

CCR  
3  
Meet.  
389  
v.2

MAINE ADVISORY COMMITTEE TO THE  
U.S. COMMISSION ON CIVIL RIGHTS

Limited English Proficient Students in Maine:  
An Assessment of Equal Educational Opportunities

FACT-FINDING MEETING  
June 4, 1997

9:00 a.m. to 3:00 p.m.  
Washington County Technical College  
Assembly Room  
RR 1, Box 22C, River Road  
Calais, Maine 04619

DR. BARNEY BERUBE - Chairperson

KENNETH F. MORGAN

FERNANDO SERPA

GERALD E. TALBOT

DON THOMPSON & ASSOCIATES  
96 Harlow Street, Bangor, Maine 04401  
Telephone: (207)941-9800

CCR  
3  
Meet.  
389  
v.2

## TENTATIVE AGENDA

- 9:00
- 1) Welcome, Introduction of Committee and Guests
    - Dr. Barney Berube, Chairperson, Maine Advisory Committee
  - 2) Background on Project, Administrative Procedures
    - Fernando A. Serpa, Civil Rights Analyst,  
U.S. Commission On Civil Rights
  - 3) Experiences of Limited English Proficient Students
    - Moderator: Jerry Talbot, Maine Advisory Committee
    - Mary Basset, Parent of an LEP Student
    - Vera Francis, Parent of an LEP Student
  - 4) Implementing Programs for Limited English Proficient Students
    - Moderator: Clair Sabattis, Maine Advisory Committee
    - Shirley Mitchell, Principal, Beatrice Rafferty School
    - Wayne Newell, Bilingual Education Consultant
    - Mike Chadwick, Principal, Calais High School
    - Cynthia Ferrill, ESL Teacher, Shead High School
- 11:30 - 12:30 LUNCH
- 12:30
- 5) Administration of Programs for Limited English Proficient Students
    - Moderator: Ken Morgan, Maine Advisory Committee
    - Peter Harvey, Superintendent, Calais School District
    - Ronald Jenkins, Superintendent, Maine Indian Education
    - Eva Sockabasin, Education Director, Indian Township
    - Margaret Howe, Education Director, Houlton Band of Maliseet Indians
  - 6) Federal Enforcement Policy and Procedures
    - Ruth Ricker, U.S. Department of Education, Office of Civil Rights,  
Boston Regional Office
  - 7) Open Comments from Members of the Audience
    - Moderator: Dr. Barney Berube, Maine Advisory Committee
- 3:30
- 8) Conclusion
    - Dr. Barney Berube, Chairperson, Maine Advisory Committee

INDEX PAGE

<u>SPEAKER:</u>	<u>PAGE</u>
WAYNE NEWELL	6
JANE TINKER	6
RONALD JENKINS	18
CHARLES PEASE	57
CHRIS ALTVATER	64
MARY BASSET	70

1           CHAIRPERSON BERUBE: I'll call the hearing to  
2 order.

3           My name is Barney Berube, chair of the Maine  
4 Advisory Committee to the U.S. Commission on Civil  
5 Rights. I'll let my colleagues introduce themselves.

6           MR. TALBOT: I'm Jerry Talbot, and I'm from the  
7 city of Portland.

8           MR. SERPA: I'm Fernando Serpa from the U.S.  
9 Commission on Civil Rights in Washington.

10          MR. MORGAN: I'm Ken Morgan. I grew up and went to  
11 school in Old Town, and I live in Bangor.

12          CHAIRPERSON BERUBE: There may be two other  
13 persons, we're not sure, from the committee who may be  
14 joining us, if that occurs. I don't know.

15          The Maine Advisory Committee to the U.S. Commission  
16 on Civil Rights is made up of eleven citizens from the  
17 state of Maine. The most obvious thing that I want to  
18 point out is that -- and we pointed this out yesterday in  
19 Fort Kent -- is that we are about half and half, male and  
20 female, contrary to what it looks like.

21          We are having four hearings. This is the second of  
22 four. And those members of the committee elected to go  
23 to whatever meeting they opted to, and we ourselves opted  
24 to come to these in the northern and northeastern part of  
25 the state. Just that as an aside.

1           The Maine Advisory Committee is one such as every  
2 state has that responds to the U.S. Commission on Civil  
3 Rights. They all have an advisory committee that are,  
4 essentially, the eyes and ears, and they take a snapshot  
5 of civil rights issues in Maine based on race, sex,  
6 national origin, disability, age.

7           And through a series of hearings, or even just a  
8 single hearing sometimes, or a fact-finding group is able  
9 to put together data, including recommendations, to the  
10 U.S. Commission for wide-spread dissemination both  
11 nationally and, of course, in the state. And it is part  
12 of the civil rights record for the state.

13           And that's what we will be doing as a result of  
14 these hearings. The four hearings that -- you may have  
15 read about the coverage in this morning's Bangor Daily  
16 News about our experience yesterday in Fort Kent.

17           Very, very different foci in each of the four  
18 sites, but they all have in common that we're talking  
19 about language, the second-language population; in the  
20 case of Native American communities, talking, of course,  
21 about the Passamaquoddy.

22           Then yesterday when we were in Fort Kent, the focus  
23 was on French. We will be going to Auburn next week, as  
24 well as Portland, and we'll be talking about a variety of  
25 language groups covering recent immigrant youth attending

1 Maine schools K thru 12.

2 So, that's kind of what the focus is.

3 We know how many people were approached to speak  
4 and confirmed that they would be here, but whether or not  
5 they'll appear remains to be seen.

6 We probably will be a little looser with the  
7 agenda. I hope you picked up a copy of the agenda as you  
8 came in. If you didn't, you can. And would you also  
9 please sign in, if you haven't already done so.

10 We'll take the liberty of accepting testimony --  
11 accepting your comments from your own perspectives as you  
12 received the letter from Mr. Serpa in a little bit.

13 But, unless you wish to wait, we'll accept those  
14 comments earlier.

15 But, before we do, I would like to introduce  
16 Fernando Serpa from the Commission on Civil Rights.

17 MR. SERPA: Okay. Thank you. Thank you for  
18 attending on behalf of the commission and commissioners.  
19 We thank you for your participation, your interest in the  
20 subject, and we hope to learn a lot from our meeting  
21 today here in Calais.

22 The reason we are here is to gather information on  
23 experiences of LEP students, limited English proficient  
24 students; their experiences, what types of programs are  
25 offered to them, and how the programs are administered.

1           The reason we are looking at this today is, in 1995  
2 this committee released a report called A Briefing  
3 Summary on Hate Crimes, Racial Tension, and Migrant  
4 Immigrant Workers on Civil Rights Issues in Maine.

5           And according to that report, which was based on a  
6 '94-'95 statistic, a survey found that approximately 3000  
7 school age children in Maine reported that they could  
8 speak a language other than English, and that only 1700  
9 reported by school as needing extra assistance because  
10 they were limited English proficient.

11           Today, that number is 3200 school age children in  
12 Maine report speaking a language other than English, and  
13 1800 being reported as limited English proficiencies.

14           Since most Maine schools do receive federal funds  
15 from a variety of programs sponsored by the U.S.  
16 Department of Education, superintendents are required to  
17 submit assurances that they are in compliance with Title  
18 VI of the Civil Rights Act, which prohibits  
19 discrimination in the educational program for all  
20 federally-protected groups.

21           In spite of these protections accorded to LEP  
22 children, we've also discovered data which indicates that  
23 sometimes these children are not being afforded their  
24 full educational opportunities.

25           The most recent survey indicates that of the 72

1 public school districts that enroll children of limited  
2 English proficiency, 52 percent now have established  
3 policies, commonly called LAU plan, for equal access to  
4 LEP children. That means there are 38 percent of the  
5 school districts in the state that do not.

6 The office of Civil Rights for the department of  
7 education requires qualified personnel -- a definition  
8 that's interpreted state by state -- be provided for LEP  
9 children. Accordingly, 35 percent -- I'm sorry. Thirty-  
10 five of Maine's public schools enrolling LEP children do  
11 not employ teachers who meet the full ESL requirements  
12 established by the state board of education.

13 And, finally, 40 percent of the school districts in  
14 Maine who -- with applied technology programs that also  
15 enroll LEP children have not followed through under -- on  
16 their corrective action plans, resulting in violations  
17 under Title VI.

18 Compelled by these foregoing conclusions, the  
19 committee has taken it upon itself to gather information  
20 around the state and see where the situation stands, and  
21 what we can do to improve the situation. And that's what  
22 we're here to do. We're here to gather information,  
23 experiences. We're not accusing or pointing fingers at  
24 anybody, we just want to work for the students and to  
25 benefit the students.



1           So with that, I'll turn it back over to you,  
2           Dr. Berube.

3           CHAIRPERSON BERUBE: Okay. Since Mary Basset and  
4           Vera Francis is not here or here yet, I'm going to move  
5           ahead on the agenda to those who are here. And we'll ask  
6           -- Ken, do you want to moderate the next session? Wayne  
7           is here, and then later we'll shift back over to --

8           MR. MORGAN: Okay. We had one of these meetings up  
9           in Fort Kent yesterday to talk about the students who are  
10          -- the LEP students in that area, and the programs.

11          And what we did was to ask the participants to  
12          speak for 10 or 15 minutes, or whatever they wanted to  
13          speak, and just give their overview of the situation for  
14          limited English proficient students in the areas in which  
15          they work.

16          And then we'll just have a discussion with you as  
17          we try to get an overview of the situation.

18          So with that, Wayne -- you just walked in, but  
19          because some of the other people on the program ahead of  
20          you are not here, if you would be willing to talk to us  
21          now, we would appreciate it.

22          MR. NEWELL: Okay. Well, for the record, my name  
23          is Wayne Newell, and I'm a member in the Passamaquoddy  
24          community of Indian Township. I'm a member of the  
25          governing body of the tribal council. I'm also on

1 sabbatical from the staff of the Indian Township School  
2 under Maine Indian Education.

3 MS. TINKER: I'm Jane Tinker, I'm a teacher,  
4 bilingual teacher, for the Indian Township School.

5 MR. NEWELL: I have spread the word of the hearing.  
6 I don't know what happened, but --.

7 I am glad to be here and offer whatever I can in  
8 terms of my own views.

9 Since, I think, 1970, I started working with Title  
10 VII programs in various capacities, so I have some things  
11 that I can share.

12 But, you know, there's nothing like a good story to  
13 start things out with. And I guess we'll call this sort  
14 of a legend, in the sense that you have a little more  
15 permission to -- you don't have to say where it comes  
16 from, you don't have to be absolutely accurate, you can  
17 quote and you can exaggerate somewhat.

18 But, I think it will exemplify my own  
19 philosophically where I might -- the things that I'm  
20 concerned about and the outlook that I have in --  
21 concerning bilingual education, and education's  
22 responsibility as such.

23 The story goes like this. And it could be the  
24 Maine Legislature, it could be somewhere else, I'm not  
25 quite sure. But, because it's a legend, we can imagine

1       what we want.

2               As you know, the subject has been highly  
3       controversial, even today, because there are the  
4       proponents of English only throughout the country.  
5       Somehow the proponents of English only equate this to  
6       English proficiency, or the lack of English proficiency,  
7       and it sometimes gets equated to one's national  
8       allegiance.

9               So the story goes, in this particular Legislature  
10       one day, it was hot and heavy, the debate pro and con was  
11       hot and heavy. And it got to be a very emotional subject  
12       for the people that were discussing whether or not they  
13       should have bilingual education in school systems or not.

14              And in the heat of this debate, be it the Maine  
15       Legislature or elsewhere, I don't know, one speaker got  
16       up and forever ingrained in me a quote which will live  
17       until at least I die.

18              And the gentleman stood up and says, if English was  
19       good enough for Jesus Christ, it's good enough for  
20       everyone else.

21              That gives you some kind of a perspective as to the  
22       complexity of what we're dealing with. And today I kind  
23       of want to offer -- I was reading the proposal abstract  
24       that came with the letter of invitation.

25              It was really interesting because, from the very

1 beginning days, and -- I think in 1971 is when I started  
2 to do some work in the field. In those days, the  
3 Legislature really was, let's give you these special  
4 funds to develop the special program so you can  
5 transition everybody from your native language, whatever  
6 that is, into English.

7 It was sort of like a real nice way of saying, we  
8 want everybody to speak English, and English only. I  
9 mean, to me, that's how I interpreted the legislation.

10 So, even in the beginning days of Title VII, I've  
11 been one of those people who have been really resistant  
12 to that because, I come from a background in history  
13 where there have been governmental policies that are  
14 specifically designed to get rid of all that who I was,  
15 as a tribal member, and as a person who spoke a distinct  
16 dialect or a native language, as a person who lived and  
17 was brought up in a distinct culture.

18 And so I come from the history where there have  
19 been actual governmental policies and legislation, and  
20 the sole purpose was to civilize me.

21 And so it's important for you to know that so you  
22 know that -- so you will know the context in which my  
23 views come from.

24 And so I've always resisted the initial language  
25 and purpose of bilingual education. And in the beginning

1 days I always understood bilingual education to be one in  
2 which we can transition and, therefore, there will be no  
3 more -- the emphasis on bilingual became less as these  
4 programs theoretically became more successful.

5 Fortunately, in 30 years, that has changed. And I  
6 think that in large part to native communities, native  
7 American communities in this land.

8 It's changed because, from the very onset, our  
9 primary purpose, at least in the Passamaquoddy community,  
10 was to hold onto our language. There have never been, I  
11 think, an active school policy or even a parental policy  
12 to get rid of our language.

13 In fact, when we started the program in 1971, our  
14 children came -- some of them were fully bilingual. In  
15 1997, because of other factors, it seems like the more  
16 strides that we make, the more factors make it difficult  
17 for our children to be truly bilingual. It remains to be  
18 seen as to whether or not we can win the battle.

19 We do come from a community, in my estimation at  
20 least, that is a hundred percent limited English  
21 proficient. That the native language is still spoken in  
22 the community in both -- in Passamaquoddy Pleasant Point  
23 and Indian Township.

24 And a lot of us; Jane and I, for example, we grew  
25 up and our first language is Passamaquoddy. We learned

1 to speak English later on.

2 Our children now, if they're not bilingual, their  
3 first language is tending to be English, and we have to  
4 supplement sometimes programs to make sure that they  
5 don't lose any more ground in their native language  
6 proficiency.

7 And so from the very beginning days, we could see  
8 and we could sense that all of the government programs,  
9 all of the educational programs from the very beginning,  
10 prior to even when we went to school, were designed  
11 specifically so that, in time, we wouldn't speak our  
12 language.

13 Because of isolation, because of a relatively  
14 scarce population in this part of the country, I think  
15 the Passamaquoddys have really been lucky in the sense  
16 that the challenges which faced other New England tribes  
17 did not face us until very, very recently.

18 You got to keep in mind that other New England  
19 tribes, people are actually killed for speaking the  
20 language, in southern New England. We don't come from  
21 that particular heritage, but there were plenty of other  
22 things that happened to us short of shooting us to  
23 intimidate us, to lure the esteem or the affection in  
24 which we looked at our language.

25 Somewhere in the past 100 years it crept in, this

1       notion that somehow speaking English is better and it is  
2       the more proper thing.

3               So, given all of that as a background, we have  
4       tried in the past 30 years to try to establish some  
5       notion in the education of our children that they need to  
6       have a complete different outlook on how we educate our  
7       children.

8               Because, if you just bring children, like we were  
9       brought in -- we just went into school with no  
10      preparation, and we were supposed to know English because  
11      English was the language of instruction for us. I did  
12      not know for the longest time what was going on.

13              And the other thing is -- and this is quite  
14      unpopular, but it's a matter of record, and has to be  
15      said -- that the teachers at the time for us -- one quote  
16      that I take with me throughout my life, so it must of had  
17      an impact was: Don't speak that language, it will never  
18      get you anywhere.

19              And in large part, I think, that's probably why I  
20      spent a good part of my life working at this, because  
21      somewhere, even as a young person, there was a great  
22      injustice to that type of attitude.

23              There was a great injustice in trying to say, I'm  
24      going to educate you, but this is the way I'm going to  
25      educate you.

1           Or there's an injustice in the sense that says, I'm  
2 going to save your soul, but this is the way I'm going to  
3 save your soul.

4           You know, those are the kinds of issues that creep  
5 into all of these kinds of things. And so, when we look  
6 at education today, in 1997, a lot of those attitudes  
7 still are very pervasive in the infrastructure of the  
8 institutions that are supposed to regulate and somehow  
9 oversee what it is that we're supposed to be educated  
10 towards or with.

11           The Maine Department of Education is a good example  
12 of this. You know, we talk about equal access to  
13 education of people. But yet, you know, when we look at  
14 the distribution of the resources in proportion to, the  
15 percentage of people that are LEP in the state, I think  
16 you'll find a very small amount of resources are  
17 dedicated to that.

18           The other thing is, when we assess students -- I'm  
19 talking about infrastructure now. When we assess  
20 students, do we really ever assess their intellect, their  
21 knowingness, their humanity, by the language they use?  
22 No.

23           We assess students by a standardized assessment  
24 which is, in our case, a foreign language.

25           And so, when you publish these things in the



1 newspapers, the native schools in this state, as well as  
2 the French schools in this state, are always on the  
3 bottom of the list in terms of the -- I'm at a loss for  
4 words now as to what the name of it is --

5 CHAIRPERSON BERUBE: The Maine Assessment Test.

6 MR. NEWELL: Yes, the Maine Assessment Test. We're  
7 always at the bottom of the list, and that's no accident.

8 It's because we would not normally fair well in  
9 those things, because those things are not necessarily  
10 the way in which we communicate.

11 And so, for the past 30 years, anyway, we have  
12 purported an still purport, I think, as a community of  
13 people -- it isn't that we want to forget our language  
14 and know English really well.

15 We want to know English really well, but we don't  
16 want to forget our language. We don't want to lose our  
17 language.

18 Because, if we lose our language, we lose. It's  
19 like losing an arm or a leg or a body part. You lose the  
20 soul of who we are as a Passamaquoddy people.

21 And so, when we talk about equal access in terms of  
22 education, we must put the importance of language, native  
23 language, in that context.

24 We must always secure resources so that your  
25 curriculum will reflect that.

1           Now, when we talk about curriculum and we talk  
2 about teacher certification, there is no instrument in  
3 Maine that deals specifically with the Wabanaki people.

4           There is no certification process for ESL, for when  
5 we deal with Wabanaki people.

6           And some of that, in my estimation, is just the  
7 shortsightedness of the Department of Education, because  
8 it has this archaic way of certification and it refuses  
9 to bend, not just for us, but for a whole bunch of other  
10 people. And that's a real problem that has to be really  
11 looked at.

12           Even the tribal communities have offered at  
13 different times ways in which teacher certification could  
14 be done, a way in which expertise in the local community  
15 could be recognized and held in a higher esteem than a  
16 mere exception. That's how it's been treated before.

17           And I think we really need to kind of scrutinize  
18 this. And that's what I mean by infrastructure. These  
19 rules that are prescribed sometimes don't bend very well  
20 when you really are trying to propose an alternative  
21 approach.

22           Curriculum, standardization of curriculum, is a big  
23 argument sometimes as to -- well, we can't print specific  
24 books just for a small group of people.

25           Well, if you're ever going to meet their needs,

1       you're going to have to figure out something. And that's  
2       part of what we've tried to do in the past 30 years, is  
3       to try to develop a system of writing, develop  
4       publications native to our own language, and to try to  
5       teach these things in the classroom setting.

6               It has had limited success because most of the  
7       people that teach in the schools -- I would say  
8       99 percent in our system -- are not native people. They  
9       have no skills in ESL. And that's probably true in a  
10      great proportion of the Maine systems anyway.

11             And then when you want to go to ESL, you can go to  
12      some general training but there is no specific training  
13      other than that which we would provide that people could  
14      go to even if they wanted to.

15             So, it's a real complicated thing. And I've  
16      thought about what it is that I wanted to suggest in  
17      coming here. And I didn't want to just have a long  
18      litany of my own personal frustrations, I wanted to offer  
19      some kind of a thing that we could look at, so that the  
20      findings of this particular commission could offer all of  
21      us in general, in Maine, some kind of a way in which to  
22      proceed.

23             And the nearest thing that I could think of is, we  
24      ought to conduct a specific hearing on the Maine  
25      Department of Education, its practices and its policies,

1 to see as to what extent it contributes to our lack of  
2 equal access to educational opportunities.

3 Realizing that the Maine Department of Ed might be  
4 a sacred cow, nevertheless, I want to stand on the record  
5 and make that suggestion. Because, I think it's one of  
6 the things that I had as an administrator that I've been  
7 really frustrated with.

8 And, you know, it's a -- we've come a long ways in  
9 recent years, at least my community has, in working with  
10 one segment of the Department of Ed.

11 I'm not talking about the language minority segment  
12 of the Department of Education, I'm talking about the  
13 general infrastructure of the Maine Department of  
14 Education.

15 So, when I say, let's look at those shops, that's  
16 what I'm proposing. And, you know, I think we just need  
17 to look at -- really look at teacher certification,  
18 college offerings -- where is the place of Wabanakis to  
19 go other than to our own community? Where is their  
20 support?

21 And if there isn't, where are the resources that  
22 could aid us in building our own infrastructure. And we  
23 have done that to a certain extent, but it is difficult  
24 to sustain that.

25 So, that's pretty much, you know, in general what I

1 wanted to come and say before the Commission today, and  
2 answer any questions that I could.

3 MR. MORGAN: Thank you very much, Mr. Newell. For  
4 my benefit at least, to -- because I am not a person who  
5 is in the field of education for what I do, but -- would  
6 you just give me an overview of the school system for  
7 Passamaquoddy children? Is it through the elementary  
8 schools that this is done, either in Indian Township or  
9 Pleasant Point, and then they go on to high school in  
10 another community?

11 In other words, is it --

12 MR. NEWELL: Sure. My superintendent is here and I  
13 can put him to work, too, if you would like.

14 MR. MORGAN: Well, if you would just give me that  
15 overview. And then I want to go back to the elementary  
16 schools in Indian Township and --

17 MR. JENKINS: Can I be up there?

18 MR. MORGAN: That would be fine -- that would be  
19 nice. Thank you, Wayne.

20 MR. JENKINS: In the way of introduction, I'm Ron  
21 Jenkins, Superintendent of Schools for Maine Indian  
22 Education.

23 And what that means, what my job description is or  
24 what my duties are, is to oversee the three Bureau of  
25 Indian Affairs elementary schools, two of which are

1 Passamaquoddy and one which is Penobscot.

2 The two Passamaquoddy schools, one at Peter Dana  
3 Point, which is where Wayne is, and the other is Beatrice  
4 Rafferty School, is also Passamaquoddy and I also am  
5 responsible for Indian Island schools, which is just  
6 outside of Old Town.

7 These three elementary schools, K through 8  
8 schools, are owned by the Bureau of Indian Affairs  
9 through the Department of the Interior. We receive  
10 primary funding for that component through federal  
11 monies.

12 We operate those, as I say, three elementary  
13 schools through Grade 8, and then, at that point, our  
14 high school students are tuitioned to several schools,  
15 depending on which of the reservations we are discussing  
16 -- it varies very slightly in terms of what schools they  
17 can access.

18 Peter Dana Point most commonly, for high school  
19 purposes, accesses either Lee Academy or -- and, in some  
20 cases, with a residential component, or they access  
21 Calais High School.

22 The students at Beatrice Rafferty School are split  
23 somewhat evenly between Shead High School and Eastport,  
24 and Calais High School.

25 At Indian Island School, which is Penobscot, the

1 majority of the high school students go to Old Town High  
2 School, some go to John Bapst, and some to Orono High  
3 School.

4 We have another two or three students who are in  
5 other schools in the state, private academies, I believe  
6 has two of our students, for example.

7 The funding for our high school component is  
8 primarily state monies. It would not be accurate to say  
9 all money, in either case it's federal or state. But,  
10 for the most part, the -- we access state money for the  
11 high school component, and federal money for elementary.

12 The reason for that, as near as I can tell, is that  
13 the Bureau of Indian Affairs does indeed own our  
14 elementary schools. We own no high schools. Do not  
15 operate our own high school, and therefore the tuition  
16 component.

17 MR. MORGAN: Okay. Thank you.

18 MR. JENKINS: But, it is somewhat confusing. I  
19 would also say -- and I meant to mention it at the very  
20 beginning -- I have worked for Indian education only  
21 since last October, and it has been a challenge, a --  
22 well, it's been a wonderful experience, but it's been  
23 difficult to get a real handle on some of the various  
24 components.

25 My other background has been Maine public schools

1 for 20 or so, 20 plus years, and I taught in  
2 New Hampshire for one year.

3 But, the funding and so forth and so on is unique  
4 and different. The needs of our Indian students are  
5 different.

6 I was not aware today -- and I just wanted to make  
7 a quick check on that. I only heard the term  
8 Passamaquoddy mentioned.

9 Is this hearing totally limited to Passamaquoddy?

10 CHAIRPERSON BERUBE: Only because -- Passamaquoddy  
11 as a language rather than the Passamaquoddy people --

12 MR. JENKINS: Right. But, you understand, of  
13 course, that the Penobscots do not speak Passamaquoddy.

14 CHAIRPERSON BERUBE: That is right.

15 MR. JENKINS: Nor do the Maliseets, I believe --

16 MR. NEWELL: They understand us, so they speak  
17 something. Well, they speak a dialect or --

18 MR. JENKINS: Yes. But, some of the answers I may  
19 have -- it may seem strange that the superintendent of  
20 schools might not be able to answer very well some of the  
21 questions.

22 In the seven or eight months that I have been here,  
23 I'm trying very hard to learn the very many different  
24 pieces and parts, and there's still pieces and parts that  
25 are difficult to understand and to get a real handle on.



1           MR. NEWELL: I think there's one aspect to all of  
2 this, that all of this relationship which he just  
3 described took place in 1980 and after. There were  
4 schools long before that and before that time. It was a  
5 compilation of -- a compilation between little mission  
6 schools, and then the Department of Education, and the  
7 Health and Welfare Department at one time, handled the  
8 Indian education in the state.

9           And I think, if history serves me correctly, there  
10 was a little period when the Department of Transportation  
11 handled it.

12           And I don't know why that is, but -- it was way  
13 back when, when we had one-room schoolhouses.

14           And so it has quite a history. And about the time  
15 that I came along in 1968, '69, the state had just  
16 finished some enabling legislation to form a local school  
17 board.

18           So, when we're talking about local control of  
19 education, it really didn't happen much until somewhere  
20 around the '70s. Because, it took us quite a while to  
21 get kind of use to the idea that we had anything to say  
22 about the education of our children. Prior to that time  
23 we had very little to say, so there is that part of the  
24 history.

25           And these days it's much more difficult because, as

1           nicely as he described the setting, the structure,  
2           standard-wise, we're subject to the jurisdiction of both  
3           the Maine Department of Education and the Bureau of  
4           Indian Affairs, so we had to meet two different sets of  
5           standards.

6                     And right now everybody's going through the 2000  
7           stuff, and learning standards, and -- we have -- we're  
8           looking at two sets. And we're trying to say, you know,  
9           wait a minute, maybe we can offer an alternative here.  
10          Maybe we can have a viable set unique to our needs.

11                    MR. MORGAN: Now I want to turn and go back to what  
12          you were talking about, your experience with the  
13          Passamaquoddys at Peter Dana Point.

14                    And is that where you teach?

15                    MS. TINKER: Yes, I do.

16                    MR. MORGAN: So feel free to make comments also.

17                    The -- well, hopefully, after forcibly moving you  
18          over into our language hasn't been a complete failure,  
19          and you do have the benefit of having your own culture  
20          and language and preserving it.

21                    Is Passamaquoddy the first language of most  
22          children on the reservation, or is English the first  
23          language?

24                    MR. NEWELL: I think it's fair to say that probably  
25          English for the youngest members of our tribe is now

1 their first language.

2 But -- however, you have to really qualify that  
3 answer, because the language that impacts them the most  
4 is still Passamaquoddy, because their parents --

5 MR. MORGAN: It's spoken in the home?

6 MR. NEWELL: Yes. It's very strong, and -- you  
7 know, we could spend an awful lot of time as to why that  
8 is.

9 I mean, just bear in mind that these communities  
10 have opened up since the '60s to all of the perils, if  
11 you will, of modern communication. Television,  
12 automobiles, electricity -- I mean, all of these things  
13 are relatively new to our communities, you know, when you  
14 really look at it.

15 It is just now that we're beginning to figure out  
16 strategies on how to manipulate this technology to the  
17 enhancement of our culture.

18 It is just now that we are hearing about the  
19 Internet, and satellite access, and television, and  
20 network in the community, and a list of things. That for  
21 us is relatively new, as it is for Washington county  
22 per se.

23 And so, there's a lot of hope ahead in the sense  
24 that we can turn this around. But, I think it is fair to  
25 say that the youngest of our population is probably some

1 derivation of English. I wouldn't say English in the  
2 truest sense of the word. Let's call it Passamaquoddy  
3 English for the moment, because that's what it is.

4 MR. MORGAN: We were going through some of this  
5 yesterday in the St. John Valley with what happened to  
6 the French culture. And here I'm truly ignorant.

7 I know we're talking about the spoken language.  
8 Are we also talking about the written language as well?

9 MR. NEWELL: Since 1970 we're talking about a  
10 written language. Part of my own graduate work was to  
11 take a writing system which was in existence at Harvard  
12 University and to make it so that it was writeable.

13 So, part of my work as a graduate student was to  
14 take that into a form that could be easily transcribed  
15 with a typewriter. And we have used that system. It is  
16 now fairly well used, not just with the Passamaquoddy,  
17 but it is also used in the Maliseet communities in  
18 Canada, and in other parts of Maine.

19 And we have tried to -- our hope in the beginning  
20 days was to try to stabilize language also with the new  
21 system. To a certain extent it's done that, but there  
22 was some other things that we didn't count on, so we're  
23 still -- we're still looking at strategy and the need for  
24 developing that strategy is still very big.

25 MR. MORGAN: Then in the school system itself, in

1 the elementary school system, is there a bilingual  
2 program at all that kids participate in?

3 MR. NEWELL: We have over the years tried to  
4 include the language as much as possible in the  
5 curriculum. And we have had access to Title VII funds in  
6 our schools.

7 There's a lot of drawbacks to that, however. One  
8 of them was lack of adequate personnel, even though you  
9 have an entire community speaking the language. To  
10 recruit communities into the schools is difficult because  
11 of external standards.

12 The other thing is, it's difficult to maintain a  
13 system-wide school-wide program, even though that would  
14 be the preferred one, because you have inadequate teacher  
15 training facilities. You don't have teachers who are  
16 trained.

17 We've tried to work at it as best we know how. You  
18 have the stress of always meeting dual standards. One of  
19 the models that we looked at is to try to incorporate the  
20 mainstream of our educational package, and it's always  
21 been difficult because of these factors.

22 MR. MORGAN: Okay.

23 MR. NEWELL: And in parental perception, by the  
24 way. Even though parents value the language, and think  
25 it's very important, they're also intimated to thinking

1           that, if my child does not do well in English, they're  
2           not going to do well in life.

3           And, you know, some of us say that it has nothing  
4           to do with that. The fact that they do well in one or  
5           the other languages, either their native language or some  
6           other language, their ability to cope with life is  
7           probably enhanced rather than reduced.

8           And the question is, why is English the only way  
9           that one could succeed in life, you know. It's a fair  
10          question.

11          MR. MORGAN: I'm curious -- I mean, that, as it  
12          turned out from our hearing yesterday in the St. John  
13          Valley, is really a very difficult problem of a certain  
14          amount of parents resisting bilingualism and French, in  
15          part due to the world we live in, and in part due to the  
16          experience that they went through as kids, and they don't  
17          want their children to go through.

18          And --

19          MR. NEWELL: It's a legacy of the past. It's  
20          unfortunate. And part of our program has been to try to  
21          come to grips with that.

22          It's really unfortunate, because it happens, you  
23          know, when we first started. And we started associating  
24          ourselves with the program in Lewiston, Maine -- which I  
25          don't know if it exists anymore or not.

1           But, a lot of the people, the adults, that talked  
2 with me were very similar to the experiences I had, in  
3 terms of language loss or language perception, or even  
4 perception in terms of one's intellectual capabilities.

5           So, it's very unfortunate, and it is a reality.  
6 That's why I mentioned it.

7           And you have to, while working with parents,  
8 reeducate the parents. That's not necessarily true, you  
9 know. There's no scientific educational quantitative  
10 evidence that would say that.

11           As a matter of fact, the findings out now say that  
12 the opposite in fact is true, you know, the studies of  
13 recently in terms of bilingualism.

14           It used to be that if you were bilingual, your  
15 chances were less then. Now it's the other way around.

16           And it's really interesting. I was just having  
17 dinner here in Calais the other night at the Chinese  
18 restaurant. And it was so nice to hear two little  
19 children -- apparently they're part of the management's  
20 family -- speaking Chinese to their parents, and then  
21 they would turn around and speak English to each other.

22           You know, that's kind of neat. It reminds me of my  
23 own background. Because, you know, when you have that  
24 kind of flexibility, I think you stand a much better  
25 chance to see the world in a better and wider

1 perspective.

2 MR. MORGAN: Did you say that 90 percent of your  
3 teachers are not bilingual?

4 MR. NEWELL: Yes, they're not tribal literate.

5 MR. MORGAN: They're not tribal literate.

6 MR. NEWELL: Is it 90 now, or is it a little bit  
7 higher?

8 MR. JENKINS: I think it's a little bit higher than  
9 that. We -- although our policy would be to hire  
10 Passamaquoddy-speaking teachers, at the present time they  
11 do not appear to be available to us.

12 We have at Peter Dana Point at least been able to  
13 hire a number of ed techs from the community that work in  
14 various capacities.

15 At Pleasant Point, I believe it's been even less  
16 successful because of budget constraints. The ed techs  
17 from the community that we did have, as just recently as  
18 I understand it a couple of years ago, because of budget  
19 constraints, we ended up losing several of them.

20 And so we are now left with very, very few people  
21 that understand even parts of the language. Our  
22 principal is a teaching principal, and teaches part of  
23 our cultural program. Again, because of money issues.

24 It varies greatly. The perception seems to be that  
25 Indian education has a lot of money in resources because



1 of the federal connection. We seem to have either feast  
2 or famine.

3 We will go from having a pretty good money flow to  
4 far less. And if I could, since I'm talking -- at a  
5 recent conference I attended -- I think in fact Barney --  
6 I was at with Barney -- one of the speakers -- and I'll  
7 probably get the quote wrong, I usually do.

8 But, he said something like this, that in providing  
9 equity for our students, it is not a matter of being sure  
10 that everybody receives the same thing, it is however a  
11 matter of being sure that all of our students receive  
12 those things that they need. Trying to tag back into  
13 what Wayne had said earlier, in trying to deal with the  
14 Department of Education around issues of presenting  
15 culture programs, and using people where we can actually  
16 get reimbursed for the expenses that we have. The  
17 department is not particularly sympathetic to us using  
18 people that provide perfectly wonderful programs for our  
19 children in our culture and the language. We can't get  
20 them certified. We can't get them into areas that they  
21 should be.

22 Where's the equal access there? Why is that right?  
23 It's most difficult for us.

24 MR. MORGAN: Are there any other questions of --

25 CHAIRPERSON BERUBE: Oh, yes. Just as sort of a

1 preparatory note, when we were -- when most of us were  
2 meeting last night to plan a little bit for today, I  
3 indicated that Wayne -- because I've known him for many  
4 years now -- and to listen to Wayne very heavily, what  
5 you would be sharing with us would be -- obviously you  
6 have a long history of very high esteem and ability in  
7 talking about helping others understand Passamaquoddy  
8 experiences or, more broadly, Wabanaki nation's  
9 experiences, because you've been a little bit everywhere.

10 So, a preparatory note indicating that I -- I weigh  
11 very heavily what you say, and always have. I hold you  
12 in deep respect both as a friend and -- both  
13 professionally and, obviously, as a friend.

14 I'm reminded, as you began to speak of our  
15 experiences yesterday at Fort Kent where we heard from a  
16 variety of speakers in the St. John Valley and French,  
17 and had a relatively easy time understanding and making  
18 easily sense of everything that was being said there,  
19 which was tied to French language and culture, because I  
20 was a part of that, too, as a child.

21 I can't pretend, and never would, and nobody at  
22 this table would, pretend and say, yeah, I understand the  
23 issues that you raise and other native persons would  
24 raise, because we can't. It's not possible.

25 But, at least there's a dimension from my own

1 cultural experience that allows us to sort of peek in the  
2 door, if you will, and this committee allows us to do  
3 that a little bit more.

4 I'm particularly interested in the issues where the  
5 Department of Education is being focused upon.

6 I want to know, I guess, a little bit more. You  
7 have -- we have talked about the department really not  
8 having in its general broad bureaucracy and sense of the  
9 whole state focus -- and at least demographically this is  
10 a very tiny part of that, and so is the Valley for that  
11 matter, and I suppose so is Portland, too, with their  
12 very different issues tied to culture -- that the  
13 department has either in the past said no to or, in the  
14 case of this year, has said that we'll take no position  
15 on the issue of funding.

16 You said that there would be very little money  
17 targeted for LEPs. There's zero money at state level for  
18 LEPs, although there's been legislation proposed that  
19 would allow that to happen.

20 So, A, the department, no position on that.

21 This year, the department, no position on the bill  
22 to require multi-cultural education and instruction at  
23 the pre-service office. It doesn't mean taking all the  
24 teachers and getting them in, but just the brand new ones  
25 coming in, at least as a foundation course kind of thing,

1 the department's view is, we don't have a view, so as not  
2 to offend Orono, who is opposed, the University of Maine  
3 at Orono.

4 I mention those things because it paints a little  
5 bit of a picture. Maine educational assessment. You  
6 talked about assessment. Not at all norm -- certainly  
7 not to this culture, not at all norm to Franco culture,  
8 and God knows it's not norm to the Asian or African  
9 cultures in the southern Maine area, although there are  
10 some modifications; the MEA, where language is an issue.

11 You've already talked about certification. There  
12 seems to be no flexibility at all for a different mode of  
13 instruction or a different kind of instructor, if you  
14 will.

15 So -- and you mentioned access to higher education.  
16 When you use the word recommend -- you had a very  
17 specific recommendation, and I don't know if we can say  
18 some more about that.

19 But, you said something about, what we really need  
20 to do is to have sort of a broad-based hearing with the  
21 Department of Education on the kinds of issues that I  
22 listed -- that you listed.

23 Is there a way that you, Ron, or amongst the three  
24 of you at that table, can help us -- us, this committee,  
25 not us, the department -- us the committee frame a

1 recommendation, a recommendation that would begin to  
2 strengthen that plea for bringing the Department of  
3 Education to task?

4 And I'm not speaking ill of all my bosses and the  
5 good people that are down there. I'm going to get into  
6 trouble yet.

7 MR. NEWELL: Me neither, because a lot of them are  
8 my good friends. I'm thinking about the institution.

9 The institution has remained the same, even though  
10 we have all changed chairs many times in the last  
11 30 years.

12 And the specific suggestion -- I'll even call it  
13 scrutiny -- is to scrutinize and hold the department  
14 accountable from its constituents, which -- we're a part  
15 of that constituency -- on some of the things that in  
16 fact they are or aren't doing.

17 A good example is the opposition from the  
18 University of Maine. I have to put the University of  
19 Maine system, couple it with the department.

20 I think one of the opposers was in fact from the  
21 school of education, if I'm not correct --

22 CHAIRPERSON BERUBE: That's correct.

23 MR. NEWELL: And I think one of the labels was, we  
24 think this is rather provincial. I mean, that was a real  
25 downgrading of any effort to enhance and to -- and to

1 honor people from different backgrounds when we talk  
2 about diversity.

3 I talk with a lot of teachers. I seem to get a lot  
4 of correspondence on my desk of teachers in Maine in  
5 general who really want to know about Indians, you know,  
6 that kind of an inquiry, usually.

7 But, underneath these lines I always see that  
8 there's this great thirst for knowledge for, what does  
9 diversity mean anyway. What is it? You know, how do I  
10 phrase the question? How do I -- how do I keep from  
11 offending you? How do I -- you know, they just have a  
12 thousand questions.

13 I think a lot of good teachers in Maine, who are  
14 willing to explore these things, but the leadership from  
15 the institution or the department, i.e., including the  
16 University of Maine system, doesn't have the insight or  
17 the leadership to know that society is changing, this is  
18 going to be the norm.

19 We seem to react -- we talk about provincial. And  
20 the old provincial way, gee, it's different, therefore I  
21 should be scared of it.

22 And I think that if we were to frame some kind of a  
23 specific, I think that the constituency that the  
24 institutions are designed to serve ought to put together  
25 a hearing of this type to scrutinize this particular

1 institution, as to what the needs are, what has changed  
2 over the years, and et cetera, what are unmoveable.

3 Certification, for example. There's something that  
4 I cannot understand as a professional as to why there is  
5 such a reluctance to change or alter certification  
6 standards. There seems to be this bureaucracy imbedded  
7 somewhere in Augusta, and there's only a few people, and  
8 they defend it to the death.

9 You know, if you try to say, for example, where  
10 does Jane go for certification. She knows -- she  
11 speaks -- we speak a language other than English, and we  
12 know this language better than we know English. Our  
13 stories are linked to our personhood and is imbedded in  
14 the knowledge of this language.

15 Where is the certification in the department?

16 CHAIRPERSON BERUBE: My suggestion would be that --  
17 the audience -- and we missed it, I think -- the state  
18 board of education -- the department of education has to  
19 sing to the tune of the state board who sets the policy  
20 for the certification, and maybe that's the audience that  
21 we should be talking about.

22 I didn't mean to cut you off, but --

23 MR. NEWELL: No. That's what I'm suggesting,  
24 though, to see where it is that we go and look. And the  
25 we, the citizenry; Wayne, the common citizen of Maine,

1 can sit down to our government officials and ask them  
2 questions. It seems to me it's always this way.

3 (indicating)

4 And, you know, what you're doing is really  
5 valuable, but what I'm suggesting is, let's turn the  
6 tables around regarding some of these issues from the  
7 ones that are most impacted.

8 For example, the Passamaquoddys are very impacted;  
9 what we say here, what you write and what you perceive is  
10 very important to us. There's only 6000 speakers between  
11 the Maliseets and the Passamaquoddys.

12 So our language survival needs are much more acute  
13 in a lot of ways than there are French. The French  
14 people have somewhere else to go. They don't have to  
15 look at the fact that their language could disappear in  
16 the next 50 years.

17 So in that sense the urgency of what I'm talking  
18 about is distinct and unique to -- to a lot of native  
19 language communities across this country.

20 One of the interesting things is -- and we are  
21 talking to an arm of the federal government, and so it's  
22 proper to raise the questions to this arm of the federal  
23 government. The government has spent many, many years  
24 trying to eradicate Native American languages -- okay --  
25 from the 1800s on.



1           Recently, there was passed a legislation, I think  
2           in the last eight years -- I think it's the Native  
3           American Language Restoration Act, I think is the correct  
4           title. And I can't remember, but there was a very small  
5           amount of money, something less than \$2 million  
6           allocated.

7           You divide that amongst three or four hundred  
8           Indian communities, and you cannot do very much with 5 or  
9           \$6000 to restore language or to maintain the language.

10          And so, you know, my -- my statement would be, put  
11          as much money into language restoration as you did for  
12          language annihilation.

13          That's my radical thought for the day.

14          CHAIRPERSON BERUBE: Indian Township data that was  
15          just released several weeks ago, or whatever, indicated  
16          that the 161 students -- at least the number I saw -- at  
17          Dana Point were -- essentially, as you said, were a  
18          hundred percent identified LEP -- not to use labels, but,  
19          because of the influence of language, that becomes the  
20          number K thru 8.

21          At Pleasant Point -- I know you raised it there a  
22          while back -- Pleasant Point, always unlike Peter Dana  
23          Point in a lot of ways, or Township, has zero. And you  
24          don't think, or do you, that that is an accurate picture?  
25          If 161 students have been deliberately identified because

1 of the language influence, Pleasant Point says the  
2 number is zero.

3 MR. NEWELL: Some of it might also be a  
4 misunderstanding as to what -- the specific language for  
5 what LEP is -- and when you've worked at it for a few  
6 years, you kind of know it by heart, or even if it  
7 changes a little bit.

8 In my estimation -- because it's the same  
9 community, I grew up there. You know? It's the same  
10 community as the one as I live in now.

11 And if we are a hundred percent LEP, according to  
12 the definition, then Pleasant Point has got to be a  
13 hundred percent. It's the same constituents, it's the  
14 same family --

15 CHAIRPERSON BERUBE: So that's a data error?

16 MR. NEWELL: I think it is.

17 MR. MORGAN: The language is spoken there just  
18 like --

19 MR. NEWELL: Yes.

20 CHAIRPERSON BERUBE: Ron, you were nodding. Is  
21 that --

22 MR. JENKINS: I'm sure -- it has to do -- that was  
23 prior to my signing anything saying what it was. Not  
24 that it makes an awful lot of difference.

25 I feel certain that there's really no significant

1 difference between the two reservations. In talking with  
2 Brian Smith in Rhode Island last week, he pointed out to  
3 me -- and I haven't thought of it in this way before --  
4 that I'm the only superintendent in New England who has  
5 an entire population of limited English proficiency  
6 students. And I believe that to be true. I don't think  
7 there's any question about it.

8 Part of the thing -- you mentioned the word  
9 labeling. I'm not sure that it is comfortable checking  
10 off the box that says our children are limited in  
11 anything.

12 CHAIRPERSON BERUBE: Yeah. And that's another  
13 criticism --

14 MR. JENKINS: I'm a little reluctant to sign  
15 something that says our children are limited. If they're  
16 limited, it's because of the structures that have been  
17 imposed on them, it's not because of anything inherent to  
18 indicate that they're not capable or able, and are doing  
19 well in many areas.

20 CHAIRPERSON BERUBE: The very existence of --  
21 there's an exception to the definition of LEP that  
22 applies; French, Russian, Spanish, all have a different  
23 -- a different definition to follow LEP.

24 But, the Native American and the Inuit population,  
25 the aboriginal peoples of the U.S. have a different

1 definition that allows that to be called LEP for purposes  
2 of accessing -- to get federal resources under Title VII  
3 being the major one.

4 So, that's why I raised that, not -- the label is  
5 absolutely wrong.

6 But, the feds, as we know, stay with the word  
7 limited and what are we going to do; it's still there.

8 MR. MORGAN: Just one quick question about the  
9 Penobscot -- as I indicated before some of you came in, I  
10 grew up and went to school in Old Town.

11 Is there just no interest at all in terms of the  
12 Penobscots in saving their language?

13 MR. JENKINS: No, that's not true.

14 MR. NEWELL: I think you would have to pose that  
15 question to the Penobscots.

16 MR. MORGAN: I know.

17 MR. NEWELL: I want to talk about this limited  
18 English proficiency because, in my reading of the  
19 definition, and just in answer partially to your  
20 question, it is my belief, based on what I know, that  
21 even on Indian Island you have a significant portion of  
22 that student population that is limited English  
23 proficient, even though there are no visible signs.

24 Passamaquoddy inter-marriage with Penobscots have  
25 influenced the community. There are Passamaquoddy

1 speakers in that community.

2 The other thing is that Penobscot -- the Penobscot  
3 language is not spoken, but people still know the  
4 language -- there are still a lot of old people that know  
5 the language. The problem is, they have no one to speak  
6 it to.

7 And so, there is -- there could be a lot of  
8 interest. In fact, they do do a lot of stuff in their  
9 classrooms, you know, quite remarkable. They work mostly  
10 with the Passamaquoddy language, but their approaches are  
11 still --.

12 So, on the surface it appears to be one thing, but  
13 I think from my own knowledge of the day to day stuff,  
14 there is stuff going on in that community.

15 CHAIRPERSON BERUBE: In the schools at Pleasant  
16 Point and Indian Township, can you hear Passamaquoddy  
17 spoken amongst the students; students to students,  
18 students to teachers, teachers to teachers?

19 MR. NEWELL: Certainly teacher to teacher, or  
20 teacher to student.

21 Probably very small student to student but there  
22 are, you know, words that get used by -- but, you know,  
23 the honest answer, it's probably not very much.

24 And that's really interesting, because I have -- my  
25 youngest sister is in her mid-30s, and I'm 20 years older

1           than she is. My parents got a surprise late in life.

2                   And so my sister grew up in a Passamaquoddy-  
3 speaking home, obviously. Both of my parents are fluent.

4           But yet, my sister speaks English. If you speak to  
5 her in Passamaquoddy, she'll answer you in English. I  
6 don't know what that is. I don't have a particular  
7 description for it.

8                   All I know is that that particular generation,  
9 while they're fluent in their knowledge of the language,  
10 somehow or other use English as a bridging thing, even  
11 though my knowledge of what my sister knows -- she is  
12 very technical in the old language of the Passamaquoddys.  
13 And I don't know what that phenomena is.

14                   So, that's what happens. A lot of the transition  
15 happens that you can't understand, so maybe you use  
16 English. You know, some of the older members do that  
17 sometimes, you know.

18                   We have to remind each other, why are we speaking  
19 English, you know, when there's no English-speaking  
20 people, just Passamaquoddy.

21                   I'm sure Jane and I, without even speaking about  
22 it, spoke English on the way down, and there were only  
23 two of us in the car, and we're both fluent in our  
24 language.

25                   MR. JENKINS: I have been in at least one parent-

1 administrator-student meeting which began in English, but  
2 as the parent -- I'll say became frustrated with the way  
3 it was going and how he was able to express himself, that  
4 meeting turned into a meeting in Passamaquoddy. Only I  
5 didn't understand what was going on, and feel badly about  
6 that.

7 But, it -- the evidence of the language is  
8 everywhere.

9 MR. SERPA: I have a question for Ms. Tinker. I'm  
10 just interested in your experiences in the classroom with  
11 the students, how they're performing, and how if, if  
12 there was a bilingual program, what you would suggest to  
13 improve or help the students with their language?

14 MS. TINKER: Well, I would think speaking more in  
15 their native language in the classroom. In my classroom,  
16 it's supposed to be all Passamaquoddy and no English  
17 spoken, which some of them will do, but not all. Some  
18 don't really understand the Passamaquoddy language, which  
19 is hard for them.

20 But, I speak to them in Passamaquoddy. They  
21 understand it, but they can't answer in Passamaquoddy.  
22 Like Wayne said, there's that bridge that they have to  
23 cross, but they're having problems on it.

24 But, we push our language quite seriously with the  
25 students, in everything that they do in the classroom.

1 MR. SERPA: What grades do you teach?

2 MS. TINKER: I teach from 3rd grade to grade 8.

3 MR. MORGAN: Is that uniform in the entire -- do  
4 all teachers do that?

5 MS. TINKER: In speaking, or --

6 MR. MORGAN: Yes.

7 MS. TINKER: No, they don't, just the children. I  
8 bring them into my classroom every day, all day long, the  
9 groups that I have.

10 MR. MORGAN: Okay. Jerry?

11 MR. TALBOT: Wayne, it's always good to see you. I  
12 have always respected what you said.

13 MR. NEWELL: Thank you.

14 MR. TALBOT: What I was going to ask you, I think  
15 Barney's already asked you, which is about the department  
16 of education. I would like to ask you a couple of  
17 questions dealing with that same thing.

18 Who else supports you and how much support do you  
19 have with that feeling about getting the department of  
20 education to a meeting? Is that held by other students,  
21 other classrooms, do they feel that same way?

22 And, when do you think that should be done? Is  
23 there a time on that? And the reason why I ask you that  
24 is, does that have an affect on dropouts, or does it have  
25 an affect on students who have graduated -- does that



1 have an affect on their working conditions and that kind  
2 of thing?

3 MR. NEWELL: Well, when should it be done, I think  
4 I know the answer to that much quicker. It should have  
5 been done maybe 30, 40 years ago.

6 But -- so, right away is my answer. That's been  
7 the frustration of having native people become actively  
8 involved in the process.

9 The reason I speak of it is, as a bilingual  
10 director and having administered these, you know,  
11 different programs over many years, the one thing that I  
12 hear from the community, from native people in the  
13 community, from other school administrators -- I think  
14 Barney will testify that more than one day of my  
15 frustration is the lack of the department's ability to  
16 recognize and find a way to truly certify and honor the  
17 Passamaquoddy language as it is.

18 They're always trying to find a loophole, for  
19 example. Ron spoke of Ed Tech III. Why should we hide  
20 them under that umbrella? Why can't we call them  
21 Passamaquoddy language instructors with full support by  
22 the department, period.

23 I mean, why do we have to couch it in something  
24 that's existing within the structure.

25 So, in that sense, that is shared by a lot of

1 people. When I came back to the school in 1988, for  
2 example, Indian Township School, there were -- the only  
3 native people in the school were a couple of janitors and  
4 maybe one or two people who tried to work with language  
5 instruction. We now have a significant number of people  
6 in the community in the school.

7 But, we still cannot make headway. We have to call  
8 them Ed Tech this and Ed Tech that, whereas, you know --  
9 where is the recognition? Even our pay scale, for  
10 example, of this individual who knows this language --  
11 one of our best teachers had to leave years ago because  
12 of qualification problems. And I still think that, you  
13 know, if she worked today, she -- she was one of those  
14 people with the natural ability to teach. And she knew  
15 all there was to know from the curriculum that we have to  
16 offer, because she was a mother in the Passamaquoddy  
17 community, she knew all of the ways of the culture, and  
18 she spoke the language fluently. What else do you have  
19 to know to be a fully certified teacher in that sense?

20 Some of our younger ones who go now to the  
21 universities -- we have some certified teachers,  
22 unfortunately they get recruited elsewhere, and so this  
23 frustration. This thing that I speak of is shared by a  
24 lot of the adult population.

25 And so it's really, really difficult to have a

1       stable force of teachers, for example, because -- well,  
2       one reason is that you've got to pay them tech wages as  
3       opposed to what I would get as a teacher in the  
4       classroom. There is a big delineation there.

5               And so it's a complicated process that needs to be  
6       looked at. And I think that's one of the reasons why I  
7       would propose, you know, a gathering of this type, and we  
8       could begin to map out these things, put them all out in  
9       terms of issues and let the department try to respond to  
10      them.

11             MR. MORGAN: I may be stepping out of bounds, but  
12      -- out of the bounds of this committee, but I think it's  
13      a terrific suggestion that you're making, that sort of  
14      the scrutiny of the department of education and the  
15      relevant part of the University of Maine that -- that you  
16      be the one that's calling the hearing of them and having  
17      them testify to you, and you can ask the questions you  
18      want to. Just reverse this process.

19             CHAIRPERSON BERUBE: Ron, is there viability at all  
20      of -- at least in partial response -- maybe this is off  
21      the wall, but -- charter schools for Indian education?  
22      Would that --

23             MR. JENKINS: I think it would have to be a great  
24      complication, because of our funding for the elementary  
25      component. But -- I don't know.

1           CHAIRPERSON BERUBE: It could be almost be divorced  
2 completely from the department of ed, in that context.

3           MR. JENKINS: If we were to try that at the high  
4 school level, I think that we would have greater success,  
5 and it would be easier for us to accomplish.

6           CHAIRPERSON BERUBE: Oh, really? I would have  
7 thought the elementary.

8           MR. JENKINS: Only because of the funding. I may  
9 be wrong about it, but -- I would not want to lose the  
10 federal funding for the elementary to do something else.  
11 We could do an awful lot of damage in losing that.

12           We have -- we actually have more money available to  
13 us on a per pupil count in the elementary school than  
14 most elementary schools in the state have because of the  
15 federal component.

16           MR. NEWELL: We've talked for years of having a  
17 native high school. There's a lot of practical reasons,  
18 I suppose, from an administrative viewpoint as to why not  
19 to have it, because your per-pupil cost would be highly  
20 -- you know, way above average. And there would always  
21 be certification-type things.

22           But, I think that when you look at -- you get into  
23 the dropout thing. When you look at the dropout -- which  
24 has gotten significantly better over the years. When I  
25 went to high school, the dropout was close to 90 percent.

1 And so -- you know, in the time that I graduated, or even  
2 just a little bit before me, you know, a graduate at my  
3 school was an accomplishment, big accomplishment.

4 And now, not to go to college is becoming a  
5 standard in our community. So, there is a perception of  
6 what the community wants. Because, the communities have  
7 also changed and there's a big requirement, you know --  
8 we govern ourself, you know, and there's industry coming  
9 into the community, and there's just different  
10 opportunities available which we didn't have years ago.

11 The business of the high school, however, has  
12 always become -- has been put aside, because the  
13 practical questions that people raise kind of discourage  
14 you, and say it can't be done even though you would have  
15 a chance here to -- to have a unique curriculum offering  
16 which would address specific language and cultural needs,  
17 and even for those students; you know, the Micmacs, and  
18 the Maliseets up in Houlton way, and the Penobscots,  
19 there would be specific needs.

20 You could also address more fully the question of  
21 the technical needs, you know, the need to speak and to  
22 use English and utilize English in the professional  
23 world, or in the technological world. There's a place  
24 for those kinds of things.

25 What happens though is that that message gets

1           urgently lost in the early stages, and so we have to  
2           fight very hard for whatever little cultural enhancements  
3           or Passamaquoddy language enhancement programs that we  
4           can get in the early years.

5                     And the other component that we have -- that we  
6           haven't talked about yet is, statistically, our youth are  
7           very vulnerable to a high degree of substance abuse  
8           and/or suicide. And that's -- that's a reality in our  
9           community. We think there's a strong link between  
10          educational opportunities and those kinds of issues. And  
11          we think that self-esteem and a high rate of suicide are  
12          a definite link to each other.

13                    So, when we're talking about access to education,  
14          we're talking more -- more than just dollars and cents,  
15          we're talking more than regulation and certification;  
16          we're talking about human lives here. We're talking  
17          about our future in the sense that we want to give to our  
18          children coping skills so that they can cope in the world  
19          that's before them. That's what we're talking about.

20                    And what we're talking about is an essential  
21          difference between how the main stream education  
22          describes it should be and how we view it to be in terms  
23          of cultural survival, viability, and all that.

24                    Because, what good is it to struggle through an  
25          educational process when you end up with early stages of

1 alcohol abuse at a very young age.

2 So, you know, all of those things are intertwined.  
3 And it's a holistic view that we have to have. We can't  
4 separate it in nice little compartments.

5 CHAIRPERSON BERUBE: What's the reception been with  
6 the state's learning results in the Indian community?

7 MR. JENKINS: Three years ago, I believe, about  
8 when they -- The Bureau of Indian Affairs -- the native  
9 American goes to a thousand, which I think is very  
10 similar to what the state of Maine is looking to, and so  
11 forth and so on.

12 Three years ago, I believe three years ago, all  
13 three of the reservation school boards accepted and  
14 adopted those goals.

15 CHAIRPERSON BERUBE: Which one, the BIA?

16 MR. JENKINS: They adopted the BIA ones. But if  
17 you place the word Native American in most of those  
18 goals, they would look identical to the American goals of  
19 2000.

20 CHAIRPERSON BERUBE: You're talking about the  
21 target of -- the 2000 goal target for the native  
22 community. What about the state's learning results, are  
23 they --

24 MR. JENKINS: They're so close that -- other than  
25 the expiration component being -- it appears to be

1 stronger in the Native American goals --

2 CHAIRPERSON BERUBE: I was trying to get a cultural  
3 relevance between those --

4 MR. JENKINS: And the cultural relevance piece,  
5 where there's specific goals maintained; cultural  
6 components and language components -- aside from those,  
7 everything else is essentially identified.

8 MR. NEWELL: I worked on the school reform plan  
9 prior to my sabbatical. And it is as Ron describes it.

10 However, when it gets to the department level, to  
11 specific personnel, it's as if the Department of Indian  
12 Affairs and the federal government didn't exist.

13 What we ended up doing is, we have to dance three  
14 times; once to the Department of Education in Maine, one  
15 for the Federal Bureau of Indian Affairs, and one for our  
16 own community. We happen to think that there's got to be  
17 an amalgamation there somewhere.

18 Because, they're all saying the same thing, except  
19 everybody wants their format, period. For example, in  
20 the state format they don't want us to talk about Native  
21 American language proficiency. They couch it in a way so  
22 that it doesn't veer too much from the state -- you know,  
23 the one that's already been approved.

24 And, again, here is that same frustration. It's  
25 the same bucket of clams -- to use a colloquial



1 expression -- but yet everybody thinks that it should be  
2 in a different size bucket. And it's really frustrating,  
3 because learning standards are learning standards.

4 For example, what's important for a Passamaquoddy  
5 student to know? It's important for him to know his  
6 history and his language, where he comes from, and the  
7 perception from his forefathers, his grandparents and  
8 parents.

9 Is it really that important for us to know first  
10 something that is foreign to us? We have to really,  
11 really think about those kinds of things.

12 For example, our sense of community is different  
13 from a sense of community in Maine. Property ownership,  
14 for example, is a good example. Where else in Maine do  
15 you have communal property? Nowhere that I know of.

16 You know, in our community we own all of our  
17 property together. And we have unwritten values and  
18 rules that govern us and teach us how to treat each other  
19 because of that situation.

20 That's not taught anywhere or recognized as a  
21 learning standard. Yet, as a standard, in terms of  
22 cooperation, it's integral. You know, everybody wants  
23 everybody to get along. We already know some of the  
24 secrets to that, you know.

25 And one of them is an accident that the federal

1 government forgot about us when they divided -- when they  
2 divvied up the Indian reservations all over the country,  
3 they didn't know we were in Maine, and so we sort of  
4 escaped that little perk. And so we live with that, you  
5 know.

6 I have a piece of property that I'm using, and  
7 everybody respects that I'm using that. I don't know  
8 what it's going to be in the next generation. My  
9 children might not even use it, some other tribal member  
10 will.

11 And a lawyer would starve in our community because  
12 we don't have, you know, property transfers.

13 But, why I bring that up is, it's tied in to all  
14 we're talking about. And where do we honor those  
15 differences? Where do we enhance those things? They  
16 have to have a place somewhere in these standards so that  
17 when we teach our children that the Passamaquoddy  
18 community is this way, they'll get an appreciation for  
19 how it would be in other communities. These other  
20 communities are different, they're not necessarily bad,  
21 they're different. And this is why.

22 And that's the reason for teaching people, you  
23 know. It's not to separate them. But, if you teach  
24 their uniqueness, and if you raise the esteem that  
25 they're someone special and different, you will have the

1 tools to recognize other places and why they're  
2 different, and you'll eventually get the appreciation  
3 that it's okay to be different.

4 Now, if you look at the biggest arguments in Maine  
5 right now, it's just in tolerance. You know, we happen  
6 to be talking about gay rights at the moment. But, the  
7 issue is, we are intolerant of each other for being  
8 different. And that's what the issue is here.

9 When we're talking about equal access, we must find  
10 a way to be tolerant in a positive sense of all of the  
11 different things. And if we need to create a special  
12 structure to enhance the Passamaquoddy language within  
13 the departments, so let it be. So put some money into  
14 it. Put some infrastructure in to deal with when  
15 somebody calls from Indian Township and says, I've got a  
16 special need, you don't spend the rest of the day trying  
17 to fit it into a round -- a round piece into a square  
18 hole. And that's what the frustration is.

19 You probably see it coming out in me, because  
20 that's exactly what happens. Instead of saying, yes,  
21 yes, the Passamaquoddy people, one of the most -- I think  
22 we're the second largest language minority in the state  
23 of Maine, but yet there's no provision in the department  
24 for meeting that need. You know, I don't even know if  
25 there's any provision in the department for meeting the

1 largest minority needs, which is the French-speaking  
2 community.

3 MR. MORGAN: Are there any other questions or  
4 comments? Okay. Thank you very much. And I hope you  
5 can stay with us.

6 Is Shirley Mitchell or Mike Chadwick or  
7 Cynthia Ferrill here? No? Okay.

8 Mr. Pease, why don't you come forward.

9 (10:44 a.m.)

10 MR. PEASE: I'm Charles Pease and I'm the principal  
11 at Shead High School, and I've been there since the  
12 spring of last year so my background as far as  
13 historically is very limited. Speaking on English as a  
14 second language, or limited English proficiency, it has  
15 not been a large problem. In fact, Dr. Berube was down I  
16 think it was about January of this year --

17 CHAIRPERSON BERUBE: December.

18 MR. PEASE: December. -- and noted that we do not  
19 have a plan in place, and we are working on that. So, we  
20 are one of the 38 percent.

21 What we do notice is that there are cultural  
22 differences, and I think Wayne has spoken very eloquently  
23 on that.

24 Shead High School in the past has had a reputation  
25 -- Eastport itself has had a reputation sometimes as

1 being non-friendly. And we have worked very hard over  
2 the past couple of years to change that. And as a result  
3 we have a large number of Native Americans from Pleasant  
4 Point that have come to school there and hope they will  
5 continue.

6 We don't find language to be a problem. English --  
7 we find the Passamaquoddy youngsters to be very  
8 proficient in English. However, culturally, their use of  
9 language can -- I understand where it's coming from.  
10 We're very, very fortunate to have Chris Altvater as a  
11 liaison, and Shirley Mitchell from Beatrice Rafferty  
12 School be very, very supportive, and we have worked --  
13 tried to work very closely with them.

14 I know my superintendent, Ron Jenkins, has met and  
15 has talked often over the problems, and is trying to make  
16 the situation better for Native Americans to succeed in  
17 non-Indian high schools.

18 I'll answer any questions. I did not prepare  
19 anything, but I'll try to answer any questions that you  
20 have.

21 CHAIRPERSON BERUBE: Just a quick question. How  
22 stable are the number -- when we were down to Shead, you  
23 had 22 or 23 --

24 MR. PEASE: The number is quite stable. It has  
25 been one of the problems with native students, and the

1 fact that they have, over the years, have gone from one  
2 school to another.

3 And Mr. Jenkins has expressed a concern with trying  
4 to keep students within the schools that they start.  
5 Chris has been very beneficial in helping us do this.

6 We have instituted a scheduling process for next  
7 year where we're going to a semester-type situation so  
8 that students can earn credits in a half-year format.  
9 And we feel that that will be helpful in helping all  
10 students, not just native students, but all students gain  
11 credits.

12 But, it has stabilized quite well.

13 CHAIRPERSON BERUBE: Okay. Fernando?

14 MR. SERPA: Yes. You mentioned you're  
15 establishing, putting together, your LAU plan right now.  
16 Can you let us know what the components are going to be  
17 of how --

18 MR. PEASE: We're at the exploratory stage at this  
19 point in time. We got back a report -- I guess it was in  
20 January we got the report and we've replied to it and  
21 then got back on our final acceptance and we're working  
22 on it.

23 It's kind of like stamping out fires. The fire  
24 that's closest to you, that's going to burn you, is going  
25 to get stomped out first. And I suspect we're going

1 to -- I expect to be working closely with the  
2 superintendent this summer so we can be in compliance  
3 hopefully in September.

4 MR. SERPA: And your superintendent is?

5 MR. PEASE: Mr. Joe McBrine. Unfortunately, we  
6 also have an IASN review today --

7 CHAIRPERSON BERUBE: I knew they were in town.

8 MR. PEASE: -- one state agency or a federal agency  
9 I guess overseeing them.

10 MR. SERPA: Okay.

11 MR. MORGAN: I realize you've been there a  
12 relatively short period of time, and I'll just go by what  
13 you said about the reputation that Shead and the  
14 community has.

15 MR. PEASE: Hm-hmm.

16 MR. MORGAN: I was wondering if you can just  
17 describe for us what has happened in the last couple of  
18 years that apparently seems to be bringing about a  
19 change within the school system, within the community,  
20 et cetera?

21 MR. PEASE: Well, one of the problems in Eastport  
22 has been the continuity of staff and administration. And  
23 once we are able to get a stable staff and a stable  
24 administration that's able to work closely with all  
25 community members -- and we consider Pleasant Point to be

1 community members also. Mr. McBrine was able to come in  
2 and help institute this --

3 MR. MORGAN: He's relatively new also?

4 MR. PEASE: Mr. McBrine was hired as an interim  
5 superintendent this past summer and has since been  
6 relegated to full-time superintendent. And we have  
7 reached out, inviting the school board from Pleasant  
8 Point to come to the board meetings, to express any  
9 concerns that they have.

10 Chris and I talk quite regularly concerning issues.  
11 And he's been super. He's one of the best -- he's been  
12 one of the best I've had the opportunity to work with.  
13 And I know Cindy's worked very carefully and closely with  
14 him to make sure that the needs are being met.

15 Also, the community is growing and changing --

16 MR. MORGAN: The community of Eastport itself?

17 MR. PEASE: It certainly is. And it's trying to  
18 become more open.

19 Plus the fact that I think media has an awful lot  
20 of effect upon what happens; the way it reports stories,  
21 the way it reports statements, can inflame or can diffuse  
22 situations.

23 And the youngsters, the students, are able to go  
24 along and function. When they come through the doors,  
25 they are young people with their own problems. Their



1 problems are, who am I, what am I going to do, and how am  
2 I going to get my credit.

3 They're not coming through with the racial issues  
4 as much as coming through with the issues of age and  
5 appropriateness of their actions and their desires.

6 As older community members in both Eastport and  
7 Pleasant Point -- there are, I'm still, some animosity,  
8 but they realize that we are eastern Mainers, and that is  
9 a minority unto itself.

10 CHAIRPERSON BERUBE: Charlie, if you could identify  
11 one thing very high on your wish list for nurturing,  
12 welcoming, continuing to do all that you believe the  
13 district can from the district's perspective of Eastport;  
14 the Passamaquoddys coming in from Pleasant Point, what  
15 would that be?

16 MR. PEASE: I really would like to see us continue  
17 to work closely. Sit down with Chris more often, Cindy  
18 and I, and also Shirley, and see how we can make the  
19 transition better, to continue to talk about common  
20 problems, to see if there are ways of overcoming them.

21 We would love to have Passamaquoddy studies. But,  
22 I'll give you an -- a case of where we have to take a  
23 look before we can put Passamaquoddy studies in. They  
24 would have to rehire a principal. They're -- they were  
25 at the point last year where they had one principal

1 between the high school and the elementary because they  
2 eliminated the position because of funding.

3 So, to grow we need support, we need financial  
4 support, as well as the support of the community.

5 And I do believe that we are getting the support of  
6 the community. I do believe that they're taking a look  
7 to see if youngsters are getting equal opportunities.

8 So, it's less a language problem than it is trying  
9 to meet the cultural diversity. And we would -- we are  
10 putting in courses.

11 One of the things that was pointed out, we needed  
12 something with cultural diversity, and that will be in  
13 place next year, and there are a number of students  
14 enrolled in that.

15 So, we're trying to make all of the progress that  
16 we can to join forces, because we realize that,  
17 economically, we are all in the same boat.

18 MR. SERPA: Okay. Along those lines, are you  
19 outreaching to the parents of the students and, if so,  
20 how are they participating in it?

21 MR. PEASE: In what way do you mean?

22 MR. SERPA: To help put together the plan, or any  
23 suggestions -- do they have suggestions?

24 MR. PEASE: No, we haven't at this time. That's  
25 one of the areas that we do need to sit down, perhaps in

1 both communities, and have open houses, and to -- well,  
2 we need a fact-finding session to find out what the  
3 essentials are.

4 MR. SERPA: Okay. Thank you.

5 CHAIRPERSON BERUBE: Thank you.

6 MR. PEASE: Thank you.

7 (10:50 a.m.)

8 MR. MORGAN: Shirley Mitchell, principal at  
9 Beatrice Rafferty School is not here, but Chris Altvater  
10 is here. Welcome.

11 CHAIRPERSON BERUBE: Good morning, Chris.

12 MR. ALTVATER: Good morning. I didn't prepare  
13 anything, I didn't even plan to do any speaking here. I  
14 just wanted to make a couple of comments on what was said  
15 earlier when Wayne was talking.

16 I think, just some of my ideas and stuff concerning  
17 language at Beatrice Rafferty School, and language in  
18 general at Pleasant Point Reservation.

19 I think for my age -- I'm 43 years old -- on down,  
20 the language gets weaker. As Wayne referred to his  
21 sister as understanding a lot, understanding a lot of the  
22 technical parts, but not speaking it so much.

23 And I don't know what happened myself. I  
24 understand a lot, but I speak limited Passamaquoddy. I'm  
25 not as fluent as people even a year or two older than

1       myself.

2               And I think it was something to do with being  
3       afraid to make a mistake when you're speaking your own  
4       language. We heard mostly English through other means.

5               But, as people get younger, the language gets  
6       weaker. And it's -- you can see it in -- I'm afraid in  
7       20 or 30 years, when my people and older are gone, I  
8       don't know what the situation's going to be.

9               I believe that as far as the education and  
10       schooling, I don't think the education can do it alone.  
11       I think it comes a lot from the home where language is  
12       taught, and where it's really stressed upon.

13              But, people my age and older -- I don't think it  
14       happens in their families very much, it's the younger  
15       people that are raising the children and, as I say, the  
16       language is getting weak. I think it's faded out fast.

17              As I said, what -- sitting here, I guess, trying to  
18       give you people some ideas of what direction they may  
19       need to take for us to help ourselves or whatever -- I  
20       don't see myself as speaking to you by saying well, you  
21       do this and, you know, you'll save the language.

22              What I see myself sitting here saying is, what I  
23       think may need to be one of the things that you might be  
24       able to do is to encourage, like the Wabanaki Center,  
25       work closely -- like the Wabanaki Center at the

1 University of Maine, work closely with -- set up some  
2 programs where people who work and speak Passamaquoddy  
3 language can show off their skills and teach them the  
4 Passamaquoddy language.

5 I don't think -- well, let's put it this way. On  
6 one hand I hear people saying, we need to sort of  
7 grandfather people who have been speaking Passamaquoddy  
8 and teaching Passamaquoddy, and I can see that.

9 But, on the other hand, I can also see the need  
10 to, like I said, show off skills for, you know, basic --  
11 like classroom management, record keeping, and things  
12 like that.

13 And I think that somewhere in between we can come  
14 to like a compromise between the Department of Education,  
15 the University of Maine and, hopefully, the Wabanaki  
16 system, and the communities in general, in that we can  
17 legitimize those people who would be doing this.

18 And I think this is kind of like the weak area. We  
19 need to have people speaking Passamaquoddy, and  
20 legitimize -- what I mean by legitimize, I mean by pay  
21 scales, full benefits, and -- so they can feel good about  
22 themselves so they can do some of these things, because I  
23 think they'll become more confident and more secure in  
24 what they do.

25 So, I think I don't see it as, you know, just

1 grandfather them and say this is, you know, the way it's  
2 going to be, or it's going to be anyone who speaks  
3 Passamaquoddy and puts them in the classroom. I think  
4 it's got to be something between saying, well, we want  
5 that, but we also want to have a little bit of this.

6 It's not going to be the other way either. It's  
7 not going to be someone -- someone mentioned someone from  
8 the Department of Education saying, well, you know, you  
9 need to have a college education first.

10 I just -- you know, I think it's something in  
11 between. I think you have a unique situation where we  
12 can kind of blend or meld together and have it.

13 But, other than that I really don't have any other  
14 comments. But, that's just some of my thoughts and  
15 ideas.

16 MR. MORGAN: Do you have someone at Pleasant Point  
17 with a position similar to Jane's position in the school  
18 system, or at Peter Dana Point --

19 MR. ALTVATER: We have Shirley, our principal --

20 MR. MORGAN: Oh, okay.

21 MR. ALTVATER: -- she does that, and we have one  
22 other person. And, like I said, we need to have --  
23 Shirley's the principal as well as the language  
24 instructor. And she takes care of the fifth through the  
25 eighth grade, and we have another person who takes care

1 of the lower grades and -- but, it's not enough.

2 MR. MORGAN: Okay.

3 CHAIRPERSON BERUBE: By the way, for the benefit of  
4 the committee, you know, of course, that Chris is a  
5 native and he's also the guidance counselor for the  
6 school. I would just mention that for openers.

7 Ted Mitchell, who oversees the Wabanaki Center at  
8 the University of Maine in Orono, points out that, I  
9 think with each year at Orono, that there is a larger  
10 bank of students who have gone through the program;  
11 native studies, and far more native persons from various  
12 tribes are at the university more than ever now.

13 And if those numbers are going up and up and up,  
14 that's obviously good --

15 MR. ALTVATER: Indian students?

16 CHAIRPERSON BERUBE: Indian students, yeah. --  
17 then, would it not follow that the bank, the pool of  
18 students, may be at least available? I mean, I know  
19 they're not all in education, but just the numbers today  
20 versus where we were ten years ago, would seem to suggest  
21 that there ought to be more from whom to draw to come to  
22 teach, to work, on the reservation.

23 Am I -- I know I'm oversimplifying it, but why  
24 isn't it happening, maybe?

25 MR. ALTVATER: I think there are two or three

1 different reasons. No. 1, there's very few people with  
2 an interest in education for one reason or another. I'm  
3 not sure, but there are very few who go into education to  
4 begin with.

5 No. 2, a lot of young people in school don't speak  
6 Passamaquoddy and, therefore, even if they did, we would  
7 still need that gap to be filled. That's why I said -- I  
8 didn't say it, I'm thinking it, it's going to need a  
9 multi-faceted approach. It's going to be more than one  
10 thing, it's not going to be just the home or the school,  
11 but it's going to be a lot of different things.

12 Wayne had mentioned the media, using the new  
13 technology, and whatever. And I also have another idea,  
14 using kind of like total language immersion within the  
15 school system, having classes, taking them out somewhere  
16 like in natural environments, and -- like using total  
17 Passamaquoddy immersion studies.

18 So, basically, I -- I don't think that just having  
19 students -- more people is necessarily going to solve our  
20 dilemma right now.

21 CHAIRPERSON BERUBE: Thank you.

22 MR. TALBOT: I was going to ask that same question.  
23 So, thank you very much.

24 MR. MORGAN: Is there anything going on in the area  
25 of, like, people in your generation who can understand



1 Passamaquoddy as -- I think you said they understand it,  
2 but really don't use it.

3 MR. ALTVATER: Hm-hmm.

4 MR. MORGAN: Are you trying to develop yourselves  
5 so you become fluent in it yourself?

6 MR. ALTVATER: Yes. I don't think there's anything  
7 concrete going on right now. I know in the past we've  
8 talked about having -- just using Passamaquoddy and only  
9 Passamaquoddy, but that's -- like I say, that's in the  
10 past. We haven't done that for a while.

11 MR. MORGAN: Okay.

12 MR. ALTVATER: But I don't think there's anything  
13 right now. Wayne may know more about that than I do.

14 MR. MORGAN: Okay. Any comments?

15 MR. SERPA: Thank you.

16 CHAIRPERSON BERUBE: Thank you, Chris.

17 By the way, just an announcement here, if you  
18 haven't signed in, please do, for the record.

19 MR. MORGAN: Okay. That concludes that section.

20 CHAIRPERSON BERUBE: Is Mary Basset or  
21 Vera Francis, either of you here? Okay. You are?

22 MS. BASSET: Mary Basset.

23 CHAIRPERSON BERUBE: Okay. If it's okay then,  
24 we'll backtrack or reverse the agenda and -- since you  
25 weren't here earlier. Would you come down? And you're

1 speaking as a parent, I presume?

2 MS. BASSET: Well, I thought when I spoke to  
3 Mr. Serpa, I thought I was going to be a community  
4 advocate.

5 CHAIRPERSON BERUBE: Okay.

6 MS. BASSET: I do have a granddaughter, however.  
7 I'm her guardian, and she's in high school. She's  
8 fifteen. So, here I am.

9 Do you want to hear what I have to say?

10 CHAIRPERSON BERUBE: Yes. If you have any  
11 comments, you can just make those and then we'll fire  
12 away with some questions that may be helpful to the  
13 committee.

14 MS. BASSET: Okay. Well, I was just thinking while  
15 I was sitting there. I had a good friend that died in  
16 the '70s, she was about ninety-eight. And I learned a  
17 lot from her.

18 One of the things that she used to tell me about  
19 her experience in education was that -- I think the  
20 school went up to fifth or sixth grade, so this would  
21 probably have been in the late 1800s.

22 And education consisted of each child having to  
23 stand up and try to say one sentence in English. And if  
24 you were able to do that then you could leave for the  
25 rest of the day.

1           And today, what's happening in that same school is,  
2           what -- what I think is happening with language is, what  
3           I would see from my lay opinion, is vocabulary lessons.

4           And then I was thinking about a friend of mine who  
5           was chairman of studies at the University of  
6           New Brunswick in Fredericton. She's had teachers who  
7           have been involved in Canada. The Mohawks are really  
8           concerned about their language.

9           So, they had ten speakers. And they started an  
10          immersion program in kindergarten for the first year.  
11          And then the second year they had two.

12          And now those same students that started in  
13          kindergarten have graduated from the university, and  
14          they're sought after by -- I mean, they applied for  
15          schools and -- companies are just dying to employ them.  
16          And they're proficient in Mohawk and English.

17          They teach them Mohawk up to, I think, sixth grade,  
18          and then they do English. So don't anybody think it  
19          can't be done.

20          And I was thinking about another -- I listened to a  
21          Canadian broadcast station, and they were interviewing an  
22          Inuit speaker. And he said that the French people in  
23          Canada are always -- they're in the forefront about their  
24          language, about their culture, you know, and a couple of  
25          those things.

1           And he said, I wish I had their problems. That  
2 many speakers that could speak the native tongue. He  
3 said -- I forget what he said, but he made a joke out of  
4 it. He said something about crying to the language bank  
5 or something.

6           And the other thing I was thinking about is, it  
7 seems to me that in order for native people, or any other  
8 minority or what have you -- in order to get eligible or  
9 be eligible for funding, they have to have the label.

10          And I remember when we had the war on poverty in  
11 the '60s with Johnson, my vocabulary was pretty well  
12 enriched by being economically deprived. And it was the  
13 war on poverty. Now it seems like it's a war on  
14 diversity. And no one has, I don't think, ever been able  
15 to really -- I mean, it's a buzz word. You know, you  
16 come up with these buzz words, like, of course we're  
17 diverse, so what.

18          And we have to get lessons to be culturally  
19 diverse. When I was at the University of Maine in Orono  
20 -- I do speak Passamaquoddy. I mean, I spoke  
21 Passamaquoddy until I was six. We didn't have a  
22 kindergarten. I was born in 1934, so this would have  
23 been 1940. And I had to learn English. And I'm speaking  
24 English now, right? So, I think the labels have to -- I  
25 think they just limit everybody.

1           But, I think the labeling and the funding that the  
2           -- the strengths are attached to funding. Anybody who --  
3           I think that's the person that has to be looked at.  
4           Because, when you talk with administrators and teachers  
5           or whatever, that's the first thing that comes out of  
6           their mouth is, we don't have the money.

7           Yet, when I went to -- when I went to a school  
8           board committee meeting at Pleasant Point, there was a  
9           native man there who was begging to use the school  
10          facilities, and he couldn't use it for basketball, even  
11          though the youth would have been able to come and play  
12          basketball with him.

13          And the other thing I'm thinking about is, the  
14          facilities I think could be used for alternative  
15          education for people who are interested in doing it.  
16          Because, we have a closed-circuit TV at Pleasant Point,  
17          and my nephew has offered his services for the whole  
18          summer. And he's put in one word a day on the video.

19          We have two fluent elders who have a museum, and  
20          they offer language for free.

21          The immersion program that the Mohawks had in place  
22          have invited all of the day care teachers at Pleasant  
23          Point and all of the other Wabanaki communities, yet  
24          there was no encouragement or whatever was needed to  
25          enable them to go.

1           And it seems like it's always the onus is on the  
2 people who have suffered centuries of being whatever, and  
3 now it's like, well, they don't want to, or the parents  
4 don't want to.

5           But, the fact is we have a bulk of probably 70  
6 white people in our community, and a lot of them have  
7 intermarried. And sometimes it's the white parent that  
8 doesn't want their children to have any language  
9 education.

10           And the other thing that I was thinking about is --  
11 you know, I'm sure that we all have probably read some  
12 English today. We all have. I just wrote in English.  
13 And probably all of you have -- we have natives -- we  
14 have a person of African descent, and French, and  
15 Hispano, and white.

16           But, we all read in English. And I think it's  
17 like, you have to really -- and it's like I'm looking at  
18 -- we have here -- we're having a hearing, and whenever  
19 something happens it's in response to a problem.

20           And I think that label first -- it's like -- I have  
21 an LEP granddaughter, but it's like -- I think those  
22 labels are detrimental most of the time.

23           And I was also thinking about what would constitute  
24 success for a Passamaquoddy student. When I think of  
25 that, and I look at it, I think someone has to be really

1 honest enough and say that -- like Chris alluded to it,  
2 or she said it, that the thing that our children struggle  
3 with the most is racism. And it's alive and well.

4 Alive and well in Washington County as it is  
5 throughout the whole United States and the world. It's  
6 there, because the hate crimes have -- you know, the hate  
7 crimes have escalated in Maine.

8 So I think that you can't compartmentalize success  
9 based on language. And like Wayne said, the children  
10 have to know their -- we have to know our history.  
11 Because, how else can you -- I think the basic thing for  
12 a student is to have a good knowledge -- not just  
13 knowledge that's intellectual, but knowledge that's  
14 integrated in to whoever or whatever they want to do,  
15 what they read, what symbols are around them in terms of  
16 their culture.

17 We look around in this building and we see three  
18 flags. We see -- you know. But, in our schools we do  
19 have those symbols, but they -- I don't know how much  
20 meaning they have.

21 You have letters that identify -- that identify,  
22 like, the schools, in the elementary schools. And it's  
23 almost like -- I mean, it's good, the thought is there,  
24 but I think the proof and, if you want, bilingualism -- I  
25 don't know what you gentlemen -- what's the word I want?

1 I can't think of the word.

2 What I was trying to say is, if you have any  
3 influence to see that funding does come, and that -- like  
4 Wayne said, that you do -- it's like you do not put  
5 various barriers and roadblocks to a native people with  
6 no credentials, that they didn't have the time, or they  
7 didn't have the resources. Because, we only went to the  
8 University of Maine tuition-free in the '70s and -- you  
9 know, anybody prior to the '70s -- I might be wrong, I  
10 don't know, but it hasn't been too long.

11 So, anybody prior who didn't have the opportunity  
12 to go to the University, I think if they were interested  
13 -- I think you should honor people who want to keep the  
14 language. Because, when I was at the University of Maine  
15 Orono, I was an English major. And I had to have -- I  
16 had to be proficient in a foreign language. And I almost  
17 went insane trying to learn Spanish.

18 And as a result, I didn't get my degree because I  
19 didn't -- I didn't have the time to spend on it. So --  
20 they said, well, maybe if you can get somebody to test  
21 you and document that you're proficient in Passamaquoddy  
22 language, we'll waive that.

23 So, I asked around. And they said, well, you'll  
24 have to have a Ph.D. test you. And there it is right  
25 there, you know, that says the whole story.



1           Wayne wrote me a glowing letter and said that Mary  
2 Basset is proficient, and ta da ta da ta da, but it  
3 didn't carry any weight.

4           So, it's like -- it's like lip service. You know,  
5 it's cultural diversity and LEP and -- I mean, all of  
6 that happening.

7           I think that all of that has to be stripped away.  
8 And I think that the proof is in really doing something  
9 and -- you know, with the community. I think that the  
10 people who are interested need to be, you know, be a part  
11 of the planning, or even just making wish lists. You  
12 know, people like my nephew. He's a strong advocate for  
13 the language. The two elders that are in the museum, we  
14 have two Passamaquoddy speaking people in the day care  
15 and Head Start. I mean, the mechanism is there.

16           Chris understands it. My friend Peter Alice  
17 understands it proficiently. So, it's there. And I  
18 don't think it's up to the people who are being  
19 victimized and colonized to come up with everything,  
20 because it isn't of our doing. It's almost like another  
21 buzz word, blaming the victim, and that's really what it  
22 is.

23           Let me see what else I put down. I think that for  
24 -- especially for children in high school -- the  
25 transition from Pleasant Point to high school is very

1 traumatic. But, also, I think, we can -- we cannot  
2 overlook the role models that our children have when they  
3 go to school. They have the role models in day care,  
4 because they have Native American women that speak the  
5 language.

6 But then our children go into the grammar school,  
7 and all of the teachers are white. I mean, what can you  
8 expect of our children when the only thing that is  
9 academically relevant to their culture is that -- is the  
10 vocabulary that is taught. They call it language, but --  
11 and they do have a wonderful woman there, Gracie Davis,  
12 and she's not certified, but her heart -- I'm telling  
13 you, that woman is -- I mean, she's well known in the  
14 community. She would make an excellent teacher, I mean,  
15 a real teacher. I mean, she is teaching. She's an  
16 excellent teacher. She teaches, but it's like in  
17 academia, she wouldn't -- like what Wayne was talking  
18 about.

19 So, it's a big mix. And I think -- you know, we  
20 are what we've learned. And white people have had to  
21 learn racism, and that's what has to be unlearned,  
22 because that's always running, and it's always so  
23 unaware.

24 It is so okay, and it is so entrenched in our  
25 culture that it's running unawaresly. And I think anybody

1       who's interested in cultural diversity, language, what  
2       have you, you have to work on your racism. And for  
3       people of color we have to teach ourselves to confront it  
4       and try to stop it. And we can do it.

5               And I know there was something else that I was  
6       thinking about. I think maybe -- talking about what  
7       would constitute success in Passamaquoddys. You know,  
8       it's -- it's imperative that who they are, and our  
9       history, and where we came from. It's myriad, and it's  
10      role model, and it's taught, and it's valued, and it's  
11      consistent in every step of their education, be it from  
12      kindergarten -- from day care to, if they want to get a  
13      Ph.D. I think that's the goal. And how it's achieved I  
14      think it has to be achieved with community input, with  
15      people who do want that, and from people who can pull the  
16      strings to get federal funding.

17              That's about all I have to say. If you have any  
18      questions, I'll try to answer them.

19              CHAIRPERSON BERUBE: Questions, comments?

20              MR. TALBOT: I have one. And I would just like to  
21      try to find out, when you said cultural diversity, and a  
22      lot of people have a misnomer as to what that means,  
23      where that stands as far as the statements are concerned.

24              What about racism? Do they feel the same way about  
25      racism? Many people know about racism and what that

1 means, and that also has an affect on people's lives and  
2 their education and their ability.

3 MS. BASSET: Is that a question? I don't  
4 understand --

5 MR. TALBOT: Pardon?

6 MS. BASSET: I don't understand your question. Did  
7 you ask me something, or --

8 MR. TALBOT: Yes. Well, what I'm saying is, when  
9 you -- would you put that in the same category? Would  
10 you put that in the same category as far as what they  
11 understand about racism --

12 MS. BASSET: Oh.

13 MR. TALBOT: -- what the racism means, and what the  
14 word means to either African-Americans or Native  
15 Americans, or Hispanics, or whatever. Doesn't that have  
16 an affect on people's lives as far as their education  
17 goes?

18 MS. BASSET: Hm-hmm. Right.

19 MR. TALBOT: Am I correct? I mean, would you feel  
20 that way?

21 MS. BASSET: I think so. I think I understand.

22 You're saying that people of color don't have an  
23 understanding of what racism is and how it --

24 MR. TALBOT: Well, I take it in your statement you  
25 were saying that most people, and most white people,

1 don't understand insofar as -- like the word cultural  
2 diversity or diversity, because it's all -- what do you  
3 call it -- labeling, all of these labels. We had labels  
4 in the 1930s, and labels in the 1940s, and labels in the  
5 1950s. We've got all of this labeling. Everything has a  
6 label.

7           And there are more labels today than there were  
8 before as far as what diversity means. And I think there  
9 are a lot of people that are now using the word racism.  
10 But, when we talk about racism, most people don't know  
11 what they're -- you know, what racism means.

12           MS. BASSET: Right.

13           MR. TALBOT: We all have our little definition, you  
14 know, our little -- insofar as meaning what racism is.  
15 What effect does that have, and what effect does that  
16 have to do with our education and how far our education  
17 -- because, I think it's an effect on our education and  
18 our -- insofar as our employment and that kind of thing.

19           MS. BASSET: It effects everything.

20           MR. TALBOT: It effects our lives.

21           MS. BASSET: Everything.

22           MR. TALBOT: As Wayne said, it effects our lives.  
23 It just doesn't effect a spot in tomorrow or the next  
24 day, it effects our lives.

25           MS. BASSET: That's right.

1           MR. TALBOT: And most people don't have an effect  
2 on what they're going to do with our lives.

3           MS. BASSET: Hm-hmm. And I think the most  
4 insidious part about racism is the kind that we  
5 internalize. I'm sure if I had been born 300 years ago,  
6 I probably wouldn't have any internalized racism.

7           But, I've learned a lot. It's like being educated  
8 by Roman Catholic nuns and priests, where they had  
9 absolute control over the community politically,  
10 spiritually -- I mean, even how you thought and acted  
11 sexually was mandated by the church. I mean, even in my  
12 day. It effected how I lived.

13           And that's like all of the messages that I got from  
14 that have been internalized. Because I grew up in a  
15 self-contained community of about 350 people, the same  
16 community Wayne grew up in, and we were very isolated  
17 geographically and historically.

18           The reason we -- we got the land claims is because  
19 they forgot that the Indians in the northeast -- in the  
20 northeastern part of the United States, were to be United  
21 States when there was a dispute in the boundary. And  
22 they just about forgot us.

23           I mean, Massachusetts -- Maine was carved out of  
24 Massachusetts when it was a native country, Passamaquoddy  
25 territory. And then the Non-Intercourse Act got us the

1 Maine Land Claims Settlement because the federal  
2 government stole our lands.

3 And so even now today our -- we are isolated  
4 geographically.

5 So, it's like you have a minority within a minority  
6 in a minority. And I think, on the federal level, native  
7 people are at the bottom. We are at the very bottom.

8 I mean, people talk about minorities, and they say  
9 Hispanic, they say African-American, Asian -- Asians are  
10 now growing, there are probably a lot of Asian people in  
11 Maine. And very rarely do you talk about Native  
12 Americans.

13 And I think the acid test is, how many native  
14 people have appeared on Oprah. You know, that is the  
15 thing, Oprah. And I don't think I've ever heard of a  
16 native person being on Oprah. So, that's the litmus test  
17 of this ability.

18 We are very invisible. And then it's like -- it's  
19 really a very bad comment on everything and everyone that  
20 the people that gave the real estate to make the United  
21 States the strongest country -- you know, it's like --  
22 and it's you've never paid the landlord, you know.

23 I always say, I wonder what kind of a super -- I  
24 wonder what the United States would be if the land was in  
25 was Antarctica. You know, it's like --. And people --

1 the other thing, too, is I was talking to a student this  
2 morning. One of the things that Wabanaki children are  
3 never taught, that genocide was practiced on them. By  
4 rights, we're not supposed to be here, but we're still  
5 here.

6 And I would like to stop that cycle of having to  
7 beg and having to justify and having to be labeled before  
8 you get help. I think that has to stop. I really do.

9 MR. SERPA: You talked about high school students  
10 transitioning. And you're a guardian of a high school  
11 student?

12 MS. BASSET: Yes.

13 MR. SERPA: Can you talk about her experience?

14 MS. BASSET: Her experience individually?

15 MR. SERPA: Yes.

16 MS. BASSET: Well, she's very dark. She has a  
17 native dad and a native mom. And she's popular.

18 And she transferred in the mid-year because -- I  
19 think a combination. They experienced the peer pressure,  
20 the boy-girl thing.

21 But, when you're at Pleasant Point, it's like you  
22 go to school with all these children from kindergarten to  
23 8th grade and then you go off the community, and it's a  
24 whole different new world. And she finally -- you know,  
25 she was being harassed by a group of white girls, three



1 or four white girls.

2 And then the other girls were being -- you know,  
3 there was a lot of -- I don't know what you call it.  
4 There was a lot of -- I don't know the word they call it.  
5 They weren't getting along, the girls.

6 And so, when she would come home she would be upset  
7 about someone said to her. And I talked to her. Every  
8 day we talked.

9 And one day she came home and -- I can't believe  
10 I'm doing this. I mean -- one of the reasons that I  
11 couldn't do anything is, she spoke to me in confidence.  
12 And that's like, here you are, you're trying to work with  
13 someone that age, and she talks to you, but please don't  
14 say anything.

15 And here you are. Anyway, it came down to -- you  
16 know, she would get upset.

17 And I would say, you know, violence does not do it.  
18 Just don't say or do anything.

19 And finally one day she came and she said, I can't  
20 take it anymore. She was very unhappy. So, she  
21 transferred in mid-year.

22 And she went to boarding school at Lee, which is  
23 about 80, 85 miles from here. And I took her there. And  
24 I immediately saw the difference. I mean, it was just --  
25 I had been to Lee before, but I guess I saw it through

1 different eyes.

2 And she said that, you know, the teachers talked to  
3 her, are you this one's sister, you know, he was here  
4 three years ago.

5 And I think part of it is because it's in the  
6 country, and there's a lot of working class people that  
7 go there, like the farmers.

8 And it seems very homey. It's because they're  
9 self-contained and it's a private school.

10 And they have genuine -- they know the students  
11 because the children live there, and the people like it  
12 -- the kids like it. They're paid attention to. And  
13 they're really -- you know, they take pride in who they  
14 are.

15 Oh, you're from Pleasant Point. That's great.

16 And that, I think, is what the kids -- why the kids  
17 are attracted to Lee. They feel validated for who they  
18 are. And even when they didn't have the -- I might be  
19 wrong, Chris could talk more about this.

20 But, they're very interested in the -- trying to  
21 get a cultural program going. I don't know what the  
22 status of it is now -- they used to. I don't know about  
23 now.

24 And that's a big difference. I mean, children  
25 know. It's like, you know, if you want to know what's

1 going on, talk to the children. They're very intuitive,  
2 you know. They have to read the adults for them to  
3 survive, and they know when they're being thought well  
4 of, just like I do when I went to school.

5 MR. SERPA: What high school is she at?

6 MS. BASSET: Shead. It is five miles away. I  
7 wanted her to go there because I wanted her -- I mean, in  
8 three more years she'll be out of the house.

9 MR. SERPA: And the difficulty she was encountering  
10 was based on her race?

11 MS. BASSET: Some of it, I think. But, I think a  
12 lot of it is the boy-girl thing. She's very attractive,  
13 and she's popular.

14 But, she told me about all the things that the  
15 other kids have encountered. And they're also -- she  
16 said that one, two, three boys are going to transfer from  
17 Calais to Eastport High School to get back on some of the  
18 white kids, and get into a fight.

19 And, you know, we talked about that, and talked  
20 about it. I mean, we talk almost every day of what was  
21 going on.

22 It seemed like the things that were going on with  
23 the -- I don't know if it was the transition or whatever,  
24 that was the topic of conversation more than how are you  
25 doing in school. That took precedent, you know.

1           And it was difficult on me, too. Because, you  
2 know, you want your children to go to school and not have  
3 to deal with all of these other things. But, it's a  
4 reality. It's there. It's there, and it's well and  
5 alive. I mean, why should it die? It's been here for  
6 how many years, and it's still there. Except now I think  
7 it has a benevolent face, and it's kinder. It's not so  
8 overt as it used to be, because we have money now. And  
9 we have purchased some integrity and financial respect in  
10 the Passamaquoddy tribe. People respect us now because  
11 we have a lot of money, and we have clout.

12           But, if no one has worked on these things, then why  
13 should there be any change. So I think it incumbent on  
14 anybody that deals with native people of the area to look  
15 at racism, and how it's being operated, be it  
16 internalized, or be it -- we are what we were taught.  
17 And these lessons are taught.

18           I mean, you look at what happened with Tiger Woods.  
19 Where's that come from? Why would someone say that?  
20 It's there.

21           But, it's the most difficult thing that we have to  
22 look at, and that's the one thing that has to change, and  
23 then we can say that we do celebrate cultural diversity.  
24 I think the thing is, try to celebrate our own culture  
25 first.

1           And we get the flip side of it, you know. Our kids  
2 are sometime idealized. Oh, my gosh, you know, it's like  
3 this Pocahontas, and it's like -- now it's princesses.  
4 Oh, you know, you're so beautiful.

5           It's either on -- somewhere in the middle we're  
6 just human beings, and there's a different culture. And  
7 we have a beautiful language that merits preservation and  
8 affirmation and financial help, you know, because we  
9 could do it. We could do it.

10           MR. MORGAN: Thank you. Any other comments?

11           CHAIRPERSON BERUBE: Thank you for your valued  
12 insight. I assume Vera Francis is not present. We're  
13 almost right on time, actually.

14           We're going to recess until 12:30, so many of you  
15 can rejoin us.

16           (Whereupon the meeting was recessed at 11:35 and  
17 was resumed at 2:10 p.m. this date.)

18                           \* \* \* \* \*

19           (In the absence of Chairperson Barney Berube, the  
20 co-chairperson duties were assumed by Jerry Talbot.)

21           CHAIRPERSON TALBOT: Why don't we get started for  
22 the afternoon session. And I would like to welcome all  
23 of you, and I'm glad we can get started again.

24           At this point I think it's okay if we can hear from  
25 Ruth Ricker. Why don't you just introduce yourself and

1           then we can go ahead.

2           MS. RICKER: My name's Ruth Ricker, I'm a civil  
3 rights investigator with the U.S. Department of  
4 Education, office of Civil Rights, the regional office in  
5 Boston, which serves the six New England states.

6           And our office enforces several Civil Rights  
7 statutes, including Title VI of the Civil Rights Act of  
8 1964, which prohibits discrimination on the basis of  
9 race, national origin and color in institutions or  
10 organizations that receive federal funding, specifically  
11 for us from the U.S. Department of Education.

12           So, that's primarily school districts and some  
13 private schools. And like in some states, including  
14 New England, including Maine, there are public and  
15 private academies, secondary schools.

16           And almost all private and public colleges, state  
17 universities, state colleges, any postsecondary school,  
18 receives federal funding through -- at least through the  
19 financial aid, federal financial aid that many students  
20 attending the schools would be receiving.

21           And so in that way we have jurisdiction over school  
22 districts and all colleges and universities, and some  
23 other schools, and libraries and a few other  
24 institutions.

25           So, our interest in this area is as the major Civil

1 Rights agency that's enforcing Title VI as it applies to  
2 schools and colleges and, specifically, in terms of the  
3 rights of Native American students, and specifically in  
4 the northern New England states, specifically Maine,  
5 we've initiated a project where we're working  
6 cooperatively with other federal and state agencies, and  
7 also school districts and community organizations and  
8 individuals -- individual community leaders to try and  
9 identify what specific current issues are with foreign  
10 and Native American students, and specifically at  
11 elementary secondary schools at this point, although we  
12 do have an interest in any issues that may apply to  
13 colleges.

14 But, that's not what we're zeroing in on right now.  
15 Our primary interest is at the elementary secondary  
16 level, and the concerns and issues that the Native  
17 American students have.

18 And we recognize that in the four different tribal  
19 communities, there are different school set-ups in terms  
20 of the -- in the Houlton and Presque Isle areas in  
21 Aroostook County, where the students, K through 12 are in  
22 public school districts, and so there are certain kinds  
23 of issues there for the whole time that they may be in  
24 public school.

25 And then for students in Penobscot and Washington

1 County, in terms of the issues that they may have as they  
2 transition from their local school that -- whereas --  
3 where there's a higher percentage of American students to  
4 secondary schools, whether it's public, or private  
5 secondary schools, where the -- there may be more  
6 problems assimilating and with harassment potentially.  
7 Guidance counselors offer different treatment perhaps in  
8 terms of guidance counseling.

9 Things that we've heard somewhat anecdotically, we  
10 now want to get into more and see what the specific  
11 current issues are and find ways that we can help the  
12 local communities and school districts address the issues  
13 in a proactive way and, if necessary, later in a more  
14 investigative way if we need to, which is more of our  
15 traditional kind of operation; investigating complaints  
16 where we go on site and interview people, and do file  
17 reviews, and make findings.

18 That's our interest and jurisdiction in this arena,  
19 and we're here briefly today, and many apologies for  
20 that. And we'll be having a meeting tomorrow at the  
21 University of Maine Orono where we will be delving into  
22 this much more deeply.

23 Thank you.

24 CHAIRPERSON TALBOT: Thank you. And I apologize  
25 again for not meeting you. Is there anybody else that



1 would like to come before the hearing?

2 MR. SERPA: Can we just ask questions of Ruth?

3 CHAIRPERSON TALBOT: Yes.

4 MR. SERPA: Actually, I have a few questions,  
5 Miss Ricker.

6 What prompted your interest in the Maine area? Was  
7 there a specific incident or -- that you heard of, or --

8 MS. RICKER: Not one incident. We've been kind of  
9 scoping it out for the last couple of years, talking to  
10 several people at the Maine Department of Ed over the  
11 last couple of years, and then talking to the Attorney  
12 General's office in the last year or so, and -- and as we  
13 went in deeper, we met more community people, and that  
14 reinforced the idea that this is still an issue, which we  
15 weren't sure if there were still concerns, or if there  
16 were enough concerns to warrant our making a --.

17 We have to select, of the few projects that we go  
18 into proactively, where we initiate the projects -- we  
19 have to select where we put that energy and make the  
20 trips and so forth.

21 And so, looking at the systemic -- systemically,  
22 that there may still be deep issues here in terms of  
23 equal access to education for Native American students,  
24 then it's an area to get into.

25 Because, we get very few -- for many national

1 origin or race, minority groups, we get very few Title VI  
2 complaints even now. We never really have gotten that  
3 many of them.

4 So it's an area where we're primarily -- where,  
5 primarily, most of our work is proactive. And so  
6 identifying outside or urban areas where it's more  
7 obvious what the concerns are, they get a lot more  
8 publicity and so forth -- identifying where in the other  
9 New England states there are still Title VI areas.

10 And this seemed to be a major one the more we  
11 looked at it.

12 MR. SERPA: Can you give any examples of what type  
13 of problems or issues --

14 MS. RICKER: Issues in terms of racial harassment.  
15 And from our sense of different anecdotes and so forth  
16 that people had recently had occurred to Native American  
17 families' children, and children within the community of  
18 applicants that we were talking to, and the Attorney  
19 General's office, in terms of racial harassment and  
20 issues of steering, in terms of dissuading people at the  
21 high school level from pursuing very academically  
22 oriented students from pursuing a four-year college  
23 education, and steering towards a two-year program.

24 Problems with concerns about ability grouping --  
25 which we have concerns in -- in a number of school

1 districts, in urban and suburban, and -- here, in terms  
2 of this field or arena, in terms of the impact that  
3 ability grouping has on certain minority groups, whether  
4 it's in an urban location, whether it's bilingual  
5 Hispanic children, or African-American children, or  
6 Native American children here.

7 I think those were the three major areas. And  
8 then, under all of that, the sense of environmental kinds  
9 of things in terms of the outside community that fester  
10 in terms of -- which certainly our office, or any one  
11 agency can't get to easily, but that -- that those  
12 attitudes that may not have changed as much as some  
13 outsiders might think they have in the last couple of  
14 decades, so that that allows some things that are more  
15 subtle to still be there.

16 And there seems to be stories of that in terms of  
17 how mascots might be perceived, like school mascots, and  
18 issues that some people might feel are pretty subtle, but  
19 still, if they're not even seen as issues, then that can  
20 add another layer of problems to the more succinct or  
21 egregious seeming kinds of issues like racial harassment,  
22 or segregation impacts from segregation effects from  
23 ability grouping.

24 MR. SERPA: Okay.

25 CHAIRPERSON TALBOT: Ken.

1           MR. MORGAN: Hi. I'm Ken Morgan, I'm from Bangor.  
2           It's nice to meet you, Ruth.

3           The question I was going to ask you -- in a way  
4           you've already answered, but --.

5           As you probably know, we're holding -- this  
6           committee is holding four days of hearing --

7           MS. RICKER: Hm-hmm.

8           MR. MORGAN: -- this one having to do with Native  
9           Americans. We did one yesterday in Fort Kent with  
10          Francophones, and we're doing one in Auburn primarily  
11          with migrant workers and one in Portland where there are  
12          a lot of different minorities.

13          And I was going to ask you -- this is what you've  
14          already answered -- if you get many complaints, not only  
15          from the Native American community or component, but from  
16          any component at all to trigger your activity in any way  
17          in Maine.

18          And I think you said you get very little.

19          MS. RICKER: Hm-hmm.

20          MR. MORGAN: And I'm curious to know why you think  
21          that that's the case, that you -- because we, and I'm  
22          sure you, and in particular some people that were working  
23          with -- that we're working with, whether they be  
24          Franco-Americans, or Native Americans, or whatever, there  
25          are indeed many problems and deficiencies.

1           So -- I mean, I could think of one or two things  
2 maybe why you don't get many complaints, but I would like  
3 to hear what your perspective is.

4           MS. RICKER: My sense just as an investigator, and  
5 -- but I am one of the people that mans the phones at  
6 work in terms of when outside calls come in when folks  
7 are -- people from the community are -- whether they're  
8 calling from the school as a -- as a school employee, or  
9 whether they're calling from -- as a parent or an  
10 advocate looking for information about our office, and  
11 possibly filing a complaint, or just getting information  
12 on what their rights are.

13           My sense is that -- and we certainly don't get  
14 Title VI complaints, many Title VI complaints at all at  
15 any level of school.

16           And it isn't just our region, but it's probably  
17 more our region than, you know, the Chicago region, or  
18 Dallas, or San Francisco. I think they get more Title VI  
19 complaints than we do.

20           But, even nationally, there's very few. And --  
21 even from the urban location.

22           And my sense is that large established advocacy  
23 groups, Title VI oriented advocacy groups, are more  
24 likely to -- and this probably -- there's probably a  
25 number of reasons; real and perceived, perhaps, but some

1 real ones -- file in court, like, say, than file a  
2 complaint with us.

3 Say in terms of any Title VI issues around the  
4 Boston public schools, which there are certainly are in  
5 terms of school assignment issues; race issues and things  
6 like that, and a minority-majority kind of urban school  
7 system -- and Title VI issues around Boston schools or in  
8 the urban school district are very rarely filed with us.

9 If -- and an advocacy group that knows its rights,  
10 and knows if they're going to go somewhere, they'll go to  
11 court rather than come to us, and there's probably  
12 historical reasons for that, or perception real -- you  
13 know, combination.

14 In terms of northern New England, probably -- my  
15 sense is that advocacy groups that would be more likely  
16 to file a complaint than, say, an individual. An  
17 individual aggrieved parent may not know where to go.  
18 They may not even know about the Human Rights Commission  
19 or the Maine Department of Ed in Augusta, let alone about  
20 us, even though, theoretically, there's a reference to us  
21 in school materials.

22 But, even an advocacy organization frequently --  
23 they may be vaguely aware that we exist, but there's even  
24 less communication. That's one reason why we try to --  
25 we try some outreach when we can to Title VI and other

1       advocacy organizations in northern New England, as well  
2       as in urban areas, to get the information out for when a  
3       group feels that there's an egregious situation, they can  
4       file a complaint with our office, and know that they  
5       don't even have to hire an attorney to do that.

6               So, it doesn't require the financing that it does  
7       to go to court. All they have to do is file the  
8       complaint with a description of their allegations, and  
9       we'll take it from there. We'll do all of the research.

10              And then we'll -- if we find civil rights  
11       violations, we will negotiate a resolution with the  
12       school district or the college that will put -- that will  
13       alleviate, take away the discrimination.

14              It doesn't make whole or the kinds of remedies one  
15       would get from court, but occasionally people filing any  
16       kind of civil rights complaint with us would then, if  
17       found in their favor, like a violation, they sometimes  
18       then go to court with that.

19              Because, we've done some of the research, we've  
20       found a violation, and they can take that to court.

21              But, at any rate, I'm not sure exactly why people  
22       don't file complaints with us. I'm not -- I think it's  
23       partially that they're not too familiar with what we are  
24       able to do.

25              And there are times when -- I mean NAACP certainly

1 knows about us, and makes it -- and makes a deliberate  
2 decision to file in court when they're representing a  
3 school district or whatever, as opposed to -- or against  
4 a school district, as opposed to filing with us.

5 But -- and, there are decisions that we make that  
6 would, at the end of an investigation, not go as far as  
7 an advocacy organization may feel that they would get if  
8 they went to court.

9 And so that may be an informed opinion when you  
10 look at the risk benefit of filing with an agency that's  
11 free, versus going to court.

12 But, the saddest part, I think, is if they don't  
13 even know about us as an option, that they can file with  
14 us.

15 And some of the more subtle things are certainly  
16 harder to get in a specific individual complaint  
17 investigation. The subtle kind of things that -- in one  
18 kid's situation, there may not be enough there to rise to  
19 the level of a violation that we can ferret out, whereas  
20 if we're looking systemically at a class case, filed  
21 against a whole class of children, students, then we may  
22 be able to find more because we can dig a lot deeper and  
23 look systemically at patterns.

24 And the people may not be aware that we have the  
25 ability to do that. And we have -- relative to other



1 civil rights agencies, we're -- our investigation starts  
2 with -- starts within a month of when we receive the  
3 complaint. There's no -- what's the word -- backlog.

4 MR. MORGAN: Have you ever had a situation from  
5 Maine, that originated in Maine, a complaint filed for a  
6 system -- a school system that was in Maine not having a  
7 LAU plan for example, that type of thing?

8 MS. RICKER: I'm trying to think if specifically we  
9 have. I'm not sure.

10 I think there have been Title VI cases, very few,  
11 but I'm not sure if any have been specifically LAU in  
12 terms of limited English proficient students.

13 And if I knew of any, I mean, I would say so, but  
14 I'm not sure how much I could get into it anyway. But,  
15 I'm honestly not sure if we have had any complaints.

16 And I don't think we've had any compliance reviews  
17 up here. Hopefully, at least one of the people from our  
18 LAU team will be at the central and southern Maine  
19 hearing all day, and -- so they'll actually hear what  
20 other people testify about. And they're very interested  
21 in knowing what the situation is.

22 MR. MORGAN: Is your office or any other -- do you  
23 from time to time, or do you engage in, or do you  
24 brainstorm about a -- in effect, an educational plan to  
25 inform other than advocacy groups about what groups of

1 peoples' rights are and what can be done about it?

2 MS. RICKER: Well, we're probably not even very  
3 good at getting it out to the advocacy groups, which at  
4 least is something that's achievable because there's  
5 knowingness of them, and you learn who they are by  
6 talking to different agencies.

7 But, in terms of the general public, we don't  
8 currently have any public service announcements that OCR  
9 uses. And, as an agency, we don't seek publicity, in  
10 that we don't publish findings, we don't send them as  
11 press releases to the press corps so that -- complainants  
12 or advocates and so forth are able to do that.

13 But, if they don't specifically do that -- and, of  
14 course, they would be more likely to do that if they  
15 filed a class complaint than if they filed a complaint on  
16 their one child situation, you know, for privacy reasons.

17 But, it is not a current -- what's the word -- you  
18 know, practice of us as a federal agency, not just the  
19 New England office, to seek publicity in that way.

20 We put some efforts, one FTE -- one person  
21 equivalent; 50 percent of my time and 50 percent of  
22 somebody else's time doing technical assistance which is,  
23 theoretically, that.

24 But, primarily, most of our time is spent just  
25 answering phone calls, responding to inquiries from the

1 outside, but not going outside and talking about OCR  
2 uninvited.

3 And we don't even go to all of the invitations.  
4 Unfortunately, most of the -- in this context, most of  
5 the invitations are in the 504 disability area to do  
6 training and stuff like that, not even in Title VI.

7 But, I'm not sure -- or Title IX, the Gender Equity  
8 Law. And those are our big three; disability, gender,  
9 and Title VI.

10 But, even if we got more invitations, I'm not sure  
11 how much more we would be able to do to get out of the  
12 office. But, certainly, that would promote more  
13 awareness.

14 MR. SERPA: A few more questions.

15 You don't go proactively looking for cases?

16 MS. RICKER: Some, on a limited basis. We consider  
17 this project proactive, because there wasn't a specific  
18 complaint.

19 MR. SERPA: Okay.

20 MS. RICKER: But, we do a certain number -- now  
21 it's 40 percent of our time as an office are proactive  
22 cases now for this fiscal year, that's half over, and our  
23 planning for next year -- and, actually, this project  
24 bridges both years. It's supposed to be one year, and  
25 it's evolved.

1           And so, a lot of our time goes into that, but then  
2           it's split up by the LAU team and -- we have a team that  
3           is -- we have three proactive teams; a team that's  
4           looking at primarily the statistical or representation of  
5           minority children in special ed programs, and in certain  
6           classifications of special ed. And that's primarily in  
7           urban districts, African-American, Hispanic children.

8           And then the LAU team and the team that we're on,  
9           which kind of is a catchall -- we're looking at -- we're  
10          learning about and doing some reviews, which are  
11          investigations that we initiated, as opposed to complaint  
12          investigation, in the area of ability grouping, as that  
13          applies to both genders in vocational schools, and by  
14          race or national origin in urban districts, or -- and  
15          that's where we try to fit this one in.

16          We see it more of a national origin race kind of  
17          issue than LAU, but -- which is why we have it.

18          But that's -- and we look at racial harassment  
19          occasionally, but ability groupings are our major area.

20          That's where most of our cases are, as compliance  
21          reviews in those areas, but still limited because those  
22          tend to be bigger projects. And so they're limited in  
23          number when you compare them to the numbers of complaints  
24          we get, which are like in the hundreds, but those are  
25          primarily special ed and -- under 504 laws, and a few at

1 the college level in terms of disability.

2 MR. SERPA: About how many Title VI complaints do  
3 you actually receive a year?

4 MS. RICKER: Complaints, it's probably -- I don't  
5 know, maybe ten or 12 or something. It's very small.

6 And then the investigations that these three  
7 proactive teams do are probably actually the same number,  
8 because they're bigger.

9 They're looking at, you know, the whole special ed  
10 program in a large urban district, or something like  
11 that, or the whole LAU program and -- they tend to go to  
12 -- the LAU team tends to go to middle size and smaller  
13 urban districts.

14 MR. SERPA: All right. And how long does it take  
15 to close a case, or --

16 MS. RICKER: It's -- compliance reviews are usually  
17 longer than complaints, because a complaint can be just a  
18 couple of months depending on the complexity. A Title VI  
19 complaint will probably be more complex and take longer  
20 depending on the complexity, although we might be able to  
21 mediate an actual complaint.

22 A compliance review that we initiate can take the  
23 better part of a year, but -- and then we take into  
24 account the amount of work that we can do over the summer  
25 when only certain people are available to work with and

1 interview and oversee us us digging through their files  
2 and stuff.

3 But, a -- approximately a year. And then a lot of  
4 our effort now goes into the monitoring of the agreement  
5 that we negotiate with the school district or the college  
6 president at the end of the investigation.

7 And then we monitor that agreement for, usually,  
8 several years as they implement the steps. Because,  
9 often, the things that we're asking them to do are kind  
10 of systemic.

11 And also some may take a while to implement, but  
12 also we want to monitor to ensure that they're actually  
13 doing it, and to see what the outcome is.

14 We didn't used to put as much effort into  
15 monitoring as we do now. It mostly went into the actual  
16 investigation and -- and not so much into seeing what  
17 actually happened at the end of the investigation, which  
18 is more important.

19 MR. SERPA: What happens if they are not fulfilling  
20 their agreement?

21 MS. RICKER: We can reinvestigate, go back on site.

22 The eventual stick, or the eventual thing that  
23 we're hanging over them in enforcement is that we are  
24 able to, because our authority comes from the federal  
25 funding -- our agency has the authority to pull federal

1 funding. That is not a process that is taken lightly,  
2 and not even done by our actual office in Boston. It  
3 goes through our headquarters at the Department of  
4 Justice, and administrative hearings and so forth.

5 But, usually we're able to reinvestigate as much as  
6 we have to, and reconfigure an agreement.

7 There's no real penalty. I mean, there's not as  
8 much teeth as there might be through another route in  
9 that case.

10 But, sometimes we're able to finesse things. And  
11 if -- in cooperation with community people, we may be  
12 able to change some attitudes that can finesse it more  
13 than some of the other leverage that we may have.

14 MR. SERPA: Okay. One last question. How large is  
15 your office?

16 MS. RICKER: How large?

17 MR. SERPA: Yes.

18 MS. RICKER: We have about 40, 50 people -- 40?  
19 Used to be 50?

20 That's investigators -- investigators would be the  
21 largest number of people. Small number of support staff,  
22 small number of management, smaller than it used to be.  
23 Reinventing government there.

24 And some attorneys. Some attorneys who are acting  
25 as attorneys, and some attorneys who are investigators.

1 MR. SERPA: Okay. Thank you.

2 CHAIRPERSON TALBOT: I have a question. And a  
3 question that I have is that -- in other words, if  
4 somebody or an organization was -- was to file a  
5 complaint with your office from the state of Maine, would  
6 you work through or would you ask for assistance from,  
7 say, the State of Maine Department of Human Resources?

8 MS. RICKER: From the Maine Department of  
9 Education, or --

10 CHAIRPERSON TALBOT: No, the Department of Human  
11 Resources --

12 MS. RICKER: No --

13 CHAIRPERSON TALBOT: I mean, do you work through  
14 them, or do you work by yourself --

15 MS. RICKER: We work by ourselves --

16 CHAIRPERSON TALBOT: You're not looking for them  
17 for support or finding out where they're going?

18 MS. RICKER: No. We would collaborate or stay in  
19 touch with the Maine Department of Education in these  
20 arenas, specifically, as opposed to like disability, or  
21 perhaps there, too.

22 But, in these kinds of community issues, we would  
23 certainly talk with -- talk with or touch base with and  
24 see what they've done, what they're doing, what they know  
25 about people that they know; the Attorney General's in



1           Augusta, the Maine Department of Education, the Human  
2           Rights Commission in Augusta, to touch base with them.

3           And if they're already doing something in that  
4           area, we might be working with them, or somehow --.

5           If they're literally -- if another agency, like the  
6           Human Rights Commission, or the Department of  
7           Education -- although, less likely them -- or the AG's  
8           office, were actually investigating the very same  
9           allegation, or if the very same allegation about the same  
10          school district -- the same issue in terms of harassment,  
11          or all of the issues, depending on what was cited -- if  
12          the very same issues for the same school, same  
13          population, were being investigated or entertained in  
14          court at the same time, then we would put the complaint  
15          on hold, we wouldn't investigate.

16          But, if it's only filed with us, we would  
17          collaborate or at least consult with other state and  
18          federal -- I guess that's really not really applicable to  
19          other state agencies -- that have some familiarity so  
20          that we're not starting off without any idea, but also to  
21          see what inroads they've made.

22          And certainly -- even on this project, which is not  
23          so investigative, we've gotten -- most of the people  
24          we've met are because of the Attorney General's office  
25          and the Department of Education, mostly the AG's office

1 has led us to the advocates and the community people that  
2 we've met.

3 The school district people, we know how to find  
4 them ourselves, but --.

5 So that's kind of -- does that --

6 CHAIRPERSON TALBOT: Yes.

7 MS. RICKER: But, we supply our own labor, if  
8 that's your -- so we come up here ourselves, usually on  
9 time, and actually do the investigation ourselves.

10 CHAIRMAN TALBOT: I guess where I'm coming from is  
11 what you're saying, and that is, if someone up here has a  
12 complaint, and files it with you, they want to be able to  
13 depend upon you, or they want to depend on that agency --  
14 you know, they still have to depend on this agency over  
15 here, or that agency over here.

16 MS. RICKER: Hm-hmm. Well, EEOC, which is a sister  
17 civil rights agency to the Civil Rights Commission to  
18 ourselves at the federal level, for employment  
19 complaints, like in Title VII, the race, color and  
20 national origin statute, they -- they work much more in  
21 partnership in terms of conducting investigations with  
22 the Human Rights Commissions in the different state  
23 agencies.

24 And so that -- I know at least in Massachusetts, if  
25 someone files -- and I'm assuming it's the same in other

1 states. If someone files a complaint with the state  
2 agency there, the Mass Commission Against Discrimination  
3 there, the same as the Human Rights Commission here, it's  
4 filed jointly.

5 Like even though they have filed with one, it's  
6 filed jointly with both; whether or not they filed with  
7 the USEEOC or the Mass Commission Against Discrimination.  
8 So, it's done in tandem, and one agency or the other will  
9 follow up on it; whereas, with us, it's just us even  
10 though we have the same --.

11 It's analagous between us and the Mass department  
12 and the Maine Department of Education, but it's not the  
13 same -- we don't use them in that way. We just pick  
14 their brain and then go on and do our thing.

15 CHAIRPERSON TALBOT: Okay. Are there any  
16 questions?

17 MR. MORGAN: I just wanted to ask anybody who's  
18 left here in the room -- I would like to give them the  
19 opportunity, if they have any questions that they wanted  
20 to ask Ruth or --. Okay.

21 CHAIRPERSON TALBOT: Seeing that it's as quiet as  
22 it is, I think we can bring this meeting to an end. We  
23 tried this afternoon to accommodate you, and I appreciate  
24 your comments.

25 Maybe -- I don't know, Fernando, if you want to say

1 something or --

2 MR. SERPA: Well, I do appreciate everyone sticking  
3 to the end, and -- does anyone else have any comments or  
4 any statements or anything they want to make?

5 No? Well then --

6 CHAIRPERSON TALBOT: I think I would like to be  
7 able to say that insofar as we would like you --  
8 everybody who has spoken will get a copy of the report.  
9 And I think at some point we'll be doing that report --  
10 it will probably be by the end of the year, and hopefully  
11 getting that report by the first part of the year so you  
12 can have -- we'll get that back to the Education  
13 Commission.

14 Otherwise than that, I would have to say that we  
15 will bring this meeting to a close. And I want to thank  
16 you very much for being here and for listening to us, and  
17 for us to be able to listen to your comments.

18 (Completed this fact-finding meeting at 2:47 p.m.  
19 this date.)

20

21

22

23

24

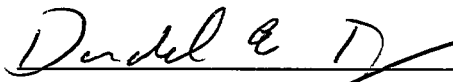
25

CERTIFICATE

I, Donald E. Thompson, Notary Public,  
in and for the state of Maine, hereby certify  
that the foregoing pages are an accurate  
transcription of the hearing on June 3, 1997.

IN WITNESS WHEREOF, I subscribe  
my hand and affix my seal this 4th day of  
June 1997.

Dated at Bangor, Maine.

  
Donald E. Thompson, RPR,  
Notary Public

My commission expires November 16, 1999.