures and values, a system that would be
10 taught to teachers, administrators and counselors. Be they
11 Anglo, Indian, so that they could understand our children.
12 Indian people felt that there is no excuse for a quiet shy
13 Indian child being labeled as dumb and unresponsive by an
14 uncomprehending teacher. With this goal in mind, Indians
15 were fortunate in the passage of the Montana house bill #343,
16 which was enacted, and required Indian studies being part of
17 the educational background of the public school personnel
18 that were employed on or adjacent to Indian reservations,
19 and encouraging American Indian studies as a part of the edu-
20 cational background of all school personnel employed in the
21 state. Part of the act read, "Be it enacted by the legislative
22 assemblies of the state of Montana, section 1, it is constitu-
23 tionally declared policy of this state to recognize the dis-
24 tinction and unique cultural heritage of the American Indian
25 to the committee that its educational goals to the preserva-

1 tion of their cultural heritage. It is the intent of this
2 act predicated to the belief that school personnel should
3 relate effectively with the Indian student and parent to
4 provide means by which school personnel will gain an under-
5 standing of and appreciation for the American Indian people."
6 Montana house bill 343 required a mandate that by July 1, 1979,
7 all Board of Trustees for public school districts on or adja-
8 cent to Indian reservations shall employ those certified per-
9 sonnel who have satisfied the requirements for instruction in
10 American Indian studies. The act also encouraged school board
11 members and all non certified personnel to satisfy their
12 requirements for this act. Before the July 1, 1979 mandate,
13 and house bill 343 were successful in changing the laws and
14 passing Senate bill 291 which made the Indian studies require-
15 ment a local matter and solely the responsibility of the local
16 Board of Trustees. Even though the percentage of Indian stu-
17 dents in Harlem school is 70%, the Harlem School Board of
18 Trustees have not made this a requirement. In fact, Harlem
19 teachers and former principal, David Boisvert, was very adamant
20 in opposing the Indian studies bill and testified against
21 it in Helena, Montana. Montana state law requires school
22 children to attend school until they are 16 years of age, the
23 normal school year is 180 days. A normal day consists of
24 approximately 7 hours a day plus extra hours if they are
25 involved in extra-curricular activities. During this time,

1 teachers play an important role in molding the attitudes,
2 values and understanding of our children. Schools and
3 teachers can only become more effective and better informed
4 about Indian children and Indian culture from in-service
5 training or in college courses, et cetera. There were some
6 great strides in Indian education since the passage of the
7 Indian studies law. Not only in awareness, but also in
8 understanding and cooperation. To prove this point, I would
9 like to share this true testimony that was given by Darlene
10 Schwartz, who is a teacher at Rocky Boy's School, on February
11 6th, 1973. Her statement read, "Many years ago I had a little
12 first grade Indian girl in my classroom. I can still hear her
13 sob "nobody loves me." Since that time, my area of concentra-
14 tion has centered around the formation of self-esteem. Parents,
15 parties and teachers can help build a positive self-concept,
16 but ultimately it is a reflection of the dominant society that
17 plays a large role in the development of the Indian self image.
18 The non Indian must be educated to the needs, values and cul-
19 ture of Indian people so that this reflection will be a posi-
20 tive one." In closing, yes, it is very unfortunate that nega-
21 tive attitudes towards Indian people still remain among some
22 teachers at the Harlem schools, and we must send our children
23 away each morning to bear the brunt of these negative attitudes.
24 Thank you.

25 MR. WILSON: My name is Lyle Wilson. I would like to read a

1 written statement on behalf of my wife and our daughter, Diana
2 Capture. I am here today because of concern for my children,
3 for my child who is handicapped with cerebral palsy. The
4 incident I would like to talk about happened last year when
5 she was seven years old. Diana is a frail child and has limited
6 use of her left side. The Harlem school is completely aware
7 of Diana's medical background. Because of the limited use of
8 her left side, she does not have good balance when she walks
9 and uses steps or stairs. At the time of this incident, an
10 ice storm had moved into the area. At the time Diana got off
11 the bus she fell and broke her left arm. We do not know how
12 long she laid on the road, but we estimate ten minutes. It
13 was nearly dark when this happened. There was more traffic
14 than usual because employees were going home from work, and
15 road equipment was being moved because of the storm. A man
16 was on his way home and saw her on the road. He picked her
17 up and brought her to our home. We obtained medical atten-
18 tion for her at Fort Belknap hospital and also at the Havre
19 Clinic. The principal, Blodgett, was very concerned and
20 respectable towards our family. He spoke with the bus
21 driver, and eventually the bus stop was designated closer
22 to Diana's home. We further requested to discuss with the
23 school her medical and related costs involved as a result of
24 the injury. We contacted the school numerous times, but we
25 never received any replies to our requests. Our family does

1 not have the financial means to pursue this through the courts.
2 Further, as a result of the principal discussing this with
3 the bus driver over this injury, we suffered personal reprisals
4 and verbal insults by family members of the bus driver. While
5 we know that this was a life threatening circumstance to our
6 daughter, we feel that the Harlem school board, the Harlem
7 school administration, with the possible exception of Mr.
8 Blodgett, did not give consideration to our daughter and
9 family, and are still liable. Our daughter suffers a physi-
10 cal handicap, that the school was very familiar with, and
11 could have provided for more adequately for her safety. We
12 consider ourselves lucky that greater physical harm didn't
13 come to her. The rights of children need to be protected,
14 and we are hopeful that this hearing will help our children.
15 We have no representative on the school board from the reser-
16 vation that we feel we can contact with our concerns for our
17 Indian children. Our problems are ignored and we are made to
18 feel that problem is our imagination. Diana's broken arm is
19 not our imagination."

20 MRS. BABCOCK: Thank you. Are there any others that care to
21 testify? Yes.

22 MRS. STIFFARM: Hello. My name is Marlene Stiffarm and I am
23 an enrolled member of the Fort Belknap Reservation. I would
24 like to relate an incident that happened concerning my young
25 daughter last spring. I was called by the elementary counselor

1 at my place of employment around 4:00 stating that my daughter
2 had missed her bus. I went to the school to see if she was at
3 the school and found that all the doors were locked. I then
4 went uptown and looked around for my minor young daughter. I
5 wasn't able to find her anyplace around town, so I went back
6 to the school and started knocking around doors trying to get
7 in, and I was finally able to get into the school. I asked
8 for the principal, and they showed me where he was at. I
9 talked with him and I asked him what had happened. And he
10 said that my daughter had refused to get on the bus. And I
11 asked him where she was at, and he said, "Well, last time I
12 saw her, she was walking down the street." And that maybe
13 she might be uptown or maybe she was at a friend's house.
14 Knowing my daughter that she doesn't have any friends living
15 in town and that she wouldn't do something like this, I went
16 back uptown and went looking for her and I couldn't find her.
17 I did inform the principal at that time and I told him I was
18 going to go look for her again, that if I could not find her,
19 that I expected assistance from them in trying to find my
20 daughter. I went back home and got my two older boys to come
21 and help me look for her. We did finally find her about 5:30
22 that evening. When I found her, I asked her what had happened
23 and she said that, how she had gotten home and she said that
24 she walked uptown and caught a ride home with a lady. I
25 tried to find out what the lady's name was, but she didn't

1 know who the lady was. I waited that evening hoping that
2 the school would call to see if I had found my daughter. I
3 never did get any call from the school. I waited the next
4 day. There was still nothing. I finally went to the super-
5 intendent that afternoon and expressed my concern over these
6 situations. He called the principal and talked with him and
7 he wanted me to talk with the principal and I did. I got on
8 the phone with him, and his words, first words to me at that
9 time were "I handled that badly, didn't I?" Yes. He did.
10 My daughter was in the third grade. Thank you.

11 (Recess taken)

12 MRS. BABCOCK: All right.

13 MRS. GONE: My name is Gloria Gone. I have a few things or
14 complaints or whatever you want to call them against the Harlan
15 Elementary Schools. First of all, the main one that concerns
16 me the most is that my son, Patrick, was in the kindergarten
17 two years ago. And I can't remember the name of the teacher
18 at the time, but he was a male teacher. During the school
19 year he had advised me and my husband that my son was doing
20 excellent with the kindergarten work. There was no problems,
21 according to him, and all the visits that I made, and toward
22 the end of the school year I made approximately 20 visits in
23 the three months, to keep track of my son. Because he was
24 kind of an emotional kid, and I was told at the end of the
25 school year that my boy was going to be, remain in kindergar-

1 ten simply because he thought he was immature, and this isn't
2 what I was told during the school year because I told him if
3 he would have told me earlier, we could have done something
4 or helped him in some way to help him get over this being
5 immature. And according to him, he was crying in school and
6 stuff like this. But during the school year when he was
7 attending those classes over there and going on, going in
8 class and announced, he would always tell me my son was doing
9 great. He was a good kid. He was smart. He was doing every-
10 thing he was told, but yet when his report card came out, he
11 was retained in kindergarten simply because he said he was
12 immature. So therefore I decided to wait the summer to make
13 a decision as to if I would allow them to keep him in kinder-
14 garten. Well, Mr. Blodgett had taken over the principal
15 position for the next school year. And the kindergarten
16 teacher had resigned. So when I went to the school to talk
17 to Mr. Blodgett, the teacher, I found out this teacher had
18 resigned his position and that there was a new principal.
19 Well, in order to make a long story short, there was a few
20 tests that were taken on my son by Mrs. Ball at the school,
21 and we had—it was my decision at the time rather than fight
22 the system, to let my boy stay in kindergarten. But that's
23 not the issue here. The issue is that these, this school
24 district had went ahead and let this teacher make this assump-
25 tion, assuming that my son was immature, without proper papers.

1 I see nothing in black and white, psychological makeup on my
2 child from the school system. I am kind of angry because my
3 son is doing quite well, but I just didn't like the way, you
4 know, they pulled the dirty trick on me, by retaining my kid
5 without telling me that he was having problems. And another
6 situation came up last spring. I believe it was in April. My
7 oldest boy told me, a lot of people from Harlem and Fort
8 Belknap, know to be a good kid and not trying to brag, but he
9 is a good kid, but he was disciplined in the lunch line simply
10 because he wouldn't let anybody cut in front of him. There
11 was this little scuffle that went on. And in the lunch line
12 my son was detained from eating lunch. Therefore that after-
13 noon he called my cousin's house to tell me that he was sick,
14 so after talking to him for about a half hour on the phone,
15 I find out why he was sick, and he finally told my husband and
16 I after school that he didn't get to eat lunch. Simply
17 because—Mrs. Achers, and I haven't been able to meet Mrs.
18 Achers yet, but she had pulled him and a few other boys out
19 of the line so these boys didn't get to eat their lunch. So
20 that was one of the reasons why I went to the Harlem school to
21 talk to, at the time, Mr. Kimble. And I know Mr. Kimble was
22 a new principal, and so I didn't—I never met him before.
23 Before that, the day before I went there, this other instance
24 came up with my son, Patrick, again. He has a situation of
25 kind of, it's kind of a medical situation. His eyes get red.

1 He has what they call eye exhaustion. He doesn't have enough
2 moisture forming on his eyes to keep them from not being red.
3 Anyway, the school nurse had determined, diagnosed on her own.
4 I don't know if she had a right to do that, but she diagnosed
5 my son as having pink eye. And I was called and told that my
6 son had pink eye. And I thought--I had never seen any indica-
7 tion at all that he had any of this before he went to school.
8 Anyway, they brought him home and there was a note from the
9 nurse that said, "Patrick has pink eye. Take him to the
10 doctor." Okay. I took him to the doctor. The doctor was
11 upset because he said that she was not a doctor to make a
12 diagnosis of this nature. Especially pink eye being contag-
13 ious had worried me and my husband. And the thing is that
14 the people I have been talking with about the privacy act,
15 confidentiality in the school system. Well, I don't know who
16 let the cat out of the bag, but this business was all over
17 the school district and the reservation, and as a result of
18 this, my son was teased, you know, quite a bit. And he is
19 sensitive as it is, and this was really heartbreaking for him.
20 It just really bothered him that he thought he had pink eye,
21 and he was going to give it to everybody. Everybody was
22 afraid to come out to our house because they were afraid to
23 get pink eye. Well, the doctor said that if she wanted to
24 be a doctor, he would send her to school, himself, but this
25 is only hearsay. But I was a little bit upset because this

1 was supposed to be, when the kids are sick in school, it's
2 confidential for a patient. The nurse's patient. And the
3 parent to be involved in the whole school system. Not the
4 children. And not the community. And as a result of this,
5 people teasing my boy of having pink eye when he was just, it
6 was just nothing but eye exhaustion. He is currently taking
7 drops for this condition, and that he has with his eyes.

8 MRS. BABCOCK: Can we shorten it up a little bit.

9 MRS. GONE: Okay. The other thing about the school bus, the
10 kids get on the school bus, right in front of my house. I
11 live over at Border Town and this, I watch the bus every
12 morning and I see the kids packed in there like sardines, and
13 my boys have been complaining a bit and they are not very big,
14 but they keep complaining there is not enough space in that
15 bus for all of them students. I would like to see something
16 done this year.

17 MRS. BABCOCK: We are going to have to bring this to a close
18 soon.

19 MRS. GRAY: I would like to make one final request. We have
20 approximately nine of the other testimonies that I will sub-
21 mit. I know we are running out of time. I will submit them.
22 I would like to, if you will allow Sister Mary Margaret to
23 present her testimony. It's very short, and that will be the
24 conclusion of our testimony.

25 MRS. BABCOCK: We will accept that as the last one, and then

1 I was going to say that if there is any more that want to
2 testify, they can submit any testimony in writing. And then
3 we will have to bring this to a close.

4 SISTER MITCHELL: I will try and be short. I feel very anti-
5 climatic after sitting here. I am Sister Mary Margaret Mitchell.
6 My experience is not in the nature of, as painful as many of
7 those that have testified already, but it seems significant to
8 me. My name is Sister Mary Margaret Mitchell. I worked in
9 Harlem as well as at Fort Belknap for five years as religious
10 director for, from ages 8 through 12. I had a wide acquaint-
11 tance with the children in Harlem Elementary School. People
12 in both communities are my friends and co-workers, and I have
13 often been troubled by their difficulties in understanding
14 and accepting each other. During the spring of 1985, several
15 wives and different Indian parents shared with me their con-
16 cern about prejudice treatment of Indian students in the
17 school. I encouraged them to take their concerns to the
18 teachers, the administrators, the school board, as they
19 judged proper. They sometimes requested that I attend the
20 public school board meetings to lend moral support. I did
21 not, myself, make any public statements except at a very
22 large community forum. It happened that because I gave
23 support to these parents who are making what I thought were
24 normal complaints, I was verbally challenged. I won't say
25 exactly set upon, but by teachers. After school board meetings,

1 on at least two occasions. It was also reported to me by
2 someone who was present in that situation that my reputation
3 for narrow-mindedness was openly maligned, by these teachers,
4 to other school personnel who, not having been there, were
5 led to believe that my participation was improper. To me,
6 it seemed that it's my part, my civic duty to encourage people,
7 whatever their race, to make open public statements of their
8 complaints when it seems appropriate to them. I see my role
9 as encouraging them and supporting them. In this way, I
10 believe this process of real problem solving can be furthered
11 and all interests of the community will be better served.
12 It seems very short-sighted to me to let personal affairs
13 lead some to prevent opposite views from being aired. There
14 seems to be some kind of prejudice in over half of the com-
15 munity. The Indian majority cannot be trusted to contribute
16 reasonable ideas and share decision making power with regard
17 to the education of their own children. To let these affairs
18 and prejudices keep this unique group from making the contri-
19 bution that they are so able to make is resulting, I believe,
20 in an inferior stressful educational environment for all the
21 students, future teachers and administrations. Unfortunately,
22 it is those with the greatest needs who are the most wounded
23 in this situation. Thank you, very much.

24 MRS. BABCOCK: Thank you.

25 MR. KEATING: I have a question, again. With regard to the

1 teachers that you referred to in your testimony as having
2 called you a troublemaker, also--

3 SISTER MARY MARGARET: Yes.

4 MR. KEATING: Could you relate their background to me? Have
5 they been here a long time? Are they from this area, orig-
6 inally? Are they new here from someplace else? Do you have
7 any idea what would be the source of their prejudice?

8 SISTER MARY MARGARET: They have been here for a long time.
9 In my mind, it seems that they hang onto their narrow view-
10 point of Indian people and refuse to get acquainted and find
11 out what they are really talking about, because they are so
12 sure they already know. I also have heard them say at
13 different times that it's very hard for them to lose. They
14 do have all the power at this point and everyone like to have
15 power, and they don't realize, I think, and I can't make a
16 judgment about their culpability, but I don't think they
17 realize that what they are doing is hanging on to the power
18 and that there is another group in the community that has a
19 right not to have all the power, but to share it, for sure,
20 and in an equitable manner, and I think whenever there is a
21 challenge to power, and that there is going to be upset and
22 resistance, and I think the resisting, knowing that they are
23 resisting new things. They just lack perspective, probably,
24 because they have been in Harlem so long. And, you know, I
25 can't blame them, really. They do have a lot of experiences

1 with problems in the community, but they don't see those prob-
2 lems from a compassionate point of view. I was very aware of
3 that last year when one of the white families in town, I don't
4 know quite well, had very great difficulties and became known
5 quite public in the community because we have a fine newspaper,
6 Harlem News is really getting things out. Anyway, I mean that
7 sincerely. But the teachers were wonderful, I thought. They
8 responded compassionately to that family, that white family.
9 Really stretches them to, you know, fill in some holes where
10 the father had major problems and so on. When those things,
11 same teachers, however, see the same type of problems in
12 Indian families, their reaction is one of blame, and rather
13 stretching the same way with that kind of compassion, they
14 seem very eager to, like most of us, you know, be defensive
15 and show how they are not to blame and nobody wants to say
16 they are to blame, but it seems to me they could be part of
17 the solution if they could stretch it a little bit, and I
18 expect that they will, as people get more brave, to say
19 publicly what they really see, I suspect that people will
20 not be able to return to a situation in which they guard their
21 own ignorance.

22 MRS. BABCOCK: Thank you. I certainly want to thank all of
23 you for participating from both points of view, and I hope
24 this will bring some good to the community. The agenda now
25 calls for announcements and scheduling of the next meeting.

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Is that Mr. Weber?

MR. KEATING: What would be the purpose of our next meeting,
Madame Chairman?

MR. MULDROW: I suggest we close the public portion of the
meeting, and have a committee meeting.

MRS. BABCOCK: All right. We will call an adjournment of the
public meeting, and the board will meet for a few minutes and
we certainly thank all of you for coming.

1 STATE OF MONTANA)
2 County of Hill) :ss

3
4 I, Gene P. Hollmann, Official Court Reporter within and for the
5 County and State aforesaid, duly appointed, qualified and acting,
6 do hereby certify that the foregoing testimony was duly taken by me
7 and before me at the time and place specified in the caption hereof.

8 I do further certify that the foregoing is a true and correct
9 transcript of the testimony and proceedings taken by me in shorthand
10 notes, and that the same was caused by me to be accurately written out
11 in full and transcribed into the English Language.

12 GIVEN under my hand this 11th day of Oct., 1985.

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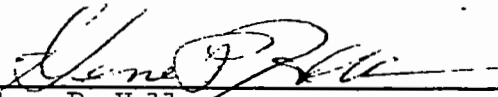
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Gene P. Hollmann
Official Court Reporter

NOTARY PUBLIC for State of Montana
Residing in Havre, MT
My Commission Expires March 12, 1987

The (c) by names denotes certified teacher.

		FEDERAL FUNDS - PRIMARILY TITLE IV , CHAPTER 1, JOM
1. 79/80	DISTRICT FUNDS	
	0	Irvin Powder Face Jon Contway
2. 80/81	0	(c)Wilma McEvers Nancy Stiffarm Peggy Healy
3. 81/82	(c)Bobby Small	(c)Deanna Good Bear Renita Walker Peggy Healy Nancy Stiffarm Carol Talks Different
4. 82/83	(c)Bobby Small	(c)Roberta Bell (c)Elaine Clayborn Peggy Healy Nancy Stiffarm Renita Walker $\frac{1}{2}$ time - Juanita Cole Darla Matte
5. 83/84	(c)Leona Kennenberger -Aide (Kennenberger certified teacher working as aide)	(c)Roberta Bell (c)Preston Stiffarm Shirley Bell Peggy Healy Arsh Stiffarm Nancy Stiffarm
6. 84/85	(c)Martin Old Crow (c)Leona Kennenberger Carol Doney - Aide	(c)Roberta Bell (c)Preston Stiffarm (c)Cynthia Gardipee

cont'd

6. 84/85

DISTRICT

Cheryl Cochran - Aide

FEDERAL

Arsh Stiffam

Peggy Healy

Shirley Bell

Nancy Stiffam

7. 85/86

(c) Dave Syth

(c) Iona Kenneberger

(c) Martin Old Crow

(c) Ann Magee

Carol Doney - Aide

Cheryl Cochran - Aide

(c) Rhonda Doney - Aide
(certified teacher working as aide)

(c) Roberta Bell

(c) Cynthia Gardipee

(c) Preston Stiffam

Peggy Healy

Nancy Stiffam

Shirley Bell

Arsh Stiffam

To Harlem High

Wed, MAR 6, 85, Harlem News, ~~11/1/85~~

Inspectors will be back

The Harlem School District could be a victim of its own making. That's kind of what Bob Parsley, who works in the accreditation office of the ~~Montana Office of Public Instruction~~, recently told a local audience.

He was part of a forum on local education concerns presented to the Harlem Business Club and other interested citizens.

Parsley said that two years ago the local board of educators urged state safety inspectors to "write them up as bad as they could" in order to make an application for Federal 815 construction funds" more appealing. The inspectors were evaluating the safety of Harlem High School.

"That has gotten you in a tight spot," he said. Now the district is facing what looks increasingly like a gloomy picture when it comes to

possible 815 funding although they had been optimistic when Harlem improved its standing on a priority list to number three. The district is also facing a return visit and another inspection from the board of safety, Parsley said.

"The people who said they would close down that facility in a year if something was not done are going to come back," he added.

Parsley said his office only evaluates schools on the basis of "minimum standards" for accreditation purposes. Non-accredited schools would not receive state foundation monies. But Parsley also acknowledged that the state has never withdrawn accreditation from a school.

"If a school building like the high school can't even meet these minimum standards something is definitely wrong," he said.

What the state board of education wants to see when it acts on accreditation for Harlem later this month is evidence that gains are being made in rectifying problems, he said.

He noted that the local board recently okayed a "game plan" for dealing with some problems which includes moving a science room, cited as a potential fire trap, into a band room. But Parsley also said the state board has suggested the district enact a building reserve fund to accumulate money towards a new building at some future date.

Voters will not be asked to do that at the April 2 school election.

Said Parsley, "I still think if I were a patron in this district I would start some sort of effort to build a new school."

Montana Inter-Tribal Policy Board

2303 Grand Ave., Suite 5 • Billings, MT 59102 • (406) 652-3113

April 29, 1985

MEMBER TRIBES

Blackfeet
Crow
Flathead
Fort Belknap
Fort Peck
Little Shell
Northern Cheyenne
Rocky Boy

Charles "Jack" Plumage
P.O. Box 484
Harlem, MT 59526

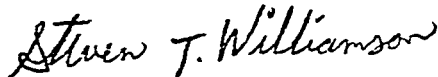
Dear Jack:

I am writing to detail what happened when I first applied for teaching positions in Montana following my college graduation in 1977.

At that time, armed with a Bachelor of Arts degree in History and Political Science and a desire to work as a teacher in a Montana school (preferably a reservation school), I made applications to many of the State's school districts. Among these applications was one to the Harlem school system. Although most of my applications were either to result in interviews and or offers of staff positions, a few were not even responded to! One of these was the application to the Harlem school district.

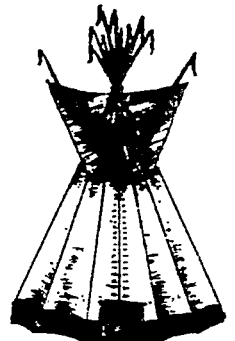
Being an enrolled Native American (Turtle Mountain Chippewa) who was raised near the Ft. Peck Reservation and lived in Montana for 15 years of my first 22 years, I did receive many reservation area teaching position offers in 1977. Among these were positions at Box Elder, Havre, and Valier. I ultimately chose the position at Valier (just off the Blackfeet Reservation) where I worked with many reservation students. I am unaware of why the application to Harlem was never responded to and did not seek a reason for this. In subsequent years, I also taught in the Wolf Point school system before accepting my current position with the Montana Inter-Tribal Policy Board as the Tribal Elders Program Coordinator. My initial application to the Harlem schools was not repeated when I switched teaching positions in 1978!

Respectfully,



Steven T. Williamson, Coordinator
PSA-VII Tribal Elders Program

STW/jf



January 28, 1980

Mr. Robert Forseth, Chairman
School District #12
Board of Trustees
Harlem, MT 59526

Dear Mr. Forseth:

It has been called to my attention that students in the 8th grade B-class were subjected to offensive and embarrassing remarks made by Mr. Shuland during the week of January 7 - 11, 1980.

The remarks were: "if you kids don't straighten up and do your school work you will turn out to be a bunch of bums and it is the working man like me that will have to support you and pay for the free lunches of your children."

These remarks not only offended and embarrassed the students that receive free school lunches, but also those students that are friends and relatives of the students receiving free school lunches.

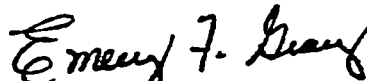
This type of conduct is unprofessional, unethical and should not be tolerated by the school board.

It appears that Mr. Shuland is in need of counseling to help him resolve his hang-ups about his tax dollars.

I am sure you and the other school board members are aware the students attending Harlem Schools come from different economic backgrounds, therefore, it is not the fault of the students that he or she receives a free lunch.

I suggest that this item be discussed by the school board and sensitive areas such as this be a part of teacher orientation.

Sincerely yours,



Emery F. Gray
P.O. Box 755
Harlem, MT 59526

Harlem Public Schools

Office of the Superintendent

Member of the Northwest
Accrediting Association

Harlem, Montana 59526

At a regular Board of Trustee meeting of School Dist. No. 12, and the Harlem High School District, Blaine County, Harlem, Montana, held on Wednesday, Nov. 17, 1976 at 7:30 P. M. at the High School Conference room:

1. Donald Rasmussen introduced the following resolution and moved its adoption:

WHEREAS, the Board of Trustees of the Harlem High School District is aware that the old high school academic building has served its useful purpose due to age, that it is becoming structurally unsafe, that the building presents a critical fire hazard, and

WHEREAS, an architectural, engineering, and planning firm has been employed to analyze the building, and

WHEREAS, the State Fire Marshall has been in Harlem to inspect the building, and

WHEREAS, the Superintendent of Schools and the Board of Trustees concur in their findings,

BE IT RESOLVED, that the Board of Trustees of the Harlem High School District abandon the unsafe high school building by the close of the increase period of June 30, 1978.

Roger Snider seconded the adoption of the resolution. The Chairman put the question of the adoption of the resolution. All the trustees voted "aye" whereupon the Chairman declared the resolution duly passed and adopted.

2. Gordon Azure introduced the following resolution and moved its adoption:

WHEREAS, the Board of Trustees of School Dist. No. 12 and the Harlem High School District want to make application under P.L. 815, School Assistance in Federally Affected Areas under Subsection 14(b),

BE IT RESOLVED, that the Board of Trustees of School Dist. No. 12 and the Harlem High School District appoint Supt. of Schools Larry J. Watterson as the authorized representative to file applications under P. L. 815 for School Dist. No. 12 and the Harlem High School District.

Richard Cronk seconded the adoption of the resolution. The Chairman put the question of the adoption of the resolution. All the trustees voted "aye" whereupon the Chairman declared the resolution duly passed and adopted.

ATTEST

Clerk_____
Chairman