

MINUTES

State-Tribal Relations



Senator Michael Rohl, Co-Chair
Representative Tamara St. John, Co-Chair

Fifth Meeting, 2023 Interim
Thursday, August 31, 2023

Tribal Council Chamber – Tribal Administrative Building
Lower Brule, South Dakota

The fifth interim meeting of the 2023 State-Tribal Relations Committee was called to order by Senator Michael Rohl at 1:00 p.m. (CST) in the Tribal Council Chamber of the Tribal Administrative Building, Lower Brule, South Dakota.

A quorum was determined with the following members answering roll call: Senators Shawn Bordeaux, Red Dawn Foster (remote), Kyle Schoenfish, and Michael Rohl (Co-Chair); and Representatives Eric Emery, Peri Pourier, and Tamara St. John (Co-Chair). Senator Tom Pischke, Representative Joe Donnell, and Representative Will Mortenson were excused.

Staff members present included Jacob Carlson, Research Analyst.

NOTE: For the purposes of continuity, the following minutes are not necessarily in chronological order. All referenced documents distributed at the meeting are hyperlinked to the document on the Legislative Research Council Website. This meeting was live streamed. The archived live stream is available on the LRC website at sdlegislature.gov.

Approval of the Minutes

Senator Bordeaux moved, seconded by Representative St. John, to approve the minutes of the July 31, 2023, State-Tribal Relations Committee meeting. The motion prevailed on a voice vote.

Great Plains Tribal Education Directors

Ms. Dayna Brave Eagle, Tribal Education Director, Oglala Sioux Tribe, gave an overview of the Pine Ridge Reservation ([Document 1](#)). She said the reservation is one of the largest in the United States and consists of 9 districts, 52 communities and neighborhoods, and 22 schools.

Ms. Brave Eagle said the Oglala Sioux Tribe has the authority to prescribe and implement educational ordinances, resolutions, and policies applicable to the schools of the Oglala Sioux Tribe for the Oglala Lakota Oyate. Ms. Brave Eagle said the Oglala Sioux Tribe works cooperatively with all educational entities serving Oglala Lakota students.

Ms. Brave Eagle spoke on the education challenges the Oglala Sioux Tribe faces. One challenge is teacher shortages. She said the tribe has 504 positions open in its 22 schools, and they are bringing in international teachers. Ms. Brave Eagle said the educational facilities are aging, are not up to code, and are not equipped with the latest technology.

Dr. Sherry Johnson, Tribal Education Director, Sisseton-Wahpeton Oyate, gave an overview of state of the Sisseton-Wahpeton Oyate education system ([Document 2](#)). She said Native American students are not performing as well as their non-native peers. As an Education Director, Dr. Johnson said she works with all aspects of the education and environment of a student's learning.

Dr. Johnson said funding for the Sisseton-Wahpeton Oyate Tribal Education Department is limited. She said public schools that receive impact aid appear to have more funding to leverage program and resources and construct new buildings.

Dr. Johnson said the Tribal Education Department provides direct services to four public school systems. The Tribal Education Department also provides support for the integration of the Dakota language, history, and culture in schools. The department also assists schools through opportunities to hear the Dakota language, such as afterschool language classes, tutoring, and historical and cultural workshops and presentations. She added that these opportunities are limited by the availability of staff and funding.

Dr. Johnson said teacher shortage has been a challenge for many years on the Lake Traverse Reservation. She said tribal schools advertise, recruit, and offer retention and signing bonuses – all of which tax the schools' budgets. Other challenges include adequate housing on the reservation and testing requirements for state teaching licensures.

Dr. Johnson spoke on collaboration between the Tribal Education Directors and legislators. She said the Tribal Education Directors would like to provide quarterly data and to have the opportunity to consult with legislators regarding education laws, saying it could strengthen communication between the South Dakota government and South Dakota Tribes.

Representative St. John asked about the needs and resources for international teachers. Dr. Johnson said that finding housing, clothing, beds, health, and resources for international teachers has been a challenge. She also said that international teachers do not have driver's licenses, so the tribe must provide for their transportation as well. Dr. Johnson said the tribe asks for donations of funds, clothing, and household items to provide for their international teachers.

Ms. Sarah Bad Warrior-Vrooman, Education Coordinator, Flandreau Santee Sioux Tribe (FSST), presented on the current challenges faced by tribal communities ([Document 3](#)). She said the Flandreau Public School does not offer Dakota Language or Culture in its curriculum. She said another challenge for Native students is college readiness. Ms. Bad Warrior-Vrooman said students drop out of classes because they do not have a support system, they do not know their resources or how to ask for assistance, classes are too difficult, and they do not have financial literacy. Recruiting and training teachers is another challenge, as the Flandreau Public School and Colman-Egan Public Schools do not have Native teachers or paraprofessionals.

Ms. Bad Warrior-Vrooman said the Demonstration Grant of 2018-2019 helped the Flandreau School District students; ensured the school board, administration, staff and teachers were provided with professional growth training opportunities; and developed an accredited Dakota language, history, and culture curriculum. The grant also helped the school district with an after-school program, but due to the end of the grant funding, COVID-19, and a lack of staff, the program was unable to continue.

Ms. Bad Warrior-Vrooman also spoke on the importance of collaboration between the Tribal Education Directors and legislators. She said it is important to develop professional development and cultural awareness training for school districts and non-Native staff and administration, and to continue to have open communication regarding tribal education.

Representative St. John asked whether the FSST has worked with South Dakota State University (SDSU) and their programs. Ms. Bad Warrior-Vrooman said the tribe has worked with SDSU, and the tribe is hoping to work more with SDSU in the future.

Dr. Cherie Farlee, Tribal Education Director, Cheyenne River Sioux Tribe (CRST), said the CRST Tribal Education Agency (TEA) was established on August 4, 2011. The purpose of the resolution that established the TEA was to establish a department that would implement the Tribal Council's directions and provide the Council with recommendations on all aspects of education to ensure it prepares students for their future.

Dr. Farlee spoke on the challenges the reservation faces with regards to education ([Document 4](#)). She said they face shortages of qualified, certified teachers and paraeducators; funds for school building operation and maintenance; adequate classrooms and staff housing; community involvement and support; student attendance; drug, alcohol, and mental health support and treatment. She added that their Native language and culture are on the decline. Dr. Farlee said the testing requirements for teachers have impacted the desire of graduates and paraeducators to pursue education degrees.

Dr. Farlee covered the primary challenges faced by the Cheyenne River Sioux Tribe, which include funding and resource allocation, cultural and linguistic preservation, teacher recruitment and training, infrastructure maintenance, road conditions, internet access, and community engagement.

Dr. Justin Zajic, Superintendent, Chamberlain Public School District, said the Chamberlain Public School District encompasses 932 square miles, three counties, and two reservations. Dr. Zajic said the school district serves many students from many different ethnic and socioeconomic backgrounds.

Dr. Zajic said there is a new Kindergarten through 5th grade elementary school being built. He said the new elementary school is designed around the concept of customized math learning, which allows students to move throughout the building to work in classes at their level. Dr. Zajic said the school will also have a lab for science, technology, engineering, and math (STEM).

Dr. Zajic said the Chamberlain Public School District high school offers dual credit. The school district also provides job shadowing opportunities for juniors and seniors with the elementary school, construction sites, farmers, and mechanics throughout Chamberlain. Dr. Zajic said they also have a building for a STEM lab. This STEM lab introduces students to a variety of subjects, including computer engineering, programming, electronics, robotics, renewable energy, and graphic design. Dr. Zajic said the lab is grant-funded through a state grant, private grants, and donations.

Dr. Zajic said the Chamberlain Public School District faces challenges regarding attendance. He said the district is working with both reservations withing the school district to create a memorandum of understanding to make accommodations for students to bring them back to the classroom and to help them be successful.

Mr. Brian Wagner, Tribal Education Director, Lower Brule Sioux Tribe, presented on the status of the Crow Creek and Lower Brule Tribes' education ([Document 5](#)). He said the Crow Creek and Lower Brule Sioux Tribes originally had their own Education Line Offices (ELO) that were responsible for working with the Bureau of Indian Affairs (BIA) funded schools that reside on the two Reservations. A reorganization consolidated the ELOs to one ELO for serving both reservations. A second reorganization expanded the ELO's service to the Sisseton-Wahpeton and Flandreau Tribes. A third reorganization closed the ELOs and established the Education Resource Centers. The Lower Brule Tribe contracted for its own Tribal Education Department in 2022 and was awarded the contract in July of 2023.

Mr. Wagner said as Lower Brule's Tribal Education Director and Crow Creek's Education Consultant, he is responsible for providing educational support for the Lower Brule Community, which includes being the interim Head Start Director; developing Education Policy; providing support to Bureau of Indian Education (BIE) funded schools; advocating on education issues at the local, state, and federal level; and advocating on behalf of the Tribe to improve educational opportunities for tribal members.

Mr. Wagner covered the primary challenges the Crow Creek and Lower Brule Tribes face. One challenge is current South Dakota legislation, policy, and procedure, which does not provide for children who attend BIE funded schools. Other challenges include receiving funds in a timely manner from the BIE and BIA; lack of teachers, paraprofessionals, bus drivers, and other employees; school enrollment and truancy; and aging facilities.

Mr. Wagner emphasized the importance of understanding the difference between a tribally controlled school and a bureau-operated school. He encouraged a conversation regarding school board members, to ensure they appropriately represent students, adding that many citizens do not have the resources to nominate themselves for the school board. He also encouraged the committee members to find a way to legislatively encourage members to learn more about the tribes within the boundaries of South Dakota.

Ms. Cindy Young, Tribal Education Director, Rosebud Sioux Tribe, presented on the Great Plains Tribal Education Department Directors ([Document 6](#)). She said the directors have identified areas that need to be addressed. First, she said, tribes have a need for timely and meaningful consultation with the South Dakota Department of Education (DOE).

Ms. Young also covered the impact of transfer of Indian Education from the DOE to the Department of Tribal Relations. She said there are no data or school improvement strategies regarding education. Ms. Young also emphasized the need for clarification on the role that the South Dakota Indian Advisory Committee plays in tribal education. She also said the Oceti Sakowin Essential Understandings and Standards (OSEU) should be a part of the required curriculum for schools.

Ms. Young said there is a shortage of teachers that must be addressed. She said the tribes would like to work with the DOE and the Department of Tribal relations to develop teacher training programs. Ms. Young said that another priority for the Great Plains Tribal Education Directors is special education, and they express support for [HB 1070](#).

Ms. Roquel Gourneau, Crow Creek Sioux Tribe, encouraged the committee members to advocate at levels above state entities to assist the tribes with education funding. Ms. Gourneau said the tribes experience delays regarding education aid. This also applies to the Department of Health and Human Services, which funds the Office of Head Start and the American Indian Head Start. She also said tribes have issues regarding teachers, affordable care, and issues with a lot of various staffing throughout the school system, including the Head Start levels. Ms. Gourneau emphasized that the prioritization of Indian education should align with the prioritization of South Dakota students. She added that it is difficult for tribes to prioritize students through several different entities.

Dr. Joseph Graves, Secretary, Department of Education (DOE), presented on the implementation of the new Social Studies Standards. He said the DOE determined the implementation will require assistance from the DOE, as the new standards are a significant enhancement of past social studies standards. One effort for implementation, he said, was the Social Studies Summit held for South Dakota educators. Another effort included a road trip - educators visited many historical sites and monuments throughout South Dakota. A third effort is comprised of professional development: the DOE requested input on needed assistance from educators and administrators. Based on their feedback, they will develop lesson plans implementing social studies standards at the elementary level. The plans will be voluntary, and the DOE will provide resources. Dr. Graves also covered the OSEU.

Mr. Fred Osborn, Director, Office of Indian Education, spoke on the Student Education Advisory Council annual report. He said the DOE, the Office of Indian Education, and the Region 11 Comprehensive Center surveyed teachers to identify areas in which teachers need support and resources regarding the OSEU. Another issue covered by the annual report was COVID-19. The DOE issued competitive grants and federal dollars for COVID era and post-COVID era projects to address problems of absenteeism. He said there are more grants available this October. Mr. Osborn said the Office of Indian Education communicates webinars, including a webinar in 2022 by the Western Educational Equity Assistance Center.

Senator Rohl asked whether the DOE has considered expanding the core standards of education to include computer science. Dr. Graves responded that there is no current initiative to bring computer science into one of the core standards. He added that the DOE has been working with Dakota State University to develop a new set of standards in computer science to help advance students in high school who want to pursue the subject in college.

Senator Foster commented that she would like to have a follow-up meeting to discuss what resolutions the committee could bring forth to give recommendations to South Dakota's United States senators and representatives to encourage changes at the federal level that better suit South Dakota's Indian education.

Ms. Nakina Mills, National Indian Education Association (NIEA), shared some resources that are available on the NIEA website regarding meaningful consultations concerning Native education. She also said the NIEA is holding a convention in Albuquerque, New Mexico, in October.

Adjournment

The next meeting of the State-Tribal Relations Committee will be held on September 22, 2023, at the Fort Randall Casino and Hotel in Lake Andes, starting at 1:00 p.m. (CT).

Representative St. John moved, seconded by Representative Emery, that the State-Tribal Relations Committee be adjourned. The motion prevailed on a voice vote.

The Committee adjourned at 5:06 p.m.